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## Council of Basel 1431-45 A.D.

### INTRODUCTION

Basel had been designated as the place for this ecumenical council by the abortive council of Pavia -- Siena (1423-1424). It was opened on 25 July 1431 by the papal legate, who had been appointed by Pope Martin V in two bulls dated 1 February 1431, *Dum omnis universalis gregis* and *Nuper siquidem cupientes* shortly before the pope's death on 20 February 1431. A great part of the council's work in the early years was taken up with its quarrel with Pope Eugenius IV, who was accused of wishing to dissolve or transfer the council. The prospect of re-union with the eastern church provided an opportunity to transfer the council to another city. This move was supported by the council fathers loyal to the pope, who however were in a minority, and in the 25th session they voted for the city of Ferrara. There the council was re-opened on 8 January 1438, Pope Eugenius IV later attending in person. Some historians doubt the ecumenicity of the first 25 sessions at Basel. All agree that the sessions held at Basel after the 25th session until the final one on 25 April 1449 cannot be regarded as sessions of an ecumenical council.

The Greek bishops and theologians attended the council of Ferrara from 9 April 1438. The council was transferred to Florence on 10 January 1439. There, in the session on 6 July 1439, the decree of union with the Greek church was approved. Subsequently decrees of union with the Armenian and Coptic churches were approved. Finally the council was transferred to Rome on 24 February 1443. There other decrees of union with the Bosnians, the Syrians and finally with the Chaldeans and Maronites of Cyprus, were approved. The last session of the council was held on 7 August 1445.

The decisions taken at Basel have the form of conciliar decrees. Those taken at Ferrara, Florence and Rome are almost always in the form of bulls, since the pope was presiding in person; in these cases the decree mentions the council's approval and contains the words "in a solemnly celebrated general session of the synod".

Almost all the decrees of re-union were of little effect. Nevertheless it is significant that the church's unity was discussed in a council attended by some eastern bishops and theologians, and that there was agreement on the principal dogmatic and disciplinary questions which had divided the two churches for many centuries.

The acts of the council of Basel were first published by S. Brant in Basel in 1499, with the title *Decreta concilii Basileensis* (= Dc). This collection was subsequently published by Z. Ferreri at Milan in 1511, and by J. Petit at Paris in 1512. Almost all later conciliar collections included the acts and decrees of the council of Basel, from Merlin to Mansi's *Amplissima collectio* (= Msi). A brief history of these collections was written in 1906 by H. Herre in his work entitled, *Handschriften und Drucke Baseler Konzilsakten*, in *Deutsche Reichstagsakten unter Kaiser Sigmund*, Part IV/1, 1431-1432, 10/1, Goettingen 1957, XCVI-CI. Another edition of the decrees of Basel is contained in John of Segovia's diary, which is to be found in *Monumenta conciliorum generalium saeculi XV* (= Mxv), II Vienna 1873. Editio Romana, however, omits the council of Basel (see Labbe-Cossart XIII, n. 7; S. Kuttner, *L'Édition romaine des conciles généraux*, Rome 1940).

For Basel, we have followed the edition of Msi 29 (1788) 1-227. We have noted the principal variants in Dc and Mxv. We have omitted some decrees pertaining to internal matters of the council, to the quarrel with Eugenius IV and to administration; we have always noted the titles of these decrees in footnotes. The decrees of Ferrara, Florence and Rome were first published by P. Crabbe (1538, 2, 754V-826). H. Justinianus subsequently published a more careful edition, *Acta sacri oecumenici concilii Florentini*, Rome 1638, which was followed by later collections until Msi 31 supplement (1901) (see V. Laurent *L'édition princeps des actes du Concile de Florence*, Orient. Christ. Per. 21 (1955) 165-189, and J. Gill, *ibid.* 22 (1956) 223-225). The decrees are also to be found in *Monumenta conc. gen. saec. XV, III-IV* Vienna 1886-1935. We have followed the critical edition published by the Pontifical Oriental Institute, *Concilium Florentinum. Documenta et Scriptores* (= CF), Rome 1940-, and we have included the principal variants noted in it.

As regards the English translation, the following points should be noted where the original text is given in two languages, namely Latin and another. Where a Greek text is given (pp. 520-528), this is of equal authority with the parallel Latin version, and in the English translation the few significant discrepancies between the two texts have been noted. In the cases of Armenian and Arabic texts (pp. 534-559 and 567-583), these were translations from the Latin, which was the authoritative text, and therefore the English translation is from the Latin alone (the differences from the Latin in the Armenian and Arabic texts are numerous and complex). For these points, see J. Gill, *The Council of Florence*, Cambridge 1959, pp. 290-296, 308 and 326.

SESSION 1 14 December 1431

The holy synod of Basel, representing the universal church, legitimately assembled in the holy Spirit under the presidency of the most reverend father

in Christ lord Julian, cardinal deacon of St Angelo of the holy Roman church, legate of the apostolic see, for the glory of almighty God, the exaltation of the catholic faith and the progress of the Christian religion, laying its foundation on the cornerstone Christ Jesus, in whom the whole structure is joined together and grows into a holy temple in the Lord, calls to mind that the holy general synod of Constance, celebrated in the holy Spirit, esteeming it salutary and beneficial that general councils should be frequent in the holy church of God, established this by its decree as follows: The frequent holding of general councils . . . 2 Hence for the execution of that decree, the city of Pavia in Italy was chosen for the general council to be held at the end of the five years immediately following. At the decreed time that council was indeed inaugurated in the said city of Pavia and thence it was translated for certain reasons to the city of Siena. In that general council which was begun in Pavia and was held in the city of Siena, this city of Basel was chosen and duly assigned for the next future general council to be held after the seven-year period from the end of the council of Siena, as is stated in the public instrument then composed about this succession.

[Establishment of the holy council of Basel]

The most reverend lord legate in his desire to fulfill the apostolic commission since at the time when the beginning of the council was imminent he was immersed in the expedition against the pestilential heresy of the Hussites for the sake of the faith, had his vicegerents dispatched to this city and thereafter with all possible speed came himself to this city, in order that, with the help of God's grace, he might fulfill in this general council the office of legate laid upon him, as our most holy lord Eugenius IV, pope by divine providence, had by a series of letters of his holiness enjoined on him. In this city, during more than three months, he held several congregations with prelates and others who had arrived in the city for the said general council, and he had discussions about the establishment and holding of the council. Finally it was decreed that the present solemn session should be held, in which, firstly, since from the above it is manifest that this city is the place deputed for the general council and the date for it to be held is already past, and the authority of the most holy apostolic see is not lacking, it decrees, defines and declares that in this city and place the general council is canonically fixed and founded, and that all, both prelates and others who by right or custom are obliged to attend general councils, are bound to come to its celebration.

[Purpose of the council of Basel]

Seeing that all things direct their actions more immediately and intensely the more knowledge they have of their destined purpose, so this holy synod, after intense meditation and thought on the needs of the Christian religion and after mature and ordered deliberation, decrees that, with the help of God from whom all good things comet, it will pursue with all its zeal and attention these three ends. First that, with the banishment of the darkness of all heresies from the bounds of the Christian people, the light of catholic truth, by the generosity of Christ the true light, may be resplendent. Secondly that, after due thought and with the help of the author of peace, the Christian people, freed from the madness of wars by which -- with the sower of weeds doing his work -- it is affected and divided in various parts of the world, may be brought back to a peaceful and tranquil state. Thirdly, as the vine of Christ has already almost run wild on account of the multitude of the thistles and thorns of vices crowding in upon it, to cut them back through the endeavour of necessary cultivation, with the work from on high of the evangelical husbandman, so that it may flourish again and produce with happy abundance the fruits of virtue and esteem. Since such great benefits as these cannot be hoped for without a generous flow of heavenly grace, it earnestly exhorts in the Lord all Christ's faithful that for the happy achievement of the aforesaid they should urge the divine majesty with devout prayers, fasts and almsgiving that the good and merciful God, placated by such humble submission, may deign with his accustomed goodness to grant to this sacred council the desired completion of all these things, imposing this on them unto the remission of their sins.

SESSION 2 15 February 1432

The holy general synod of Basel, representing the church militant, for an everlasting record. To the praise of almighty God and the glory and honour of the blessed and undivided Trinity, for the extirpation of heresies and errors, for the reformation of morals in head and members of the church of God, and for the pacification of kings and kingdoms and other Christians in discord among themselves through the instigation of the author of discords, the synod, legitimately assembled in the holy Spirit, decrees, establishes, defines, declares and ordains as follows.

[Decree that the council of Basel is legitimately begun]

First, that the same sacred synod of Basel, by the decrees and ordinances of the sacred general councils of Constance and of Siena, and by the action of apostolic authority, was and is duly and legitimately begun and assembled in this place of Basel. And lest anyone should doubt about the power of the same sacred synod of Basel, this same synod in this present session ordains and decrees that two declarations from the decrees of the synod of Constance are to be inserted among its other decrees already issued or to be issued. The text of the first of these declarations is as follows, First it declares . . . 1; that of the other is this, Next it declares . . . I Therefore, presupposing also some other decrees of the council of Constance, especially the one beginning The frequent, which were read out in a former session of this sacred synod of Basel, the said synod of Basel decrees and declares that, legitimately assembled in the holy Spirit, for the extirpation of heresies and a general reformation of morals in the church in head and members, and also for procuring peace among Christians, as is stated above, no one of whatever authority, even if he is distinguished by the dignity of the papacy, could or should have in the past, or can or ought to now or in the future, dissolve or transfer the said synod of Basel to another locality or prorogue it to another date without the deliberation and consent of the same synod of Basel.

SESSION 3 29 April 1432

[Impossibility of the dissolution of the council is decreed]

This holy council, considering that the aforesaid dissolution of the council was enacted contrary to the decrees of the council of Constance, and that it leads to a serious danger of subversion of the faith as well as disturbance and harm for the state of the church and scandal for the whole Christian people, decreed that the dissolution could not be made. Since, therefore, the dissolution is no obstacle at all, the prosecution of what has been praiseworthy set in motion for the stability of the faith and the salvation of the Christian people should, with the grace of the holy Spirit, be proceeded with. But since the aforesaid bishop of Lausanne and the dean of Utrecht, on their return, did not bring back from the most holy lord pope the desired reply, although the said most holy lord pope had been entreated, appealed to, required, requested and with every insistence very often implored not only by the aforesaid messengers in the name of the council but also by the most serene lord Sigismund, king of the Romans and loyal supporter of the church, so this holy synod, relying on the decrees of the sacred council of Constance, whose words are these, That the holy synod . . . ' decreed in this solemn session to make its demands to the most holy lord pope and also to the most reverend lord cardinals in the way and style as follows.

This holy synod, therefore, legitimately assembled in the holy Spirit, beseeches the aforesaid most blessed lord pope Eugenius with all reverence and insistence and through the tender mercy of Jesus Christ entreats, requires implores and warns him to revoke in fact the alleged dissolution as in fact it was issued, and in the same way as he made the dissolution to send and publish over the different parts of the world the revocation, and completely to desist from every obstacle against the said council: indeed more, to favour and assist the council, as is his duty, and to offer it every support and opportune help, and to come in person within three months -- an interval which it assigns and determines as a peremptory limit -- if his physical state so allows. But if it does not, in his place and stead he should nominate some person or persons and send them with plenary power for each and every question in this council up to its very end through each and all of its acts gradually and successively. Otherwise, if his holiness should fail to do this, which is a thing that in no way is to be expected of the vicar of Christ, the holy synod will see to it that provision is made for the necessities of the church as shall seem just and as the holy Spirit shall dictate, and will proceed in accordance with what befits both divine and human law.

In the same way it beseeches, requires, implores and warns the aforesaid most reverend lord cardinals, who as the chief hinges of the church of God should apply their minds with great fervour to these things, that they should bring earnest pressure to bear on the lord pope about the aforesaid things, and should favour, aid and help this sacred council in every opportune way. And since their presence, in view of their authority, great prudence and practical experience, is highly expedient for this sacred council, it requires and warns and cites the lord cardinals and each of them in particular that, canonical impediment ceasing, they shall come to the said council within three months from the notification by this present decree, which interval it precisely and peremptorily assigns and determines for the triple canonical monition. Otherwise, since failure to come to the sacred general council so as to aid the church in its great necessities will without doubt be judged as contributing to the danger of a serious challenge to the catholic faith and to the harm of the whole church, this holy council at the expiry of the stated interval will take proceedings against those who have failed to come, since their contumacy demands this, according as the order of divine as well as human law shall dictate and allow, and will take steps, with the help of the most High, to provide for the necessities of the church. In the aforesaid however, the said synod has no intention of including the most reverend lord cardinal of holy Cross as long as he is engaged in negotiations for peace between the kingdoms of France and England; but in respect of the most reverend lord cardinals of Plasencia and of Foix, as they are commonly called, and the cardinal of St Eustathius, since they are in nearer localities, it limits the above-mentioned interval to two months.

Further the holy synod orders all lord patriarchs, archbishops, bishops and other prelates of churches, and clerics, notaries and ecclesiastical personages, as also other faithful of Christ, of every status, dignity, grade and condition, and it requires and requests all princes and lords, even if they possess imperial, regal, ducal or any other authority, who shall have been requested regarding the above, that in virtue of holy obedience, under threat of the divine judgment and under pain of excommunication, they should report, intimate and notify all and each of the aforesaid things to the said most holy lord pope and to the most reverend lord cardinals, and should have them reported, intimated and notified to these people in person, if they have safe and convenient access to them. Where personal access is not possible, this is to be done by affixing notices drawn up by a public notary, if this can be done safely, to their residences and also on the door of the apostolic palace and on the churches of St John Lateran, St Peter's and St Mary Maggiore; or failing that, on the chief churches of the cities of Sutri Viterbo and Siena, or three other neighbouring cities, as it shall seem better. This holy synod decrees that these places are suitable for the execution of all the aforementioned.

Yet this holy synod, desiring to meeting future eventualities and to avoid all waste of time, since delay in these matters is fraught with danger, ordains and decrees that a decree of admonition and citation of this kind, after it has been read out in this solemn session and published, shall be affixed to the doors of the cathedral church of Basel so that, should it happen that its intimation cannot be effected in any of the ways outlined above, in that case, as by a public edict, for four months to be calculated from this day, the publication, monition and citation shall be considered as performed in respect of all its effects, so that all its effects are obtained and it binds those to whom it is directed as if it had been insinuated and presented in person, the above peremptory force and threats being considered here as inserted.

Further, this holy council declares and insists that, despite the aforesaid delays, since a legal summons has already been issued by the decrees of the council of Constance, and since the urgency of the situation suggests the following, as does also the nature of what is to be accomplished in the continuation of the council and of the things to be done in it, it means to proceed in an orderly, due and mature manner, and for that reason not to be remiss in any way in the process. Lastly, this holy synod decrees citations for all prelates and others who are obliged to come to a general council, and each and all generals of orders and also inquisitors of heresy, with the delay of a fixed term or terms as it shall seem good to the deputies, with penalties and censures and suitable conditions.

#### SESSION 4 20 June 1432

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church. By this decree we indicate to all that to each and every priest, baron, noble, soldier and citizen and every other man of whatever status, condition or rank from the kingdom of Bohemia and the marquisate of Moravia, from Prague and the cities and other places of the same, and to all other ecclesiastical and secular persons who, male or female, will be sent with them to the general council of Basel and are about to set out, to all these persons under whatever name they are listed or can be called, within however the number of two hundred persons, by the force of this present decree we grant and give our fullest and perfect safe-conduct and we bestow a most genuine security for their coming to this city of Basel and their abiding, staying and resting here, and for their treating with us on affairs suitably committed to them and their arranging, concluding and ending them. We allow them to perform the divine offices in their lodgings without any obstacle on our part; so that also, on account of their presence, neither on their journey nor in any other place of their journey, in coming, remaining or returning, nor in the city itself of Basel, will cessation from divine offices be imposed in any way in the form of an interdict.

Further, they will be allowed freely to propose and explain in the general council or synod of Basel, by word of mouth or in writing, the four articles on whose clarity they insist; to prove, support and recommend them with quotations from the sacred scriptures and the blessed doctors and, if need be, to reply to the objections of the general synod or to argue about them with one or several from the council or to discuss them in a charitable way without any impediment; with reproach, abuse and taunt being totally excluded, observing the form and the ways specified and mutually agreed between our envoys and the messengers of the aforesaid kingdom and marquisate in the city of Eger; and specifically that in the case of the four articles proposed by them, the divine law, the apostolic practice of Christ and of the primitive church, and the councils and doctors truly founding themselves on the same, will be accepted in the council of Basel as the most true and impartial judge. Whether these discussions are or are not brought to a conclusion, whenever by the order or permission of their superiors they, or any one of them, shall choose to return home, then straightaway, without any refusal, condition or delay, they may return freely and safely at their pleasure, with their goods, honour and persons intact, but with the knowledge of the deputies of the council so that suitable provision may be made, without guile or fraud, for their safety.

Moreover, in this safe-conduct of theirs we wish all clauses to be included and contained, and to be held as included, which are necessary and opportune for full, efficacious and sufficient safety in coming, staying and returning; we express these things clearly in order to secure and keep the

good of peace. If any one or several of them, whether coming on their journey to us in Basel or while staying here or on their return, shall commit (may it not be so) some heinous crime by which the benefit of security conceded to them could be annulled and quashed, we wish, admit and concede that those arrested in a deed of such sort shall straightaway be punished only by their own people, not by others, by an adequate censure and a sufficient penalty to be approved and praised by us, with the form, conditions and ways of their security remaining completely unimpaired. Similarly if any of ours, whether on their way to us in Basel or while staying here or returning, shall commit (may it not be so) some heinous crime through which the benefit of the security conceded to them could be annulled or quashed, we wish that those arrested in a crime of this sort shall straightaway be punished only by us and our people, not by others, by an adequate censure and a sufficient penalty to be approved and praised by the lord ambassadors and envoys, with the present form, conditions and ways of the security remaining completely unimpaired.

We wish also that it be allowed to each and every ambassador as often as it is opportune or necessary, to leave the city of Basel in order to take the air and to return to it, and freely to send and despatch their messengers to any place for the arrangement of necessary affairs and to receive a messenger or messengers as often as it suits them, in such a way that they are accompanied by the deputies of the council who will provide for their safety. Further, neither in discussions, public sermons or other conferences can or may our side, in prejudice, derogation or depreciation of the case of the four articles, employ or procure in the locality of the city of Basel any terms that tend to disorder. These safe-conducts and assurances are to remain in force from the moment when, and for as long as, they are received into the care of our protection, to be brought to Basel, and in all the period of their staying here: and again on the conclusion of a sufficient hearing, an interval of twenty days having been set in advance, when they shall request it, or after the hearing the council shall decide, we shall, with God's help and without any guile or fraud, let them return from Basel to Tuschkau, Tachov or Engelsberg, to whichever of these places they prefer to go.

Also for all of Christ's faithful, especially for the most holy lord the Roman pontiff, the most serene prince the lord Sigismund, king of the Romans etc. , the venerable lord cardinals, archbishops and bishops and lord abbots, prelates and clerics as well as for the most illustrious princes, kings, dukes, marquises, counts, barons and noble soldiers, universities, and communities of cities, castles and towns, and their councillors, magistrates, officials and others of whatever condition and status, whether ecclesiastical or secular, under whatever name they go, and for the subjects of all the aforesaid and every part of them, we promise in good faith and guarantee that all of us and every one of the aforesaid persons will observe and guard the prescribed security and the form of their safe-conduct in all its conditions, points and clauses elaborated above, inviolably and unbroken in good faith and with pure heart. Further, we promise that we neither wish nor ought on any alleged occasion, covertly or overtly, to employ any authority, power, law, statute or privilege of laws or canons or of any councils whatever, especially of Constance and Siena, in whatever form of words they may be expressed, to any prejudice of the safe-conduct or assurance and the public hearing which we have granted to them. But if we or anyone of us, of whatever condition or status or pre-eminence, shall violate in any detail or clause the form and way of the above assurance and safe-conduct (which, however, may the Almighty deign to avert), and a suitable penalty shall not have followed straightaway, to be fittingly approved and praised by their judgment, let them hold us, as indeed they can, to have incurred all penalties which by divine and human law or by custom violators of such safe-conducts incur, without any excuse or any challenge from this side .

[If the apostolic see becomes vacant while the council is in progress, the election may not be held outside the council]

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, bears in mind that it pertains to the duty of providence to foresee the future with clear-sighted consideration and to take wholesome steps against what could bring harm to the common good. The synod is intent upon the extirpation of heresies, peace among the people of Christ and the reformation of morals, with the grace of the holy Spirit, as is really necessary in view of the present situation. It has summoned the venerable fathers in Christ, the cardinals of the holy Roman church, to this sacred council, convinced that their presence at it is fruitful in many ways in view of their authority, wisdom and knowledge of affairs. If, then, as obedient sons they are coming to the council when the apostolic see falls vacant elsewhere, such a situation would redound to the benefit of the church but the obedient cardinals would be serving the council to their own disadvantage, whereas everyone knows that obedience should bring with it not disadvantage but an increase of benefit and honour. Lest disobedience may seem to be to the advantage of some who fail to come, this holy synod, with purposeful anticipation and for the above and other reasons which can and should motivate a prudent mind establishes, decrees and defines that, in the event of a vacancy of the apostolic see while this sacred council is in progress, the election of the supreme pontiff shall be held in the place of this sacred council, and it forbids it to be held elsewhere. The synod also decrees that any attempt against this by any authority whatsoever, be it even papal, notwithstanding any constitutions issued or to be issued or anything else acting to the contrary, even if there should be special mention in so many words or a confirmation on oath, which the synod rejects with full knowledge, is null and void and of no force or importance by law; and that those who attempt such things shall be disqualified in both active and passive voice with respect to the election of a Roman pontiff and for every other dignity, and deprived perpetually of all dignities which they hold, and shall automatically incur the mark of infamy as well as sentence of excommunication. If any such pretended election should be attempted, then both the one allegedly elected and his supporters as well as those who treat him as elected incur in the same way the above-mentioned penalties. The said synod reserves to itself, except at the moment of death, absolution of everyone who in any way shall incur the said sentences or any one of them. It declares that the present decree shall bind and come into force after forty days following its publication.

SESSION 5 9 August 1432

[In this session there were approved rules about the organization of the council: On cases and the procurator of the faith; Judges are deputed for the general examination of cases; That members of the council may not be brought to trial outside the place of this council; Officials are appointed. ]

SESSION 6 6 September 1432

[This session was devoted to reading: Petition of the promoters of the council against the pope and the cardinals. ]

SESSION 7 6 November 1432 [Interval for a papal election]

The most holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. Earlier this holy synod issued a decree about the election of a Roman pontiff if a vacancy of the apostolic see occurs during this sacred council. It is entitled, It pertains to the duty of providence . . . , and is to be found in full in the fourth session. However, a doubt about that decree has occurred to some, namely that the interval of ten days which the constitution of the council of Lyons fixed for the cardinals of the holy Roman church to enter the conclave, might elapse and be too restricted at least by the time that notification of the vacancy reaches this council. For, the interval would seem to be too rigid and too short for many of the cardinals who may be away in localities distant from this council. Moreover this holy synod wishes to eliminate all grounds for doubt and to provide carefully for what is conducive to the peace and unity of God's holy church, and with all modesty and

due maturity to proceed with what is known in this matter, as in all things to promote the exaltation of the catholic faith and the general reformation and peace of the Christian people, for which the council is legitimately assembled in the holy Spirit. It therefore decrees that in the case of a vacancy of the apostolic see in the lifetime of this present council, nothing shall be done for the election of a Roman pontiff before the expiry of sixty days from the day of the vacancy.

SESSION 8 18 December 1432

[Decree that there ought to be only one council]

The most holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. Just as there is only one holy catholic church, as Christ her spouse says, My dove, my perfect one, is only one, and as an article of the faith declares, since unity does not tolerate division, so there can be only one general council representing the holy catholic church. Since, therefore, by decrees of the sacred general councils of Constance and of Siena and by the approval of two Roman pontiffs, namely Martin V and Eugenius IV of happy memory, a general council was instituted and established in this city of Basel and assembled legitimately in the holy Spirit, it is clear that during this council another general council cannot exist elsewhere. Whoever therefore, during the lifetime of this sacred council shall presume to raise and hold another assembly with the title of a general council, is convicted of raising and holding a conventicle of schismatics and not a council of the catholic church. Therefore this holy council warns and exhorts all Christ's faithful, of whatever status or rank they may be, even if papal, imperial or regal, under the adjuration of the divine judgment which holy scripture relates in the case of Korah, Dathan and Abiram, authors of schism, and it strictly commands and forbids them in virtue of holy obedience and under the penalties laid down by the law, not to hold or summon, during this sacred council, another assembly with the title of a general council, which in reality would not be a council, nor to go to or to take part in or in any way to have recourse to it as if it were a general council, even under the pretext of any promise or oath, nor to hold or esteem it to be or even to call it a general council, even if it claims to have been summoned or shall try in the future to be summoned. If any ecclesiastical person, even a cardinal of the holy Roman church, or anyone else of whatever status, rank or condition he may be, shall dare to go to or stay in Bologna or any place with a pretended general council, during this present council, he shall automatically incur sentence of excommunication and deprivation of all benefices, dignities and offices and disqualification from them; and the dignities, offices and benefices of such persons may be freely disposed of by those to whom this pertains by law even if

SESSION 9 22 January 1433

[This session was entirely taken up with the solemn reception of the emperor Sigismund. ]

SESSION 10 19 February 1433

[This session was almost entirely taken up with reading: Accusation of contumacy of the pope. ]

SESSION 11 27 April 1433

[For the permanent validity of the authority of general councils]

The holy general council of Basel, legitimately assembled in the holy Spirit representing the universal church, for an everlasting record. Since the frequent holding of general councils, as a principal means of cultivating the Lord's field affects the universal church, every effort should be made that all obstacles that could impede so holy an institution are removed with great care. Hence this holy synod, obeying the decree of the council of Constance beginning The frequent, and anxious that no scandals such as unhappily have occurred in our day should spring up again in the future, to the detriment of the church, establishes and decrees that the Roman pontiff, who ought to be the first in working in the Lord's vineyard and in drawing others to work by his example, should take part in general councils in person or by a legate or legates a latere who is or are to be chosen in consultation with and with the consent -- which is not to be just by word of mouth -- of two-thirds of the cardinals. Also, all ecclesiastical persons who by law or custom ought to attend general councils are bound henceforward to come in person without further summons to general councils, both by force of the constitution The frequent and by the authority of this sacred council of Basel or of some other future council legitimately assembled, unless they are prevented by a legitimate impediment, in which case they are bound to send suitable persons with a sufficient mandate. If the Roman pontiff or other above-mentioned persons fail to do this, or in any way take means to impede change, prorogue or dissolve the council, and shall not have repented with real satisfaction within four months, thereafter the pope will be automatically suspended from the papal administration and the other persons from the administration of their dignities; the papal administration will devolve by law upon the sacred council. If they persist with hardened hearts under the aforesaid penalties for a further two months after the said four months, then the general council shall proceed against both the Roman pontiff and the above-mentioned persons up to and including the penalty of deprivation.

[That everybody is free to come to the council]

This holy synod decrees that, notwithstanding any prohibition, even from the Roman pontiff, there is freedom for absolutely all persons, of whatsoever status or condition they may be, even if they are cardinals of the Roman church, to go to general councils; and that the Roman pontiff is bound to grant permission to those who wish to go to general councils, especially to the aforesaid cardinals, if they request it.

[The council explains the phrase about prorogation of the council, and annuls attempts to the contrary, including future attempts]

This holy synod also declares that those words "it may never be prorogued", contained in the said decree, are to be understood so prohibitively that it cannot be prorogued even by a pope, and that a council actually assembled cannot be dissolved or moved from place to place by a Roman pontiff without the express consent of the council itself, and it quashes, voids and annuls anything that may be attempted in the future against this or even in disparagement or obstruction of this general council or of the persons, prelates and supporters of it, by deprivation, translation and ecclesiastical censures or in any other way.

[That the council may not be dissolved or moved without the express consent of two-thirds of each deputation, etc. ]

For certain reasonable causes it decrees that the present council of Basel cannot be dissolved or moved from place to place by anybody, even by the

pope, unless there is obtained the express consent of two-thirds of each deputation, after a scrutiny of the votes of individual members, and then the approval of two-thirds of the general congregation, after a similar scrutiny of the votes of individual members, and finally a declaration is to be made in a public session. It prays through the tender mercy of Jesus Christ, and by the sprinkling of his precious blood it adjures all members of this sacred council, both present and future, that in no way they give their consent to a dissolution or allow a change of place, except for just and manifest reasons, before the reform in head and members has been completed, in so far as this can reasonably be achieved.

[That the place of the council should be chosen a month before the dissolution, and the phrase "in ten years" is clarified]

In accordance with the ordinance of the council of Constance, it wishes that the place of the future council should be chosen at least a month before the date of the dissolution. It also declares, as a precaution, that the phrase "in ten years" which is used in the said constitution should be understood in this way, namely that the ten years should be completely finished, and when it is fully completed the authorization to hold a general council begins. If it happens for any reason that those who are obliged to attend general councils do not come at the beginning, it declares that the said authorization to hold the council does not thereby cease, but that it should be held as soon as it conveniently can. But so that it cannot be deferred for a long time, this council decrees that for twenty days before the end of the said ten years, or of some other interval if perhaps this should reasonably be determined by the council, the Roman pontiff in person or through his legate or legates, and the archbishop in whose province or diocese the council is to be held and all the prelates who are within four days' journey of the place of the forthcoming council, provided there is no canonical impediment, in person or, if that cannot be, through suitable men constituted as proxies for this purpose, are obliged to present themselves so as to negotiate about the disposition of the place and other preliminaries of the council. On the day appointed for the opening of the council, those present shall celebrate a solemn mass of the holy Spirit, and the council shall be considered constituted and begun from that day. However, on account of the many necessities that can occur for those coming to a council, this holy synod exhorts those who shall be present not to bring difficult questions to a conclusion until after a reasonable wait for those absent and a fitting interval of time, rather, with divine fear as a guide, let everything proceed with due gravity, as the great mass of business of the universal church demands and requires. In those cases in which, according to the decree of Constance, the pope may, with the consent of the cardinals of the holy Roman church, change the place of a future council, it determines that, should the pope fail to do this, the college of cardinals may supply for the defect, on condition however that two-thirds of the cardinals agree, keeping, nevertheless to the procedure contained in the said decree The frequent. The said cardinals shall swear by God and their consciences that they are making the change of place, if indeed they decide this, for the clear reasons that are mentioned in the decree The frequent.

[That the electors of a pope before entering the conclave shall swear that, if one of them is elected, he will observe the said decrees]

So that the aforesaid may be put into execution the more easily, the holy synod determines that the electors of a Roman pontiff are bound, before entering the conclave, to swear to God and to promise the church that, should one of them be chosen as pope, he will observe the above decrees, statutes and ordinances, and to the best of his ability will endeavour to fulfil them really and effectively adding that whoever in future years shall be chosen as Roman pontiff must swear, among the other things which he must profess according to the decree of the council of Constance beginning Since the Roman pontiff, effective observance of the present decree. Later, in his first public consistory, he is bound to make again the same profession and let him also profess that, if he violates what is contained in this decree or commits a notorious crime which scandalizes the church, he will subject himself to the judgment of a general council. Both he and the college of cardinals shall insert this profession in the letters which they customarily send throughout the world on the accession of a new pope.

[That this decree should be published in synods]

So that nobody may plead ignorance of this wholesome and necessary decree, the holy synod orders, in virtue of holy obedience, all metropolitan bishops to have this decree read and published in provincial and synodal councils, and superiors of religious to have it read and published in their general chapters. 2

SESSION 12 13 July 1433

[Decree on elections and confirmations of bishops and prelates]

Just as in building a house the architect's chief concern is to lay such a foundation that the edifice built on it will endure immovable, so in the general reformation of the church the principal preoccupation of this holy synod is that the pastors set over the church may be such that, like pillars and bases, they will firmly uphold the church by the strength of their doctrine and merits. The office enjoined on prelates manifestly shows how great care should be taken in their election, for they are appointed for the government of souls for which our lord Jesus Christ died and shed his precious blood. Therefore the sacred canons promulgated under the Spirit of God, providentially established that each church and college or convent should elect a prelate for itself. Adhering to these prescriptions this holy synod, assembled in the same Spirit, establishes and defines that a general reservation of all metropolitan, cathedral, collegiate and monastic churches and elective dignities ought not to be made or used by the Roman pontiff in the future, always with the exception of reservations contained in the body of law and those which may arise in territories mediately or immediately subject to the Roman church by reason of direct or beneficial dominion. Rather, provision should duly be made for the aforesaid metropolitan, cathedral, monastic and collegiate churches and elective dignities, when they are vacant, by canonical elections and confirmations in conformity with the dispositions of the common law, without thereby derogating from statutes, privileges and reasonable customs, all postulations in the disposition of the common law remaining intact. This holy synod also decrees that it will be in conformity with reason and beneficial for the common good that the Roman pontiff should attempt nothing contrary to this salutary decree, except for an important, reasonable and manifest cause, which is to be specified expressly in an apostolic letter. So that this salutary decree may be more strictly adhered to, the same holy synod wishes that, among other things that the Roman pontiff shall profess on assuming office, he shall swear to observe inviolably this decree.

Since prelates should be such as is described above, those with the right of electing them should be very careful that they make a worthy election in the presence of God and of the people, and let them be most solicitous to elect such persons as can fill so great an office. Let them remember that if they act in so important an affair either fraudulently or carelessly or without regard for the fear of God, they will be the authors and cause of evil pastors and will therefore share in the penalties which the evil pastors themselves will suffer in the severe judgment of God. Since the endeavour of human fragility can effect nothing without the help of almighty God, from whom every good endowment and every perfect gift comes down, those in whose hands lies the election of a pontiff or an abbot shall meet in church on the day of the election in order to hear with great devotion a mass of the holy Spirit, whom they will humbly petition to deign to inspire them to elect a worthy pastor. The more devoutly they approach the act of election, the more readily they will merit that grace, so let them confess and reverently receive the sacrament of the Eucharist. When they have entered the place of the election of any prelate who is to be chosen through election, they shall swear in the hands of the president of the chapter, and the

president in the hands of his immediate subordinate, in these words: I, N. , swear and promise to almighty God and to such and such a saint (according to the dedication of the church) to elect the person who I believe will be the more useful to the church in spiritual and temporal things, and not to give a vote to anyone who I think is procuring the election for himself by the promise or gift of some temporal thing, or by making a request in person or through another, or in any other way directly or indirectly. He who appoints a procurator to elect a certain person shall take the same oath and shall confess and communicate; so also shall a procurator with a general mandate for election in matters in which by common law he can be appointed a procurator in the business of such an election. The oath shall be taken also by those who may have made an agreement about the election of a future prelate, and they too are obliged to confess and to communicate. If they do not do so, for that occasion they shall be deprived by law of the power of electing. Thereupon let them elect to the said prelate a man of lawful age, of serious character and adequate education, already in sacred orders and suitable in other respects in accordance with canonical regulations.

If the election is made in another way and of a different kind of person than the above or by the wickedness of simony, the election shall be invalid and null by law. Those electing simoniacally shall be automatically subject to perpetual deprivation of the right of electing, besides other penalties. Others shall be subject to canonical penalties. Those elected simoniacally and those who take part in such a simoniacal election, as well as the electors and those confirmed shall automatically incur the penalty of excommunication in horror of so great a crime. Moreover, those so elected and confirmed cannot be absolved from such guilt and excommunication unless they freely resign the churches and dignities which they had disgracefully obtained, and they are rendered perpetually disqualified from acquiring them again. In order to remove every root of ambition this holy synod implores through the tender mercy of Jesus Christ and most earnestly exhorts kings and princes, communities and others of whatever rank or dignity, ecclesiastical or secular, not to write letters to electors or to provide petitions for someone who will get such petitions or letters for himself or for another, and much less to resort to threats or pressure or anything else whereby the process of election would be rendered less free. Similarly, in virtue of holy obedience, it is enjoined on electors not to elect anyone on the strength of such letters, petitions, threats or pressure.

When the election has been completed and presented to the person who has the right of confirmation, if a co-elected person or an objector to the election shows himself, he should be summoned by name to discuss the matter of the disputed election. Usually a public announcement should be made in the church in which the election was held, in accordance with the constitution of Boniface VIII of happy memory. Whether or not a co-elected person or an objector appears, the confirmer should proceed in virtue of his office, as is done in the business of the inquisition, using diligence in the due examination and discussion of the form of the election, of the merits of the one elected and of all the circumstances. The confirmation or the annulment of the election should be done in a judicial manner. So that the whole process may be clean and without blemish or even a suspicion of it, the confirmer should altogether refrain, personally as well as through others, from presuming to demand anything at all or even to receive free offerings in return for the confirmation or under the pretext of homage, subvention, gratitude or any other excuse of supposed custom or privilege. For notaries and scribes in such cases, let a moderate fee be levied which is proportionate to the work of writing and not to the value of the prelate. If the said confirmers shall confirm elections in contravention of the above regulations or in respect of unsuitable persons or involving simony, such confirmations are automatically null. This is to be the case for the occasion, for those who confirm persons other than as stated above: but for the stain of simony, if they have incurred it, they automatically incur sentence of excommunication, from which they cannot be absolved except by the Roman pontiff, except at the point of death.

This holy synod exhorts the supreme pontiff, since he should be the mirror and standard of all sanctity and purity, not to demand or accept anything at all for confirming elections referred to him. Otherwise, if he scandalizes the church by notorious and repeated contraventions, he will be deposed to a future council. However, for the burdens which he must carry for the government of the universal church, and for the sustenance of the cardinals of the holy Roman church and of other necessary officials, this holy council will make due and suitable provision before its dissolution. If it does not make any provision in this way, then those churches and benefices which hitherto paid a certain tax on the entry into office of a new prelate, shall be obliged thenceforward to pay in parts half of this tax for the year after their peaceful possession; this provision shall continue until the sustenance of the said pope and cardinals is otherwise provided for. By these ordinances the same synod does not intend any prejudice to the holy Roman and universal church or to any other church.

#### SESSION 13 11 September 1433

[In this session there was read out, Accusation of contumacy of the pope made by the promoters of the sacred council; the time-limit already intimated to Eugenius IV for him to come to Basel and to abrogate his decree dissolving the council was deferred; finally a new Decree for the protection of members was approved. ]

#### SESSION 14 7 November 1433

[In this session there was made, Another deferral, for ninety days, of the monition to the pope, to which were added two proposals, one regarding the revoking of the suspension of the council. the other regarding Eugenius IV's assent to the council. ]

#### SESSION 15 26 November 1433

[On provincial and synodal councils]

The holy general council of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. Already this holy synod has promulgated a most salutary decree on the stability and authority of general councils, the frequent holding of which is a principal means of cultivating the Lord's field. Indeed, since there is no doubt that episcopal synods and provincial councils form part of this same cultivation, inasmuch as the ancient canons decreed that they should be frequent, so this holy synod, desiring that ancient and praiseworthy customs should be observed in our age, establishes and commands that an episcopal synod should be held yearly in every diocese after the octave of Easter, or on another day according to diocesan custom, at least once a year where custom does not prescribe two, by the diocesan in person unless he is prevented by a canonical impediment, in which case by a vicar who is fitted for the task. This synod should last at least two or three days, or as the bishops deem to be necessary.

On the first day, when the diocesan and all those who are obliged to be present at the synod have assembled, during or after the celebration of mass, the diocesan or another in his name shall expound the word of God, exhorting all to strive after good behaviour and refrain from vice, and to strive after what pertains to ecclesiastical discipline and each one's duties, and especially that those who have the care of souls should instruct the people subject to them in doctrine and with salutary exhortations on Sundays and feast-days. Then there should be read out the provincial and synodal



statutes and, among other things, a comprehensive treatise on how the sacraments should be administered and other useful points for the instruction of priests. Then the diocesan himself should diligently inquire into the life and morals of his subjects and check with suitable correction the evil of simony, usurious contracts, concubinage, fornication and all other faults and excesses. He should revoke alienations of ecclesiastical property forbidden by law, and he should correct and reform abuses of clerics and other subjects who have failed in respect of the divine office and the wearing of proper dress. Since many scandals often arise because Pope Boniface VIII's constitution *Periculosus* on the enclosure of nuns is not observed, the diocesan should insist that this enclosure be strictly observed in accordance with that constitution; also that all religious subject to the diocesan should inviolably observe the rules and constitutions of their orders, especially that all ownership is renounced by them. Also let nothing be demanded simoniacally at their reception into a religious order. A chief care of the bishop at the synod should be to make inquiry and to apply proper remedies lest any teaching that is heretical, erroneous, scandalous or offensive to pious ears, or fortune-telling, divinations incantations, superstitions or any diabolic inventions, infiltrate into his diocese. Let there be appointed synodal witnesses, who should be serious, prudent and honest men, filled with zeal for God's law, in a number proportionate to the area of the diocese, or others with their powers if none are appointed for this, who may be removed by the diocesan if they seem to him to be unsuitable and he may appoint others (as he thinks fit). They shall be obliged to take an oath in the hands of the diocesan himself or of his vicar, as is stated in the canon *Episcopus* in synodo; they shall travel round the diocese for a year and shall refer what they have seen to be in need of correction and reform to those whose duty it is to correct and reform. If these matters are not corrected and reformed, they shall refer them to a subsequent synod, when proper remedies should be applied. Besides what the diocesan hears from the synodal witnesses or others exercising their office, he should himself inquire assiduously about the faults of his subjects and so confront the guilty with the discipline of needed correction that it may serve as an example to others inclined to do evil.

Also, in every province within two years of the end of a general council, and thereafter at least once in every three years, a provincial council should be held in a safe place. It should be attended by both the archbishop and all his suffragans and others who are obliged to take part in such provincial councils, after a due summons has been issued to them. If a bishop is prevented by a canonical impediment, he should designate his procurator, not only to excuse and justify his absence, but also to participate in the council in his name and to report back what the council decides. Otherwise the bishop is automatically suspended from receiving half the fruits of his church for one year: these should be effectively diverted to the fabric of his church by someone deputed in the council itself. Others who fail to attend are to be punished at the decision of the council and other penalties of the law are to remain in force. Provincial councils are not to be held while a general council is sitting and for six months beforehand. At the beginning of a provincial council the metropolitan or someone in his name during the celebration of mass or afterwards, shall deliver an exhortation calling to mind the things that pertain to the ecclesiastical state and especially the episcopal office and warning all the participants that, as the prophet says, if any soul is lost by their fault his blood will be required by the Lord at their hands. In particular, there should be a strict warning that orders and benefices should be conferred, without any simony, on worthy and deserving persons whose lives are sufficiently well known. Above all, the greatest care and mature inquiry should be used when entrusting the care of souls. Ecclesiastical property on no account should be used for illegal purposes, but for the glory of God and the conservation of churches and, following the holy canons, with a primary concern for the poor and needy, mindful that at the tribunal of the eternal judge they will have to give an account of all of it to the very last farthing. In these councils there should be, according to the regulations of the law, a careful investigation into the correction of faults, the reform of the morals of subjects and especially the conduct of bishops in conferring benefices, confirming elections, administering orders, deputing confessors, preaching to the people, punishing the faults of their subjects and observing episcopal synods, and in any other points respecting the episcopal office and the jurisdiction and administration of bishops in spiritual and temporal matters, especially whether they keep their hands clean of the stain of simony, in order that all those who are found to have transgressed in the aforesaid matters may be corrected and punished by the council. A similar careful inquiry should be instituted about the metropolitan himself in all these respects, and the council should explain clearly to him his faults and defects, admonishing and imploring him that since he is called and ought to be the father of others, he should altogether desist from such failings. Even so, the council should send straightaway to the Roman pontiff, or to another of his superiors if he has one, a written account of the investigation made about him, so that he may receive punishment and fitting reform from the Roman pontiff or other superior. Besides, if there are discords, quarrels and feuds among some which could disturb the peace and tranquillity of the province, the holy council should strive to pacify them and seek watchfully, as would a dutiful father, for peace and agreement among its sons. If discords of this sort arise between kingdoms, provinces and principalities, the holy bishops of God should straightaway arrange the simultaneous convocation of provincial councils and, in combining their respective counsel and help, strive to banish whatever promotes discord; they should not cease from this out of love or hatred for anyone, but raising the eyes of their minds to God alone and the salvation of their people and putting aside all half-heartedness, they should be intent on the sacred work of peace.

Moreover, in a provincial synod that immediately precedes a forthcoming general council, thought should be given to all that is likely to be dealt with in that general council, to the glory of God and the good of the province and the salvation of the Christian people. Let a suitable number of people be elected at it to go in the name of the whole province to the next general council; let them be provided for by a grant or in some other way, according to the law and the judgment of the provincial council; in such a way, however, that those wishing to go to the council or their clergy, in addition to those deputed as above, shall in no way be disadvantaged thereby. Also, let there be read out in each provincial council those things which the canonical regulations order to be read out in them, so that they may be observed inviolably and transgressors may be duly punished. If metropolitans and diocesans fail to celebrate provincial and episcopal synods at the aforesaid time, after the cessation of any legal impediment, they shall lose half of all fruits and revenues accruing to them by reason of their churches, and these shall be applied immediately to the fabric of their churches. If they persist in such neglect for three consecutive months, they shall automatically be suspended from their offices and benefices. After these intervals of time have elapsed, with the aforesaid penalties, the senior bishop in the province of the metropolitan, or the person in orders who is highest in dignity below a bishop, unless by custom or privilege it pertains to another, is obliged to supply for this failure to hold the said provincial and episcopal synods. Moreover, this holy synod bids all superiors of religious communities and orders of all kinds, who are responsible for holding chapters, to hold them at the appointed times, under the aforesaid penalties, and to see that they are held; and let them aim in them, in accordance with canonical sanctions and the constitutions of the orders, at a true reform of the individual communities and orders, so that thereafter regular observance may duly flourish in all monasteries in accordance with their rules and constitutions, and in particular that the three fundamental vows of profession may be strictly observed. By the aforesaid, however, the holy synod does not mean to derogate in any way from anyone's rights.

SESSION 16 5 February 1434

[This session declares the adherence of Pope Eugenius to the council, with the usual ceremonies; Eugenius's bull *Dudum sacrum*, and three other bulls abrogated by that bull, are incorporated into the acts. ]

SESSION 17 26 April 1434

[On the admission of the presidents into the council in the name of the lord pope Eugenius IV]



The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, admits the beloved sons of the church Nicholas, priest of the title of holy Cross in Jerusalem, and Julian, deacon of St Angelo, cardinals of the holy Roman church, the venerable John, archbishop of Taranto, and Peter, bishop of Padua, and the beloved son of the church Louis, abbot of St Justina of Padua, as presidents in this sacred council in the name, stead and place of the most holy lord pope Eugenius IV, to have the fullest authority and effect throughout, but only on the following conditions: they are to be without any coercive jurisdiction, and the way of proceeding hitherto observed in this council is to remain unchanged, especially what is contained in the ordinances of this sacred council beginning, First, there shall be four deputations, as there are, among which all from the council shall be distributed equally as far as is possible, etc. It also ordains that apart from on a Friday, which is the ordinary day for a general congregation, another general congregation cannot be called unless at least three of the deputations agree to this beforehand. And then the presidents should be informed, or one of them, so that they may announce the programme. If they do not, one of the promoters of the council or someone from the deputations shall announce the programme. All from the council shall come to the congregation. On the other occasions, if the three deputations do not agree, nobody shall come to that congregation; and whatever is done there shall be null and void. The same with regard to a session. When what has been agreed upon by the deputations has been read out in the general congregation, the first of the presidents there present, even if another or others of them are absent, shall conclude the matter in accordance with the ordinances of the sacred council. If he or another of the presidents then presiding refuses to do this, the next prelate in the order of seating shall conclude the matter. If he is unwilling, let another in succession do it. If it happens that none of the presidents comes to a congregation or a session of the general council, then the first prelate, as indicated above, shall fulfill the office of president for that day. Also, all the acts of this sacred council shall be made and dispatched under the name and seal of this council, as has been done until now.

SESSION 18 26 June 1434

[On the renewal of the decree of the council of Constance about the authority and power of general councils]

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. It is well known that it redounds to the great benefit of the catholic church that its authority, which was earlier declared in the sacred council of Constance and to which all are obliged to submit, should be manifested frequently and the attention of all should be drawn to it. Just as councils of the past were accustomed to renew the salutary institutions and declarations of previous synods, so this holy synod too renews that necessary declaration on the authority of general councils, which was promulgated in the said council of Constance in the words that follow: First it declares . . . and Next it declares ,

SESSION 19 7 September 1434

[On the agreement between the council and the Greeks about union]

The holy general synod of Basel, legitimately assembled in the holy Spirit representing the universal church, for an everlasting record. As a dutiful mother is ever anxious about the health of her children and is uneasy until any dissension among them has been quietened, so and to a much greater extent holy mother church, which regenerates its children to eternal life, is wont to strive with every effort that all who go by the name of Christian may put aside all quarrelling and may guard in fraternal charity the unity of the faith, without which there can be no salvation. It has therefore been a primary care of this holy synod from the beginning of its meeting to put an end to the recent discord of the Bohemians and the ancient discord of the Greeks, and to bind them to us in the same permanent bond of faith and charity. We invited in all charity to this sacred council, through our letters and envoys, first the Bohemians, since they are nearer, and then the Greeks, so that the holy union might be achieved. Although many from the beginning thought that the Bohemian affair was not only difficult but almost impossible and judged our labours to be a waste of time and useless, nevertheless our lord Jesus Christ, to whom nothing is impossible, has so safely directed the business until now that the invitation to the Bohemians has been of much greater benefit to holy church than the many powerful armies which frequently invaded their country.

This fills us with greater hope to pursue the union with the Greeks with all confidence and perseverance. We approach this task the more willingly because we perceive the Greeks to be very inclined to this union. For as soon as the most serene emperor of the Greeks and the patriarch of Constantinople were approached by our envoys, straightaway they appointed to this holy synod three outstanding men from those who seem to be of great authority among them -- the first of whom was indeed a blood-relative of the emperor -- with a sufficient commission from the emperor himself signed by his own hand and with a golden seal, and furnished with letters of the patriarch. Both in a general congregation and in the presence of our commissaries they expressed the most fervent desire of the emperor, the patriarch and the whole eastern church for this union. They urge and daily stimulate us in a wonderful way to pursue this holy work, strongly and persistently affirming two things: that union is only possible in a universal synod in which both the western church and the eastern church meet, and that union will assuredly follow if matters proceed in that synod in the way that is agreed below. We were filled with joy and gladness when we heard this. For what happier and more glorious thing could ever happen to the catholic church than that so many eastern peoples, who seem to be about equal in number to those of our faith, should be joined with us in the unity of faith? What could be more useful and fruitful to the Christian people, since the beginning of the church, than for an inveterate and destructive schism to be completely eradicated? Moreover, we trust that with God's help another benefit will accrue to the Christian commonwealth; because from this union, once it is established, there is hope that very many from the abominable sect of Mahomet will be converted to the catholic faith. What, then, should not be attempted and done by Christ's faithful for so holy and salutary an objective? What Catholic is not in duty bound to risk not only the passing substance of this world but even his body and soul for such an advance of the Christian name and the orthodox faith? Wherefore, we venerable cardinals of the holy Roman church, presidents of the apostolic see, casting all our thought on God, who alone does great wonders, deputed the patriarch of Antioch and a suitable number of archbishops, bishops, abbots, masters and doctors to treat of this question with the ambassadors of the Greeks and to look for a way to reach a solution. After these men had frequently met and discussed among themselves and with the envoys, they reached the conclusions given below. These conclusions, in accordance with the custom of this council, were seriously debated by the deputations and ratified by a general congregation. Their contents, together with the chrysobull of the lord emperor, are as follows.

[Agreement of the deputies of the sacred council with the ambassadors of the Greeks]

The ambassadors of the most serene lord emperor of the Greeks and of the lord patriarch of Constantinople, namely the lord Demetrius protonostiarus Palaeologus Metotides, the venerable Isidore abbot of the monastery of St Demetrius, and the lord John Dissipatus of the household of the same emperor, meeting together with the lord deputies of the sacred council, first declared that if the western church would agree that this synod should be held in Constantinople, the eastern church would meet there at its own expense and there would be no need for the western church to pay any expenses to eastern prelates. Indeed, the lord emperor himself would, within his limits, provide for Latin prelates on their way to Constantinople. But if it was preferred that the prelates of the eastern church should come to Latin territories for the said synod, then for legitimate

reasons the western church would have to meet the expenses of the eastern church. Since the said lord deputies for many reasons believed that this union would be more conveniently arranged in the city of Basel, where in fact the council was sitting, they frequently and urgently pressed the lord envoys that this place should be chosen for the holy union and offered to pay the necessary expenses for this. The envoys replied that since the instructions given to them by the emperor and the patriarch contained limitations on certain places, they would not choose the city of Basel because it was not mentioned in the instructions. The deputies of the sacred council, aware of the holy and perfect intention of the council not to spare any labour and expenditure for the honour of God and the advance of the catholic faith, judged it inexpedient to miss so great a good merely on a question of place. So they agreed, subject to the council's consent, to one of the places named below with the condition, which is detailed later, that one or more persons should be sent to the lord emperor, the patriarch and others to persuade them by cogent reasons to agree to the city of Basel. The nominated places are these: Calabria, Ancona or another maritime territory; Bologna, Milan or another Italian city; and outside Italy, Buda in Hungary, Vienna in Austria or in the last place, Savoy.

The lord deputies agreed with the lord ambassadors in what follows, subject to the council's consent. First, the ambassadors promised that the emperor of the Greeks, the patriarch of Constantinople, the other three patriarchs and the archbishops, bishops and other ecclesiastics who can conveniently come, will come to the synod. Likewise, representatives will come from all the kingdoms and territories subject to the churches of the Greeks, with full power and authority which shall be confirmed by oath and suitable documents by both the secular authorities and the prelates. Also, the sacred council shall send one or more ambassadors with eight thousand ducats for the holding of a congregation of the prelates of the eastern church in Constantinople. The eight thousand ducats will be paid out by the ambassadors of the sacred council, as it shall seem good to the lord emperor or to the ambassadors themselves; but in such a way that, if the said prelates refuse to come to Constantinople or, having come to Constantinople, refuse to go to the synod, then the emperor shall be bound to restore to the said ambassadors whatever they may have expended on this matter.

Also, that the western church shall pay the expenses of four large galleys, of which two shall be from Constantinople and two from elsewhere, to convey to our port at the appropriate time the emperor, the patriarchs and the prelates of the eastern church with their suites, to the number of seven hundred persons, and to return them to Constantinople. The western church shall pay the expenses for this in the following way. For the expenses of the emperor and of seven hundred persons from Constantinople to our last port, it will give the emperor fifteen thousand ducats. From the said last port to the place of the said council, and thereafter as long as they remain at the synod and until their return to Constantinople, it will give to the emperor with the said seven hundred persons fair expenses. Also that within the ten months after next November, the sacred council shall be obliged to send two large galleys and two lighter ones to Constantinople with three hundred crossbowmen. On these galleys shall travel the ambassadors of the sacred council and the lord Demetrius protonostiarus Palaeologus, chief of the lord emperor's ambassadors. These ambassadors of the sacred council will have with them fifteen thousand ducats to be given to the lord emperor for the expenses that he and the patriarchs, prelates and others who are coming, to the number of seven hundred persons, shall incur between Constantinople and the last port at which they shall put in, as mentioned above. Also, the said ambassadors of the sacred council who are to travel on the galleys will arrange that ten thousand ducats are at hand to be expended, if necessary, on the defense of the city of Constantinople against any danger that the Turks might cause the city during the lord emperor's absence; this money will be expended by someone deputed by the said ambassadors of the sacred council in proportion to the necessity. Also, the said ambassadors of the sacred council will pay the cost of two light galleys and three hundred crossbowmen for the defense of the city of Constantinople in the lord emperor's absence, and shall ensure that the crews of the said galleys and the crossbowmen take an oath in the hands of the emperor that they will serve him faithfully. Their captains shall be appointed by the emperor. Also, that the said ambassadors shall have for the expenses of the two large galleys what is usually expended in arming such galleys.

Also, the ambassadors of the sacred council who are to go with the said galleys to Constantinople, shall name to the lord emperor the port at which they should finally land and the place, from among those listed above, where the said universal synod shall be held. They will, however, strive with all their might that the city of Basel be chosen, as is to be hoped. Also, this sacred council of Basel will remain meanwhile at Basel, and shall not be dissolved as long as there is no legitimate impediment; but if a legitimate impediment arises, which may God avert, it may transfer itself for its continuation to another city, in accordance with the decree The frequent . If the lord emperor is not satisfied with this place, then within one month after he has landed at the said last port, the sacred council will transfer itself to one of the said places nominated by the same council, as was said above.

Also that, in any event, all the above shall be fulfilled by both parties; and all the above shall be effected in a really stable way and with the greatest force and security that is possible for the sacred council, namely by a decree and under a seal. Also, when all the aforesaid matters have been concluded and agreed and, as was said, fully confirmed, the supreme pontiff should give his express consent by his patent bulls. Everything above is to be understood in good faith, without fraud or deceit and without legitimate or manifest impediment. If all the clauses are fulfilled, the said ambassadors of the Greeks shall state and promise that assuredly the above persons will come even if there should be war and threats to their city, and in confirmation of all this they will deliver to the sacred council a chrysobull of the said emperor, and on behalf of the said emperor they and the others shall take an oath, in writing and signed, in pledge of their firm and true belief that the universal holy synod ought to take place with God's help, unless there intervenes the death of the emperor or some obvious and real obstacle that cannot be escaped or avoided.

Lastly, the ambassadors of the Greeks were requested to explain the meaning of some terms contained in their instructions. First, what they understand by "universal synod". They replied that the pope and the patriarchs ought to be present at the synod either in person or through their procurators; similarly other prelates ought to be present either in person or through representatives; and they promised, as is stated above, that the lord emperor of the Greeks and the patriarch of Constantinople will participate in person. "Free and inviolate", that is each may freely declare his judgment without any obstacle or violence. "Without contention", that is without quarrelsome and ill-tempered contention; but debates and discussions which are necessary, peaceful, honest and charitable are not excluded. "Apostolic and canonical", to explain how these words and the way of proceeding in the synod are to be understood, they refer themselves to what the universal synod itself shall declare and arrange. Also that the emperor of the Greeks and their church shall have due honour, that is to say, what it had when the present schism began, always saving the rights, honours, privileges and dignities of the supreme pontiff and the Roman church and the emperor of the Romans. If any doubt arises, let it be referred to the decision of the said universal council. There follows the text of the chrysobull of the said emperor translated from Greek into Latin, Whereas there were sent . . . 1; and the letter of the lord patriarch of Constantinople with a leaden seal translated from Greek into Latin, which is as follows, Joseph by the grace of God archbishop of Constantinople . . . we receive the letter of your reverence . . . 2

By the authority of the universal church, therefore, this holy synod by this present decree approves, ratifies, confirms, determines and decrees the above clauses and agreements, and it promises to observe each and all of them and to keep them intact, as is said above. As they lead to an increase of the orthodox faith and the benefit of the catholic church and the whole Christian people, they should be most welcome and acceptable to all who love the faith of Christ. Since, as has been said above, the Greeks for a variety of reasons request that the most holy lord pope Eugenius IV should

expressly consent to these clauses and agreements, lest on this account so great a good should be let slip, this holy synod implores and begs Eugenius in all charity, and through the tender mercy of Jesus Christ it requests and demands with all possible insistence, that he expresses his assent, for the benefit of the faith and of ecclesiastical unity, to the aforesaid clauses and agreements, which have already been approved and ratified by a synodal decree, by his bulls in the customary style of the Roman curia.

[Decree on Jews and neophytes]

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. This holy synod following in the footsteps of our saviour Jesus Christ, desires in deepest charity that all may acknowledge the truth of the gospel and thereafter abide in it faithfully. By these salutary instructions it desires to provide measures whereby Jews and other infidels may be converted to the orthodox faith and converts may remain steadfastly in it. It therefore decrees that all diocesan bishops should depute persons well trained in scripture, several times a year, in the places where Jews and other infidels live, to preach and expound the truth of the catholic faith in such a way that the infidels who hear it can recognize their errors. They should compel infidels of both sexes who have reached the age of discretion, to attend these sermons under pain both of being excluded from business dealings with the faithful and of other apposite penalties. But the bishops and the preachers should behave towards them with such charity as to gain them for Christ not only by the manifestation of the truth but also by other kindnesses. The synod decrees that Christians of whatever rank or status who in any way impede the attendance of Jews at these sermons, or who forbid it, automatically incur the stigma of being supporters of unbelief.

Since this preaching will be more fruitful in proportion to the linguistic skill of the preachers, we decree that there must be faithful observance of the constitution of the council of Vienne, which ordered the provision in certain universities of teachers of the Hebrew, Arabic, Greek and Chaldean languages. So that this may be more adhered to, we wish that the rectors of these universities should add to what they swear to on taking office, that they will endeavour to observe the said constitution. It should be clearly laid down, at the councils of the provinces in which these universities are situated, that the teachers of the said languages are to be adequately recompensed.

Furthermore, renewing the sacred canons, we command both diocesan bishops and secular powers to prohibit in every way Jews and other infidels from having Christians, male or female, in their households and service, or as nurses of their children; and Christians from joining with them in festivities, marriages, banquets or baths, or in much conversation, and from taking them as doctors or agents of marriages or officially appointed mediators of other contracts. They should not be given other public offices, or admitted to any academic degrees, or allowed to have on lease lands or other ecclesiastical rents. They are to be forbidden to buy ecclesiastical books, chalices, crosses and other ornaments of churches under pain of the loss of the object, or to accept them in pledge under pain of the loss of the money that they lent. They are to be compelled, under severe penalties, to wear some garment whereby they can be clearly distinguished from Christians. In order to prevent too much intercourse, they should be made to dwell in areas, in the cities and towns, which are apart from the dwellings of Christians and as far distant as possible from churches. On Sundays and other solemn festivals they should not dare to have their shops open or to work in public.

[About those who desire conversion to the faith]

If any of them wishes to be converted to the catholic faith, all his goods, both movable and immovable, shall remain intact and unharmed in his possession. But if his goods were acquired by usury or illicit dealings, and the persons to whom restitution ought to be made are known, it is absolutely necessary that this restitution be made, since the sin is not forgiven unless the illegal object is restored. However, if these persons are no longer an issue because the church has turned the goods to pious uses, this holy synod, acting for the universal church, grants in favour of the baptism received that the goods should remain with the church as a pious use, and it forbids both ecclesiastics and secular persons, under pain of divine anathema, to cause or allow to be caused any vexation on this count under any pretext whatsoever, but they should regard it as a great gain to have won such persons for Christ. Moreover since, as it is written, if anyone has this world's goods and sees his brother in need, yet closes his heart against him, how does God's love abide in him?, this holy synod through the tender mercy of God exhorts all, both ecclesiastics and secular persons, to stretch out helping hands to such converts if they are poor or in need at the time of their conversion. Bishops should exhort Christians to aid these converts and should themselves support them from the income of churches, as far as they can, and from what passes through their hands for the benefit of the poor, and they should defend them with fatherly solicitude from detraction and invective.

Since by the grace of baptism converts have been made fellow citizens with the saints and members of the household of God, and since regeneration in the spirit is of far greater worth than birth in the flesh, we determine by this edict that they should enjoy these privileges, liberties and immunities, of the cities and localities in which they are regenerated by holy baptism, which others obtain merely by reason of birth and origin. Let the priests who baptize them and those who receive them from the sacred font carefully instruct them, both before and after their baptism, in the articles of the faith and the precepts of the new law and the ceremonies of the catholic church. Both they and the bishops should strive that, at least for a long time, they do not mingle much with Jews or infidels lest, as occurs with convalescents from illness, a small occasion may make them fall back into their former perdition. Since experience shows that social communication between converts renders them weaker in our faith, and has been found to damage much their salvation, this holy synod exhorts local ordinaries to exercise care and zeal that they are married to born-Christians, in so far as this seems to promote an increase of the faith. Converts should be forbidden, under pain of severe penalties, to bury the dead according to the Jewish custom or to observe in any way the sabbath and other solemnities and rites of their old sect. Rather, they should frequent our churches and sermons, like other Catholics, and conform themselves in everything to Christian customs. Those who show contempt for the above should be delated to the diocesan bishops or inquisitors of heresy by their parish priests, or by others who are entrusted by law or ancient custom with inquiring into such matters, or by anyone else at all. Let them be so punished, with the aid of the secular arm if need be, as to give an example to others.

There should be careful inquiry into all these things in provincial councils and synods, and an opportune remedy should be applied not only to negligent bishops and priests but also to converts and infidels who scorn the above. If anyone, of whatever rank or status, shall encourage or defend such converts against being compelled to observe the Christian rite or anything else mentioned above, he shall incur the penalties promulgated against abettors of heretics. If converts fail to correct themselves after a canonical warning, and as Judaizers are found to have returned to their vomit, let proceedings be taken against them as against perfidious heretics in conformity with the enactments of the sacred canons. If there have been granted to Jews or infidels, or perhaps shall be granted to them in the future, any indults or privileges by any ecclesiastics or secular persons, of whatever status or dignity, even papal or imperial, which tend in any way to the detriment of the catholic faith, the Christian name or anything mentioned above, this holy synod decrees them quashed and annulled; the apostolic and synodal decrees and constitutions enacted about the above remaining in force. In order that the memory of this holy constitution may be perpetually retained and that nobody may be able to claim ignorance of it, the holy synod orders that it should be promulgated at least once a year during divine service in all cathedral and college churches and other holy places where the faithful gather in large numbers.

SESSION 20 22 January 1435

[Decree on concubinaries]

The holy general synod of Basel, legitimately assembled in the holy Spirit representing the universal church, for an everlasting record. We are inclined to grant requests for authentic statutes and decrees in proportion to the likelihood that they will be observed. For this reason we ordered to be extracted from our acts and recorded in this present document, at the request of the beloved sons of the church N. and N. , who assert that they need texts of this kind for judicial and extra-judicial purposes, the texts of the constitutions transcribed below, which we issued some time ago and promulgated in the cathedral church of Basel on 22 January 1435 and incorporated into our acts. They are as follows.

Any cleric of whatsoever status, condition, religious order or dignity, even if it be episcopal or some other pre-eminence, who, after receiving notice of this constitution, as he may be presumed to have done, for two months after its publication in cathedral churches, which bishops are bound to arrange, after the constitution has come to his notice, still persists as a public concubinary, shall automatically be suspended for three months from the fruits of all his benefices. These fruits shall be consigned by his superior to the fabric or some other evident need of the churches from which the fruits come. His superior is bound to admonish him, as soon as he is aware that he is a public concubinary, to dismiss his concubine within a very short time. If he does not dismiss her, or having dismissed her takes her again or another woman, this holy synod orders his superior to deprive him of all his benefices. These public concubinaries moreover, shall be disqualified from receiving any goods, dignities, benefices or offices until such time as, after dismissing their concubines and an evident emendation of their lives, they shall have received a dispensation from their superiors. Those who receive a dispensation and then return to public concubinage, as to their vomit, shall be totally debarred from the above without any hope of another dispensation. If those who are responsible for correcting such people fail to punish them, as stated above, their superiors shall punish properly both them for their neglect and the others for their concubinage. Severe measures must be taken also in provincial and synodal councils against both those who neglect to punish and those who are reputed offenders, even by suspension from the conferment of benefices or some other adequate penalty. Those who are found by provincial councils or their superiors to deserve deprivation for public concubinage, but who can be deprived only by the supreme pontiff, should be referred immediately to the supreme pontiff together with the process of inquiry. The same diligence and inquiry should be employed by general and provincial chapters in respect of their subjects: and other penalties established against them and other non-public concubinaries are to remain in force. By "public" is meant not only someone whose concubinage is made notorious by a judicial sentence or a legal confession or by a notoriety that no subterfuge can conceal, but also anyone who keeps a woman suspected of incontinence and of ill repute and who, after being admonished by his superior, does not dismiss her.

Because in some regions there are persons with ecclesiastical jurisdiction who are not ashamed to accept bribes from concubinaries for allowing them to wallow in their filth, this holy synod commands, under pain of eternal malediction, that henceforth they shall not tolerate or dissemble such conduct in any way by agreement, composition or promise; otherwise, in addition to the aforesaid penalty for negligence, they shall be strictly obliged and compelled to give to pious causes double what they have received in this way. Prelates should take every care to segregate from their subjects concubines and women of doubtful repute, even by recourse to the secular arm if need be, and they should not allow children born of such concubinage to live with their fathers. This holy synod also orders that this constitution is to be published in the aforesaid synods and chapters, and that stern warning should be given to subjects to dismiss their concubines. It also enjoins on all secular men, even if they are of royal rank, not to interpose any obstacle whatever under any excuse to prelates who proceed, in virtue of their office, against their subjects for concubinage. Moreover, since fornication of every kind is forbidden by divine law and is to be avoided under pain of mortal sin, this holy synod warns all lay people, both married and single, to abstain from concubinage. That man is most blameworthy who has a wife but goes to another woman. If a single man cannot abstain, let him marry, as the apostle advises. Let those responsible strive with all their strength, by salutary advice and canonical sanctions, for the observance of this divine precept.

[Excommunicates are not to be shunned unless specifically named]

To avoid scandals and many dangers and to relieve timorous consciences, this holy synod decrees that henceforth nobody shall be obliged to abstain from communion with anyone in the administration and reception of sacraments or in any other sacred or profane matters, or to shun someone or to observe an ecclesiastical interdict, on the ground of any ecclesiastical sentence, censure, suspension or prohibition that has been promulgated in general by a person or by the law, unless the sentence, prohibition, suspension or censure was specifically or expressly promulgated or pronounced by a judge against a specified person, college, university, church or place, or if it is clear that someone has incurred a sentence of excommunication with such notoriety that it cannot be concealed or in any way excused in law. For the synod wishes such persons to be avoided in accordance with canonical sanctions. By this, however, it does not intend any relief or favour to those so excommunicated, suspended, interdicted or prohibited.

[Interdicts are not to be imposed lightly]

Since an indiscriminating promulgation of interdicts has led to many scandals, this holy synod determines that no city, town, castle, vill or place may be laid under an ecclesiastical interdict except by reason or through the fault of the places themselves or of their lord, governors or officials. Such places cannot be laid under an interdict by any ordinary or delegated authority by reason or through the fault of any other private person, unless the person has been previously excommunicated and denounced, or publicly named in a church, and the lords or governors or officials of the places, though requested by the authority of a judge, have not effectively evicted the excommunicated person within two days or made him give satisfaction. If he is evicted after two days, or retires or gives satisfaction, divine services may be resumed straightaway. This applies also to dependencies of the place.

So that lawsuits may be brought to a speedier end, a second appeal is hereby forbidden if it is a question of the same complaint or if the appeal is made from the same interlocutory sentence which does not have the force of a final judgment. Anyone who makes a frivolous or unjust appeal before the final judgment shall be condemned by the appeal judge to pay to the party appealed against the sum of fifteen gold florins of the treasury, in addition to the expenses, damages and interest.

SESSION 21 9 June 1435

[On annates]

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. In the name

of the holy Spirit the paraclete, this holy synod decrees that in future, both in the Roman curia and elsewhere, for the confirmation of elections, admission of postulations and provision of presentations and for collations, dispositions, elections, postulations, presentations, even if made by layfolk, institutions, installations and investitures, in respect of cathedral and metropolitan churches, monasteries, dignities, benefices and any ecclesiastical offices whatsoever, and for sacred orders, blessings and pallia, nothing whatsoever is to be exacted, either before or after, for sealing the bull of the letters, or for common annates, minor services, first fruits or dues, or under any other title or name, or on the pretext of any custom, privilege or statute, or for any other reason or occasion, directly or indirectly. Only the writers abbreviators and registrars of the letters or minutes shall receive a suitable salary for their work. If anyone dares to contravene this sacred canon by demanding, giving or promising anything, he shall incur the penalty inflicted on simoniacs and shall acquire no right or title to the dignities or benefices thus obtained. Obligations, promises, censures and mandates, and whatever is done to the prejudice of this most salutary decree, are to be deemed null and void. Even if, which God forbid, the Roman pontiff, who beyond all others should carry out and observe the canons of universal councils, should scandalize the church by acting contrary to this sanction, he should be delated to a general council. Others are to be punished by their own superiors with a fitting penalty, proportionate to their offence, in accordance with canonical sanctions.

[About those in peaceful possession]

Whoever has been in possession for the last three years, not through violence but with a specious title, peacefully and without a lawsuit, of a prelacy, dignity, benefice or office, or shall have possession of them in the future, cannot be disturbed afterwards in his claim or possession by anyone, even by reason of a newly enacted law, except in the case of warfare or some other legitimate impediment, which he must protest and intimate in accordance with the council of Vienne. A lawsuit in this case is to be understood as regards future controversies, if the proceedings have reached the execution of the citation, the exhibition of his right in the judgment and the observance of all the terms. Ordinaries, however, should make careful inquiry to see that nobody possesses a benefice without a title. If they find such a person, they shall declare that the right does not belong to him, and they shall give the right either to him, if they think fit, unless he is an intruded person or violent or undeserving in some other way, or to some other suitable person.

[How the divine office is to be celebrated in church]

A person who is about to make a request to a secular prince takes pains to compose himself and his words by decent dress, becoming gesture, regulated speech and close attention of mind. How much more careful ought he to be in all these things when he is about to pray to almighty God in a sacred place! The holy synod therefore decrees that in all cathedral and collegiate churches, at suitable times and at the sound of a bell, the divine praises shall be reverently celebrated by everyone through all the hours, not hurriedly but gravely and slowly and with reasonable pauses, especially in the middle of each verse of the psalms, and with a suitable distinction between solemn and ferial offices. Those who recite the canonical hours shall enter the church wearing an ankle-length gown and a clean surplice reaching below the middle of the shin-bone or a cloak, according to the different seasons and regions, and covering their heads not with a cowl but with an amice or a biretta. Having arrived in the choir, they shall behave with such gravity as the place and the duty demand, not gossiping or talking among themselves or with others, nor reading letters or other writings. They have gathered there to sing, so they should not keep their mouths shut rather all of them, especially those with more important functions, should sing to God eagerly in psalms, hymns and canticles. When "Glory be to the Father and, to the Son and to the holy Spirit" is being recited, all shall rise. Whenever mention is made of the glorious name of Jesus, at which every knee should bow in heaven, on earth and under the earth, they shall bow their heads. Nobody should read or say the office there privately during the public chanting of the hours in common, for not only does this take away due honour from the choir but also it distracts the singers. To ensure that these things and whatever else concerns the performance of the divine office and the discipline of the choir are duly observed, the dean, or the person whose duty it is, shall carefully keep watch, looking round, to see if there is anything not in order. Transgressors shall be punished with the penalty of that hour in which the offence was committed, or even more severely, as the gravity of the fault demands.

[The times at which each one should be in choir]

Whoever is not present at matins before the end of the psalm Come let us exult at the other hours before the end of the first psalm, and at mass before the last Lord have mercy, until the end, except in cases of necessity and then only with the permission of the president of the choir, is to be considered absent from that hour, saving however any stricter regulations of churches in this regard. The same is to be observed with regard to those who do not remain in processions from the start until the finish. To ensure observance of this, someone, who shall be under oath to act honestly and to spare none, should be deputed with the duty of noting individuals who are absent at the appointed times. This holy synod also orders that in churches in which stipends are not allotted for individual hours, a deduction should be made from the gross revenues of delinquents so that their emoluments are more or less proportionate to their labours, thus destroying the abuses whereby anybody present at only one hour gets a full day's stipend and presidents or deans or other officials, from the mere fact of being officials, receive the daily stipends even when absent for purposes other than those of their church.

[How the canonical hours should be recited outside choir]

This holy synod admonishes all holders of benefices, or those in holy orders, since they are bound to the canonical hours, if they wish their prayers to be acceptable to God, to recite the day and night offices, not in a mumble or between their teeth, nor swallowing or abbreviating their words, nor intermingling conversation and laughter, but, whether they are alone or with others, reverently and distinctly and in such a place as will not diminish devotion, for which they ought to dispose and prepare themselves, as the scripture says: Before prayer prepare your soul, and do not be like someone who tempts God.

[About those who wander about the church during services]

Any holder of a benefice in a church, especially of a major one, if he is seen wandering around inside or outside the church during the divine services, strolling or chatting with others, shall automatically forfeit his attendance not only for that hour but also for the whole day. If after being corrected once he does not stop, let him be deprived of his stipends for a month, or, if he is obstinate, let him be subjected to a heavier penalty so that in the end he is forced to desist. Also, noisy comings and goings in the church should not be allowed to impede or disturb the divine service. Regulars who err in these matters in conventual churches should be punished with a heavy penalty at the judgment of their superior.

[About a notice-board hanging in the choir]

So that everything may be well ordered in the house of God and that each person may know what he has to do, let there be affixed a notice-board permanently hanging in the choir, with information on it of the duties of each canon or other benefice-holder as regards reading or singing at the individual hours during the week or a longer time. Anyone who fails to do in person or by proxy what is prescribed there, shall forfeit for each hour the stipend of one day.

[On those who at mass do not complete the creed, or sing songs, or say mass in too low a voice or without a server]

There are abuses in some churches whereby the "I believe in one God", which is the symbol and profession of our faith, is not sung to the end, or the preface or the Lord's prayer is omitted, or secular songs are sung in the church, or masses (including private ones) are said without a server, or the secret prayers are said in so low a voice that they cannot be heard by the people nearby. These abuses are to stop and we decree that any transgressors shall be duly punished by their superiors.

[About those who pledge divine worship]

We abolish also that abuse, so manifestly incompatible with divine worship, whereby some canons of churches, having contracted debts, bind themselves to their creditors in such a way that, if they do not pay their debts by a fixed time there will be a cessation of divine services. We declare this obligation null even if it has been confirmed by oath. We decree that those who make these illicit agreements shall automatically lose for three months their revenues, which shall be applied to their church. They shall receive no emoluments from their church until they resume the divine services.

[On holding chapters at the same time as the principal' mass]

This holy synod forbids chapters and other meetings of canons to be held, or chapter business to be transacted, at the same time as the principal mass, especially on solemn feasts, unless an urgent and manifest necessity suddenly occurs. Whoever summons the chapter for that time shall be suspended from receiving his daily stipends for a week, and the canons shall forego their stipends for that hour.

[On not performing spectacles in churches]

In some churches, during certain celebrations of the year, there are carried on various scandalous practices. Some people with mitre, crozier and pontifical vestments give blessings after the manner of bishops. Others are robed like kings and dukes; in some regions this is called the feast of fools or innocents, or of children. Some put on masked and theatrical comedies, others organize dances for men and women, attracting people to amusement and buffoonery. Others prepare meals and banquets there. This holy synod detests these abuses. It forbids ordinaries as well as deans and rectors of churches, under pain of being deprived of all ecclesiastical revenues for three months, to allow these and similar frivolities, or even markets and fairs, in churches, which ought to be houses of prayer, or even in cemeteries. They are to punish transgressors by ecclesiastical censures and other remedies of the law. The holy synod decrees that all customs, statutes and privileges which do not accord with these decrees, unless they add greater penalties, are null.

SESSION 22 15 October 1435

[On the condemnation of the book of friar Augustine of Rome, archbishop of Nazareth]

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. The main reason, among other pious aims, why this holy synod assembled was to preserve the truth of the catholic faith and to eradicate errors and heresies. Therefore the chief goal of our activity is, as soon as we learn of the spread of something that can harm the purity of the Christian faith or in any way obscures the brilliance of the light in the minds of the faithful, to eradicate it completely and carefully to clear the Lord's field of noxious weeds and brambles. This holy synod therefore condemns and censures a certain book by master Augustine, commonly called "of Rome", archbishop of Nazareth. Its first treatise is entitled, "On the sacrament of the unity of Jesus Christ and the church, or on the whole Christ"; the second, "On Christ the head and his glorious sovereignty", another, "On the charity of Christ towards the elect and his infinite love". The holy synod condemns and censures the book as containing teaching that is unsound and erroneous in the faith, as well as its defenders.

The holy synod especially condemns and censures, in the book, the assertion which is scandalous, erroneous in the faith and offensive to the ears of the pious faithful, namely: Christ sins daily and has sinned daily from his very beginning, even though he avers that he does not understand this as of Christ our saviour, head of the church, but as referring to his members, which together with Christ the head form the one Christ, as he asserts. Also, the propositions, and ones similar to them, which the synod declares are contained in the articles condemned at the sacred council of Constance, namely the following. Not all the justified faithful are members of Christ, but only the elect, who finally will reign with Christ for ever. The members of Christ, from whom the church is constituted, are taken according to the ineffable foreknowledge of God; and the church is constituted only from those who are called according to his purpose of election. To be a member of Christ, it is not enough to be united with him in the bond of charity, some other union is needed. Also the following. The human nature in Christ is really Christ. The human nature in Christ is the person of Christ. The intimate cause that determines the human nature in Christ is not really distinguished from the nature that is determined. The human nature in Christ is without doubt the person of the Word; and the Word in Christ, once the nature has been assumed, is really the person who assumes. The human nature assumed by the Word in a personal union is truly God, natural and proper. Christ according to his created will loves the human nature united to the person of the Word as much as he loves the divine nature. Just as two persons in God are equally lovable, so the two natures in Christ, the human and the divine, are equally lovable on account of the common person. The soul of Christ sees God as clearly and intensely as God sees himself.

These propositions and others springing from the same root, which are to be found in the said book, this holy synod condemns and censures as erroneous in the faith. Lest it come to pass that any of the faithful fall into error on account of such teaching, the synod strictly forbids anyone to teach, preach, defend or approve the teaching of the said book, especially the aforesaid condemned and censured propositions, and its supporting treatises. It decrees that transgressors shall be punished as heretics and with other canonical penalties. By these measures the synod intends to detract in nothing from the sayings and writings of the holy doctors who discourse on these matters. On the contrary, it accepts and embraces them according to their true understanding as commonly expounded and declared by these doctors and other catholic teachers in the theological schools. Nor does the synod intend by this judgment to prejudice the person of the said author since, though duly summoned, he gave reasons for being absent, and in some

of his writings and elsewhere he has submitted his teaching to the church's judgment. Further, this holy synod orders all archbishops, bishops, chancellors of universities and inquisitors of heresy, who are responsible in this matter, to ensure that nobody has the said book and supporting treatises or presumes to keep them with him, rather he shall consign them to these authorities, so that they may deal with them in accordance with the law: otherwise let such persons be proceeded against with canonical censures.

SESSION 23 26 March 1436

[On the election of the supreme pontiff]

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. Since a good shepherd is the salvation of his flock, it is the duty of this sacred synod to strive, with all the diligence that human law can contrive, that the Roman pontiff, who is first in the Lord's flock and the supreme shepherd, should be and continue to be such as to provide for the salvation of all souls and the benefit of the whole Christian world and to fulfill worthily so great an office. Therefore it renews the constitutions about the election of Roman pontiffs which sacred councils and supreme pontiffs have issued and it adds to them some further salutary norms. It decrees that whenever the apostolic see falls vacant, all the cardinals of the holy Roman church who are present in the place where the election of the supreme pontiff is to be held, shall meet together on the tenth day after the see becomes vacant in some chapel or place near the conclave. From there they shall process behind a cross, two by two, devoutly singing the *Veni creator Spiritus*, and enter the place of the conclave, each taking with him not more than two necessary attendants. In view of the ceremonies, two clerics may also be admitted, at least one of whom shall be a notary. The chamberlain together with the deputies for the custody of the conclave shall ensure that nobody, apart from the aforesaid persons, enters the conclave. After the cardinals have entered and the doors have been closed, the chamberlain shall enter with the deputies and carefully examine the cells of all the cardinals. He shall remove any food and edibles found there, except medicines of the sick and infirm. He shall ensure a careful guard whenever he leaves and closes the door, and each day he shall closely inspect the food being brought in for the cardinals and allow only what seems necessary for moderate refreshment, without prejudice to the decrees passed in the fourth and seventh sessions of this sacred council.

On the next day all the cardinals, in the presence of all those in the conclave, shall hear a mass of the holy Spirit and receive the Eucharist. Before the voting begins, they shall swear before the holy gospels in these words: I, N. , cardinal of . . . , swear and promise to almighty God, Father, Son and holy Spirit, and to blessed Peter, prince of the apostles, that I shall elect as pontiff the person who I think will be beneficial to the universal church in both spiritual and temporal matters and suitable for so great a dignity; I shall not give my vote to anyone who I have reason to think is directly or indirectly aiming at getting himself elected, by his promising or giving some temporal thing or by asking in person or through another or in any other way whatsoever; and I shall not make obeisance to anyone elected as pontiff before he takes the oath prescribed by this council of Basel; so help me God, to whom on the day of tremendous judgment I shall have to give an account of this oath and all my deeds After this each cardinal shall submit a ballot-card, on which he shall nominate a maximum of three persons. If he nominates more than one person, the second and third persons shall be from outside the college of cardinals. There shall not be more than one ballot on any day and it shall be held immediately after the mass. When the ballot-cards have been read, they shall be burnt straightaway unless two-thirds of the votes are for the same person. No approach shall be made to anyone until six ballots have been completed. During this time let the cardinals reflect and seriously ponder how much merit or loss to themselves, how much fruit or damage to the Christian people, how much good or evil, they will be causing by their choice of a pontiff. There is nothing, indeed, by which they can more merit the grace or the wrath of our lord Jesus Christ than when they are setting his vicar over his sheep, which he loved so much as to suffer the torments of the cross and to die for them.

[On the profession of the supreme pontiff]

The holy synod decrees that the person elected as pope is obliged to express his consent to the election in the manner stated below. It is fitting that this consent should be made to the cardinals, if the person elected is present in the curia, or to one of the cardinals or someone mandated by them if he is not present there, in the presence of a notary and at least ten persons. After he has been informed of the election, he is bound to act within a day of the demand. If he does not do so, his election is annulled and the cardinals must proceed in the Lord's name to another election. But if he expresses his consent, as stated above, the cardinals shall straightaway make due obeisance to him as supreme pontiff. Once the obeisance has been made by the cardinals, nobody has any right to challenge his pontificate.

[Form of consent]

In the name of the holy and undivided Trinity, Father, Son and holy Spirit. I, N. , elected pope, with both heart and mouth confess and profess to almighty God, whose church I undertake with his assistance to govern, and to blessed Peter, prince of the apostles, that as long as I am in this fragile life I will firmly believe and hold the catholic faith, according to the tradition of the apostles, of general councils and of other holy fathers, especially of the eight holy universal councils -- namely the first at Nicaea, the second at Constantinople, the third which was the first at Ephesus, the fourth at Chalcedon, the fifth and sixth at Constantinople, the seventh at Nicaea and the eighth at Constantinople -- as well as of the general councils at the Lateran, Lyons, Vienne, Constance and Basel, and to preserve intact this faith unchanged to the last dot, and to defend and preach it to the point of death and the shedding of my blood, and likewise to follow and observe in every way the rite handed down of the ecclesiastical sacraments of the church. I promise also to labour faithfully for the defense of the catholic faith, the extirpation of heresies and errors, the reform of morals and the peace of the Christian people. I swear also to continue with the holding of general councils and the confirmation of elections in accordance with the decrees of the holy council of Basel. I have signed this profession with my own hand; I offer it on the altar with a sincere mind to you almighty God, to whom on the day of tremendous judgment I shall have to give an account of this and all my deeds; and I will repeat it at the first public consistory.

'So that this salutary institution may not fade from the supreme pontiff's memory with the passage of time, every year on the anniversary of his election or of his coronation, the first cardinal present shall, during mass, publicly and in a loud voice address the supreme pontiff thus: Most holy father, may your holiness heed and carefully ponder the promise which you made to God on the day of your election. He shall then read out the promise and shall continue as follows: May your holiness, therefore, for the honour of God, for the salvation of your soul and for the good of the universal church, strive to observe to your utmost all these things in good faith and without guile or fraud. Recall whose place it is that you hold on earth, namely of him who laid down his life for his sheep, who thrice asked the blessed Peter if he loved him, before he entrusted his sheep to him', and who, as the just judge whom nothing secret escapes, will exact from you an account of everything to the very last farthing. Remember what blessed Peter and his successors as pontiffs did: they thought only of the honour of God, the spread of the faith, the public good of the church and the salvation and benefit of the faithful; finally, imitating their master and Lord they did not hesitate to lay down their lives for the sheep entrusted to them. Do not lay up for yourself or your kinsfolk treasures on earth, where moth and rust consume and where thieves and robbers break in, but lay up for yourself treasure in heaven. Do not be an acceptor of persons or of blood-ties or of homeland or of nation. All people are children of God and



have been equally entrusted to your care and safe-keeping. Say after the example of Christ: Whoever does the will of my Father in heaven, he is my brother and sister and mother. In distributing dignities and benefices put before yourself neither the flesh nor gifts nor anything temporal at all, but solely God and the virtues and merits of people. Exercise ecclesiastical discipline in correcting faults, mindful of what grace Phinehas merited and what punishment Eli, the one for avenging injuries to God, the other for pretending not to know them. Defend, help and support the poor and needy. Show a fatherly charity to all.

After the solemnities of his coronation, and each year after the anniversary of his election, the supreme pontiff shall carefully discuss with his brethren, for at least eight consecutive days, how he shall carry out his solemn promises to God. In the first place, therefore, he should examine where in the world the Christian religion is being persecuted by Turks, Saracens, Tartars and other infidels; where heresy or schism or any form of superstition flourishes, in which provinces there has been a decline in morals and observance of the divine precepts and in the right way of living, in both ecclesiastical and secular matters, where ecclesiastical liberty is infringed; among which kings, princes and peoples enmity, wars and fears of war are rife; and like a dutiful father he should strive with his brethren carefully to provide remedies.

When these affairs of an universal character have been settled, let him deal with those nearer at hand. Let him begin by reforming and ordering in an exemplary way his house, his household and the Roman curia, where and in so far as this is necessary, so that from the visible reform of the church which is the head of all others, lesser churches may draw purity of morals and no occasion may be given for calumny and malicious talk. Making diligent inquiry in person and through others about both important and lesser persons, he should allow no delay or pretence in correcting whatever is found in need of reform, remembering that the sin is twofold, the one being committed, the other and far more serious being its consequences. For whatever is done there is easily made into an example. That is why, if the head is sick, disease enters into the rest of the body. The papal household and court should be a kind of clear mirror, so that all who look at it form themselves and live according to its example. Thereafter let him banish and eradicate any traces of simony, filthy concubinage or whatever may offend God or scandalize people. He should take care that officials do not exercise their offices badly or oppress anybody or extort anything by threats or illegal means, and that those in charge of the officials do not let their excesses go unpunished. They should not tolerate clothes and colours which are forbidden by the sacred canons. Let him instruct the Roman clergy, who are chiefly and immediately subject to him, in all ecclesiastical decorum, admonishing them that God's approval depends not on the parade and splendour of clothes but on humility, docility, purity of mind, simplicity of heart, holiness of behaviour and the other virtues which commend their possessor to God and to people. Let him enact reforms especially so that the divine services may be observed in the churches of Rome with all seemly devotion and discipline. He should also instruct the people of Rome, which is his own parish, and direct them in the way of salvation. He should bid the cardinals to visit and reform their titular churches and parishes as befits their office. He should appoint some prelate of great learning and of proven and exemplary life as his vicar in the city, to take his place in the episcopal care of the clergy and people, and he should often inquire about whether he is fulfilling his task.

Next, let him reflect carefully with the same brethren on the good and wholesome administration of the temporalities of the Roman church and let him ensure that the provinces, cities, towns, castles and lands subject to the Roman church are justly and peacefully ruled with such moderation that the difference between government by ecclesiastics and by secular princes is like that between a father and a master. He should not aim at gain, but cherishing all with paternal charity he should esteem them not as subjects but as sons and daughters. Since he has charge of their spiritual and temporal well-being, he must watch to get rid of all factions and seditious groups -- especially of Guelphs and Ghibellines and other similar parties -- which breed destruction to both souls and bodies. He must strive, employing spiritual and temporal penalties of all possible kinds, to remove all causes of dissension and to keep people united for the defense of the church. To govern the provinces and chief cities, he should appoint cardinals or prelates of untarnished reputation who will seek not financial gain but justice and peace for their subjects. Their legation shall last for two, or at most three, years. When their legation has ended, since it is right that each one should give an account of his stewardship, one or more outstanding men shall be appointed to review their administration and to hear the complaints and petitions of the inhabitants and to render justice; these shall refer what they cannot easily effect to the pope, and he shall strive to find out what the former have done and to punish any illegal actions, so that their successors may learn from their example to avoid illegalities. Officials should be allotted a suitable salary on which they can live honestly, to prevent them turning their hand to what is illicit.

The supreme pontiff should often inquire how his legates, governors and commissars, as well as deputies and feudatories of the Roman church, rule their subjects and whether they oppress them with new taxes and exactions. He should not tolerate any austere measure or unjust burden being laid on his subjects' necks. For it would be wicked to allow those whom the pope should rule as a father to be treated tyrannically by others. He should ensure that statutes and ancient constitutions by which provinces and districts have been well governed in the past are kept intact. But if any have subsequently been issued unreasonably or from envy or partiality, they should be cancelled or altered when the reasons for doing so have been understood. Within a year from the day of his election, the Roman pontiff shall summon spokesmen and proctors of the provinces and chief cities of the Roman church and shall question them closely, with fatherly affection, about the following: the state and condition of their territories, how they were governed in the time of his predecessor, whether they are being oppressed by any unjust burden, and what should be done for their good government. Then let him apply to them as to sons remedies which will provide for their benefit and security and for the common good. He should not shrink from repeating this at least every two years. Among the other things that feudatories, captains, governors, senators, castellans and other high officials of Rome and of the lands of the church customarily swear to, there should be added at the time of their installation an oath that, when the papacy is vacant, they will hold their cities, lands, places, citadels, castles and peoples at the command of the cardinals, in the name of the Roman church, and that they will freely and without opposition hand them over to the same. Lest the supreme pontiff may seem to be influenced by carnal affection rather than by right reason, and to avoid the scandals that sad experience shows often arise, in future he shall not make or allow to be made anyone related to him by blood or affinity to the third degree inclusive a duke, marquis, count, feudatory, emphyteutic tenant, deputy, governor, official or castellan of any province, city, town, castle, fortress or place of the Roman church, nor give them any jurisdiction or power over them, nor appoint them captains or leaders of men under arms. The cardinals must never agree with a supreme pontiff attempting to act otherwise, and his successor as pontiff shall withdraw and revoke anything done in this way.

In accordance with the constitution of Pope Nicholas IV, the holy synod decrees that half of all fruits, revenues, proceeds, fines, penalties and taxes deriving from all the lands and places subject to the Roman church belongs to the cardinals of the holy Roman church, and that the institution and dismissal of all rulers and governors and guardians, howsoever they may be called, who are in charge of the aforesaid lands and places, and also of the collectors of the said fruits, should be made with the advice and agreement of the cardinals. The holy synod therefore admonishes the cardinals to protect the lands and subjects of the Roman church from harm and oppression and, mindful of their peace, safety and good government, to recommend them, if need be, to the supreme pontiff. While it is true that the supreme pontiff and the cardinals should give careful attention to all the territories of the Roman church, nevertheless the city of Rome should be at the centre of their concern. For there the holy bodies of blessed Peter and Paul and of innumerable martyrs and saints of Christ repose; there is the seat of the Roman pontiff, from which he and the Roman empire take their name; thither all Christians flock for the sake of devotion. They should feel for it a special love and affection, as being peculiarly their daughter and

principal parish, so that it should be governed in peace, tranquillity and justice and should suffer no damage to its churches, walls and roads and the security of its streets. Hence this holy synod decrees that from the sum total of the income and proceeds of the city, an adequate portion shall be set aside for the preservation of the churches, walls, roads and bridges and the security of the streets in the city itself and the district; this money is to be administered by men of proven reputation who are to be chosen on the advice of the cardinals.

The supreme pontiff calls himself the servant of the servants of God; let him prove it in deeds. As long as people from all parts have recourse to him as to a common father, he should give them all easy access. Let him set aside at least one day in the week for a public audience, when he shall listen with patience and kindness to all, especially the poor and oppressed, and shall grant their prayers as much as he can with God's help, and shall assist all with kind advice and help as each one has need and as a father does for his children. If he is prevented by some bodily need, he shall entrust this task to some cardinal or other noteworthy person who will report everything to him, and he shall order all officials of the curia, especially the vice-chancellor, the penitentiary and the chamberlain, to expedite business for the poor with speed and free of charge, bearing in mind the apostolic charity of Peter and Paul, who pledged themselves to remember the poor. He should attend a public mass on Sundays and feast-days, and after it for a while he should give audience to the needy. He should hold a public consistory each week, or at least twice a month, to treat of the business of cathedral churches, monasteries, princes and universities and other important affairs. But he should refer lawsuits and lesser matters to the vice-chancellor. He should keep himself free of lawsuits and lesser business as far as he can, so as to be freer to attend to major issues. Since the cardinals of the holy Roman church are considered to be part of the body of the Roman pontiff, it is extremely expedient for the common good that, following ancient custom, serious and difficult questions should hereafter be settled on their advice and direction after mature deliberation, especially the following: decisions on matters of faith; canonizations of saints, erections, suppressions, divisions, subjections or unions of cathedral churches and monasteries; promotions of cardinals; confirmations and provisions relating to cathedral churches and monasteries; deprivations and translations of abbots, bishops and superiors; laws and constitutions; legations a latere or commissions or envoys and nuncios functioning with the authority of legates a latere; foundations of new religious orders; new exemptions for churches, monasteries and chapels, or the revocation of those already granted without prejudice to the decree of the holy council of Constance about not transferring prelates against their will.

[On the number and qualities of cardinals]

Since the cardinals of the holy Roman church assist the supreme pontiff in directing the Christian commonwealth, it is essential that such persons be appointed as may be, like their name, real hinges on which the doors of the universal church move and are upheld. The sacred synod therefore decrees that henceforth their number shall be so adjusted that it is not a burden to the church which now, owing to the malice of the times, is afflicted by many serious inconveniences) or cheapened by being too large. They should be chosen from all the regions of Christianity, as far as this is convenient and possible, so that information on new things in the church may be more easily available for mature consideration. They should not exceed twenty-four in number, including the present cardinals. Not more than a third of them at any given time shall be from one nation, not more than one from any city or diocese. None shall be chosen from that nation which now has more than a third of them, until its share has been reduced to a third. They should be men outstanding in knowledge, good conduct and practical experience, at least thirty years old, and masters, doctors or licentiates who have been examined in divine or human law. At least a third or a quarter of them should be masters or licentiates in holy scripture. A very few of them may be sons, brothers or nephews of kings or great princes; for them an appropriate education will suffice, on account of their experience and maturity of behaviour.

Nephews of the Roman pontiff, related to him through his brother or sister, or of any living cardinal shall not be made cardinals; nor shall bastards or the physically handicapped or those stained by a reputation of crime or infamy. There can, however, be added to the aforesaid twenty-four cardinals, on account of some great necessity or benefit for the church, two others who are outstanding in their sanctity of life and excellence of virtues, even if they do not possess the above-mentioned degrees, and some distinguished men from the Greeks, when they are united to the Roman church. The election of cardinals shall not be made by oral votes alone, rather only those shall be chosen who, after a genuine and publicized ballot, obtain the collegial agreement, signed with their own hands, of the majority of the cardinals. For this purpose let an apostolic letter be drawn up with the signatures of the cardinals. The decree of this sacred council beginning Also since the multiplication of cardinals, etc., which was published in the fourth session, is to remain in force. When cardinals receive the insignia of their dignity, whose meaning is readiness to shed their blood if necessary for the good of the church, they shall take the following oath in a public consistory, if they are in the curia, or publicly in the hands of some bishop commissioned for this purpose by an apostolic letter containing the oath, if they are not in the curia.

I, N., recently chosen as a cardinal of the holy Roman church, from this hour henceforward will be faithful to blessed Peter, to the universal and Roman church and to the supreme pontiff and his canonically elected successors. I will labour faithfully for the defense of the catholic faith, the eradication of heresies errors and schisms, the reform of morals and the peace of the Christian people. I will not consent to alienations of property or goods of the Roman church or of other churches or of any benefices, except in cases allowed by law, and I will strive to the best of my ability for the restoration of those alienated from the Roman church. I will give neither advice nor my signature to the supreme pontiff except for what is according to God and my conscience. I will faithfully carry out whatever I am commissioned to do by the apostolic see. I will maintain divine worship in the church of my title and will preserve its goods: so help me God.

For the preservation of the titular churches of the cardinals, some of which have sadly deteriorated both in divine worship and in their buildings, to the shame of the apostolic see and of the cardinals themselves, this holy synod decrees that from the revenues and incomes of the territories of the Roman church -- half of which belongs to the cardinals in accordance with the constitution of Pope Nicholas, as was said above -- a tenth of what each cardinal receives shall be applied each year to his titular church. Moreover, each cardinal shall leave to his titular church, either in his lifetime or at his death, enough for the upkeep of one person. If he fails to do so, regarding both this and the said tenth, all his goods shall be sequestered until due satisfaction has been made. We place the burden of carrying this out on the first cardinal of the order in which he died. Each cardinal present in the curia should make an annual visitation of his titular church in person; each one not present should make it through a suitable deputy. He should also inquire carefully concerning the clergy and the people of his dependent churches, and make useful provision with regard to the divine worship and the goods of these churches as well as the life and conduct of the clergy and parishioners, about whom, since they are his sheep, he will have to render an account at the severe judgment of God. As regards the time of the visitation and other things, let him observe what is laid down in our decree on synodal councils.

Although both the dignity itself and the cardinal's own promise urge him to toil at the holy tasks just mentioned, yet results will be greater if the tasks are spread among individuals. Therefore cardinal-bishops shall inquire about what regions are infected with new or old heresies, errors and superstitions; cardinal-priests shall inquire about where conduct, observance of the divine commandments and ecclesiastical discipline are lax; cardinal-deacons shall inquire about which kings, princes and peoples are troubled by actual or possible wars. Like busy bees, both with the supreme pontiff and among themselves, they should promote these holy works with diligence and in detail, striving to provide a remedy where this is needed.

The supreme pontiff for his part, as the common father and pastor of all, should have investigations made everywhere not only when requested to do so but also on his own initiative and he should apply salutary medicines, as best he can, for all the illnesses of his children. If the cardinals ever notice that a pope is negligent or remiss or acting in a way unbecoming his state, though may this never happen, with filial reverence and charity they shall beg him as their father to live up to his pastoral office, his good name and his duty. First, let one or some of them warn him that if he does not desist they will delate him to the next general council, and if he does not amend they shall all do this as a college together with some notable prelates. For the well-being of the supreme pontiff and the common good they should not fear the hostility of the supreme pontiff himself or anything else, provided they act with reverence and charity. Much more so, if it comes to the pope's notice that some cardinal is acting wrongly and reprehensibly, he should correct him, always with paternal charity and according to evangelical teaching. Thus, acting in charity towards each other, one to another, a father to his sons and sons to their father, let them direct the church with exemplary and salutary government.

Let the cardinals both publicly and privately treat with kindness and respect prelates and all others, especially distinguished persons who come to the Roman curia, and let them present their business to the supreme pontiff freely and graciously. Since the cardinals assist him who is the common father of all, it is very unseemly for them to become accepters of persons or advocates. Hence this holy synod forbids them to exercise any favouritism as collateral judges, even if they take their origin from a favoured region. Neither should they be biased protectors or defenders of princes or communities or others against anyone, whether paid or unpaid, but putting aside all sentiment let them assist the pope in pacifying quarrels with harmony and justice. The holy synod urges and commends them to promote the just business of princes and anybody else, especially religious and the poor, without charge and without seeking reward, as an act of charity. Let them preserve with readiness and kindness the gravity and modesty that befits their dignity. Let them maintain towards all people godliness which, according to the Apostle, is profitable in every way. Although they should not neglect their kinsfolk, especially if they are deserving and poor, they should not load them with a mass of goods and benefices to the scandal of others. Let them beware of pouring out on flesh and blood, beyond the bounds of necessity, goods coming from the churches. If the pontiff notices such strutting among the great, he should reprimand and object, as is fitting, and he will be blameworthy if he fails to correct, in keeping with his office, whatever needs correction.

The household, table, furniture and horses of both pope and cardinals should not be open to blame as regards quantity, state, display or any other excess. The house and its contents should be on a moderate scale, a model of frugality and not a source of scandal. Both the supreme pontiff and the cardinals, as well as other bishops, should strive to observe the constitution of blessed Gregory which was published at a general synod and which this holy synod now renews the sense of which is as follows: Though the life of a pastor should be an example to disciples, the clergy for the most part do not know the private life-style of their pontiff, even though secular youths know it; we therefore declare by this present decree that certain clerics and even monks should be selected to minister in the pontifical chamber, so that he who is in the seat of government may have witnesses who will observe his true private behaviour and will draw an example of progress from this regular sight.

Let them also pay attention to the words of Pope Paschal: "Let bishops spend their time in reading and prayer and always have with them priests and deacons and other clerics of good reputation, so that, following the Apostle and the instructions of holy fathers, they may be found without blame."<sup>3</sup> It does not profit the commonweal for cases other than those concerning elections to cathedral churches or monasteries, or princes or universities or similar matters, to be assigned by the pope or the chancery to cardinals, since they should devote themselves to the greater problems of the universal church. Lesser cases, therefore, should be sent to the court of the Rota, which was instituted for this purpose. Neither the pope nor cardinals should in future send their officials to prelates who have been confirmed or provided, as it were to accept gifts, lest they allow others to do what is unfitting for themselves to do. Something that has happened in the past -- namely a sum of money or something else is subtracted from the goods of a dead cardinal, as a charge for the ring given to him on the assignment of his titular church -- is not to occur in the future, since the labours of cardinals for the commonweal merit rather obsequies from public funds, if they are poor.

[On elections]

Already this holy synod, with its abolition of the general reservation of all elective churches and dignities, has wisely decreed that provision should be made for them by canonical elections and confirmations. It wishes also to forbid special and particular reservations of elective churches and dignities, whereby free elections and confirmations can be prevented; and to ensure that the Roman pontiff will attempt nothing against this decree, except for an important, persuasive and clear reason, which should be expressed in detail in an apostolic letter. However, much has been done against the intention of this decree and without the required reason, resulting in serious scandals already and the likelihood of even more serious ones in the future. This holy synod wishes to prevent this and does not want the purpose of the decree, which was to remove every obstacle to canonical elections and confirmations, to be deprived of its effect. It therefore decrees that elections should assuredly be held in the said churches without any impediment or obstacle and that, after they have been examined in accordance with common law and the dispositions of our decree, they shall be confirmed. However, if perhaps on occasion it should happen that an election is made which in other respects is canonical but which, it is feared, will lead to trouble for the church or the country or the common good, the supreme pontiff, when the election is referred to him for confirmation, if he is convinced that there exists such a most pressing reason, after mature discussion and then with the signed votes of the cardinals of the Roman church or the majority of them declaring that the reason is true and sufficient, may reject the election and refer it back to the chapter or convent for them to institute another election, from which such consequences are not to be feared, within the legal time or otherwise according to the distance of the place.

[On reservations]

The numerous reservations of churches and benefices hitherto made by supreme pontiffs have turned out to be burdensome to churches. Therefore this holy synod abolishes all of them both general and special or particular -- for all churches and benefices whatsoever that were customarily provided for by an election or a collation or some other disposition -- which were introduced either by the additional canons *Ad regimen* and *Execrabilis* or by rules of the chancery or by other apostolic constitutions, and it decrees that never again shall they exist, with the exception only of reservations expressly contained in the corpus of law and those which occur in the lands mediately or immediately subject to the Roman church by reason of direct or beneficial dominion.

[On Clementine "Letters"]<sup>3</sup>

Although apostolic and other letters may state that someone has renounced, or been deprived of, a dignity, benefice or right, or has done something for which a right of his has been taken away, nevertheless letters of this sort should not prejudice him, even though they are based on the status or the intention of the person making the statement, unless proof is forthcoming from witnesses or other legitimate documents.

SESSION 24 14 April 1436

[About business with the Greeks and about indulgences, etc.]

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. Our ambassadors to the most serene emperor of the Romans and the most reverend lord patriarch of Constantinople, who were sent to Constantinople on behalf and in the name of this holy synod, for various reasons promised to present the terms which were concluded and signed by the two sides on another occasion in this holy synod regarding the manner of holding a universal and ecumenical council of both churches, and to exhibit them with effect, under the customary leaden seal of this holy synod, with the present date and containing the following text word for word. This holy synod, unwilling to omit anything that might help the union of Christ's churches, accepts, approves, ratifies and confirms by this present decree the said promise of its ambassadors and includes in this document the said terms word for word as was promised by the said ambassadors, as follows.

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. Among the various works necessary for the whole Christian people for which this holy council was assembled, the union of the western and eastern churches of Christ is the chief and greatest. Rightly, therefore, from the very start of its proceedings, this holy synod has made every effort to achieve this. For, as quickly as possible it sent its ambassadors with letters to the most serene emperor of the Greeks and the most reverend patriarch of Constantinople, to exhort them with all charity and insistence that they should send some persons with full authority to treat with us on the way to achieve the said holy union. As soon as they were asked, they appointed to this holy synod three outstanding men from those who seem to be of great authority among them -- the first of whom was indeed a blood-relative of the emperor -- with a sufficient commission from the emperor himself signed by his own hand and with a golden seal, and furnished with letters of the patriarch. Both in a general congregation and in the presence of our commissaries they expressed the most fervent desire of the emperor, the patriarch and the whole eastern church for this union. They urge and daily stimulate us in a wonderful way to pursue this holy work, strongly and persistently affirming two things: that union is only possible in a universal synod in which both the western church and the eastern church meet, and that it is to be hoped that this union will follow if matters proceed in that synod in the way that is agreed below. We were filled with joy and gladness when we heard this. Therefore we venerable cardinals of the holy Roman church, presidents of the apostolic see, casting all our thoughts on God, who alone does great wonders, deputed the patriarch of Antioch and a suitable number of archbishops, bishops, abbots, masters and doctors to treat of this question with the ambassadors of the Greeks and to look for a way to reach a solution. After these men had frequently met and discussed among themselves and with the ambassadors, they reached the conclusions given below. These conclusions, in accordance with the custom of this council, were seriously debated by the deputations and ratified by a general congregation. Their contents, together with the chrysobull of the lord emperor, are as follows: The ambassadors of the most serene lord emperor, etc., which is given at length in the council's decree which is included above. But because the period of time mentioned above, within which the aforesaid things should have been fulfilled, has elapsed, not through the fault of either party but because of various intervening negotiations, this holy synod therefore accepts the period of time agreed by the most serene emperor of the Greeks and the most reverend patriarch of Constantinople on the one side, and by the ambassadors of this sacred council on the other, namely the year beginning this coming month of May, so that for the whole of this May until the following year each of the two parties is prepared to carry out the aforesaid points, and each accepts and promises that it will fulfill for its part, within the said time, whatever is included in the above-mentioned terms.

[Safe-conduct for the Greeks given by the sacred council of Basel to the lord emperor of the Greeks and the patriarch of Constantinople]

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church. In our western region and the obedience of the Roman church, a universal and ecumenical synod is to be held, under God's inspiration, at which both the western church and the eastern church will meet in accordance with the agreement reached at this holy synod and later ratified in Constantinople. In order that the sincerity of our intention towards the eastern church may be manifest to all, and that all possible suspicion as regards the security and freedom of those coming to it may be removed, this holy synod of Basel by this present decree, in the name and on behalf of the entire western church and of all in that church of every status, including those of imperial, regal or pontifical rank or of any lower spiritual or secular dignity, authority or office, decrees, gives and concedes a full and free safe-conduct to the most serene emperor of the Greeks, the most reverend patriarchs of Constantinople, Alexandria, Antioch and Jerusalem, and others up to the number of seven hundred persons, whether of imperial, regal, archiepiscopal or any other rank, dignity or condition, who are coming or shall come to the aforesaid universal and ecumenical council in the west. This holy synod, by this decree, receives and has received into its safe-keeping each and all of the said people, as regards their persons, honours and everything else, in the kingdoms, provinces, lordships, territories, communities, cities, castles, towns, vills and places of our obedience of the western church in which they shall stay or through which they shall pass. It promises and concedes to each and all of them, by this present synodal edict, free and safe permission to approach and enter the city or place in which the said holy universal council will be held; to stay, remain, reside and dwell there with all the immunities, liberties and securities which those of the obedience of the western church dwelling there will have; of debating, arguing and alleging rights and authorities and of saying, doing and treating of, freely and without hindrance from anyone, anything else that may seem to them useful and apt for the union of the churches of Christ.

They may at will go out and return from the said town or place safely, freely and without restraint, once or often or as many times as any of them may wish, singly or together, with or without their goods and money, with every real or personal obstacle ceasing and being put aside, even if the said union does not come about, though may that not be so. In the latter case and in every other outcome, the most serene emperor, the lord patriarchs and other aforesaid persons will be taken back to Constantinople, at our expense and in our galleys, without any delay or obstacle, with the same honours, good will and friendship with which they were brought to the said universal council, whether or not union resulted from the council.

All this is notwithstanding any differences, disagreements or dissensions about the aforesaid matters, or any of them in particular, which exist at present or could arise in the future between the said western and eastern churches, that is, between the Roman church and those subject and attached to it, and the aforesaid most serene emperor and others attached to the church of Constantinople; notwithstanding any judgments, decrees, condemnations, laws or decretals of any kind that have been or shall be made or issued; notwithstanding any crimes, excesses, faults or sins that may be committed by any of the aforesaid persons; and notwithstanding anything else, even if it is something for which a special mention in this decree is necessary. If one or some of ours should harm one or more of them, though may it not happen, or should molest them in their persons, honour, property or anything else, the miscreant shall be sentenced by us or ours to make adequate and reasonable satisfaction to the injured party. And conversely, if any of them harms any of ours, he shall be sentenced by them to make adequate and reasonable satisfaction to the injured party, in accordance with the customs of both parties. As regards other crimes, excesses and faults, each party will institute proceedings and pass judgment on its own members.

This holy synod exhorts all Christ's faithful and furthermore commands, by the authority of the universal church and in virtue of the holy Spirit and

of holy obedience, all prelates, kings, dukes, princes, officials, communities and other individuals, of whatever status, condition or dignity, who are members of our western church, to observe inviolably each and all of the above things and, far as they can, to have them observed; and to honour and treat with favour and reverence, and to have so honoured and treated, both individually and together, the most serene emperor, the patriarch and each and all of the other aforesaid persons on their way to and from the said council. If any doubt arises about the safe-conduct and its contents, it shall be decided by a declaration of the universal synod which is to be held. This holy synod, for its part, wishes the safe-conduct to remain in force until the most serene emperor, the patriarch and other aforesaid persons with their nobles and suites to the number of seven hundred persons, as was stated, and with their goods and chattels, have returned to Constantinople. If anyone attempts to act in any way contrary to the aforesaid or any part of it, let him know that he will incur the indignation of almighty God and of the said holy synod.

SESSION 25 7 May 1437

[On the places for the future ecumenical council for the Greeks]

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. Recently this holy synod among the various tasks for which the inscrutable providence of the divine majesty has deigned, by the invocation of the holy Spirit the paraclete, to bring it together and to employ it in the cultivation of the Lord's field, turning its mind like a watchful farmer and clearly perceiving how deplorable and abiding has been the division in God's church over the profession of the same faith by the eastern and western churches, conceived high hope and confidence in the most merciful goodness of him with whom nothing is impossible, and who generously and without restraint gives to all who duly ask him, to bring about the unity of the catholic faith between these churches. It decided, therefore, to apply the resources of its diligence more fully, grudging no labour or expense, because it was convinced that thence would follow the greater praise and glory of almighty God, a more fruitful salvation of souls and a greater increase of the faith. Desirous of undertaking this most salutary project of union, with the help of the grace of the holy Spirit it invited and exhorted to come to the project, through various envoys and letters, the most serene emperor of the Romans, the venerable patriarch of Constantinople, the other prelates and the rest of the Greek people.

The emperor, the patriarch and others of the Greeks received these exhortations with eagerness, their hearts inclined and influenced by the grace of the most High. Sincerely zealous to embark on this project of union, they decided to send to this holy synod their solemn envoys and spokesmen, who were furnished with an adequate mandate with the golden seal and signature of the emperor and the leaden seal of the patriarch, devoutly expressing their most fervent desire for this unity of faith. This holy synod concluded with them, in various preliminary meetings and deliberations about the execution of this salutary task of union, certain mutually agreed decrees and terms highly useful and necessary for this purpose, which were recorded above and were promulgated in a session of this holy synod in the cathedral of Basel. Thereafter this holy synod wished to implement these decrees and terms by all necessary and suitable means, and therefore to proceed to choosing a place for the coming ecumenical council, to which the aforesaid emperor, the patriarch and others of the Greeks could and should come. After many propositions about these and other topics relevant to this holy matter had been considered by the various deputations of this holy synod, and after the votes of their members on these points had been counted, finally in a general congregation summoned for this purpose in the said cathedral, as is customary, in which the votes of the individuals were again counted, it was found that more than two-thirds of them had voted for Basel, Avignon or Savoy. After they had invoked the grace of the holy Spirit and celebrated a mass, they agreed that due and earnest pressure should be exerted on the emperor, the patriarch and other aforesaid Greeks, with the many good reasons being put before them, so that they might agree to Basel as the place for the ecumenical council, and that if they rejected Basel, it should be held at Avignon. If Avignon proved impossible, it should be held in Savoy.

Therefore, in order that each and all of the aforesaid points might be brought to fruition, with all the solemnity normally employed in this sacred council of Basel in expediting matters of importance, while the fathers are seated in the cathedral of Basel after the mass, this holy synod decrees, wishes, ordains and declares that the future ecumenical council ought to be held at the due and agreed time in the city of Basel or, if that is rejected, in the city of Avignon or otherwise in Savoy, in accordance with the above-mentioned agreement; and that the emperor, the patriarch and other aforesaid Greeks, as detailed in the said terms and decrees, and all other persons of whatever rank, status, dignity or pre-eminence who ought by right or custom to take part in general councils, including those of episcopal rank, are bound and obliged to come to and take part in that ecumenical council, especially so that this salutary work might be completed. This holy synod wishes, declares and decrees this nomination and choice to be firm, fixed and unchangeable. Any modification, ordinance, disposition, nomination or choice to the contrary that may be made by this holy council or by one or more other persons, whatever their authority, even if it be papal, is utterly invalid; and this holy synod from its certain knowledge as from now quashes, revokes and annuls any such measures, and denounces them as quashed, null and of no effect, and it wishes them to be of no effect and holds them so now, in so far as they impede or oppose in whole or in part the said choice. Also this holy synod from its certain knowledge supplies for any defect that may exist in the aforesaid things or in any of them in particular. Furthermore, since this very difficult undertaking, which will bear great fruit in God's church, as well as the transport and maintenance of the aforesaid Greeks, cannot be accomplished without heavy expenses, it is right and fitting that all of Christ's faithful, especially ecclesiastics, should contribute generously from the substance of the patrimony of our lord Jesus Christ entrusted to them, for the conclusion of so happy a venture. This holy synod therefore imposes on each and every ecclesiastical person, both exempt and non-exempt under whatever form or words, even the order of St John of Jerusalem, of whatever status, dignity, rank, order or condition, even if they are cardinals or bishops, a tenth of all their ecclesiastical fruits and revenues -- only daily distributions being excepted -- from their churches, monasteries, dignities, offices and other ecclesiastical benefices. This tenth has already been imposed and agreed upon in a general congregation of this holy synod, and this holy synod now decrees and declares that it is to be imposed, and by this decree it imposes it. Furthermore, the said holy synod decrees, wishes, ordains and declares that the venerable bishops John of Luebeck, Luis of Viseu, Delfino of Parma and Louis of Lausanne, envoys of this holy synod, have full power for bringing the Greeks to the place of the ecumenical council, and for the majority of them then present to choose and nominate the Latin port which is most suitable and nearest to the places chosen and nominated above, and to which the said Greeks ought to direct themselves. The synod concedes this power to them by this present decree in accordance with the form of the other letters granted to them in this affair. Finally the same holy synod wishes, ordains and decrees, for the due and desired execution of the aforesaid points and what follows from them, and for the fuller security of the said envoys and of the council, that, at the request of these envoys or of their agents, any other suitable, useful and necessary letters shall be granted, drawn up and despatched in due and correct form by the synod's chancery under the synod's seal.

The holy general synod of Basel, legitimately assembled in the holy Spirit, representing the universal church, for an everlasting record. This holy synod from its outset, in order that those things might be accomplished which general councils are instituted to achieve with the assistance of the holy Spirit, devoted very great care to promoting union between the western and eastern peoples so that, as the church of God has suffered innumerable disasters from the long-standing dissension, the greatest profit might ensue from fraternal union. Therefore it sent envoys to Constantinople for the promotion of this holy work. They returned with the ambassadors of the most serene emperor of the Romans and of the venerable patriarch of Constantinople. After many meetings and mature deliberation on this subject, certain terms were agreed between this sacred council and those

ambassadors and were confirmed by a decree in a public session. By these terms this holy synod bound itself to send envoys with certain sums of money, two large and two smaller galleys and three hundred crossbowmen within a fixed time, and to nominate through these envoys one of the places mentioned in the decree for the ecumenical council, where the emperor and the patriarch with seven hundred persons would meet with us to bring about this holy union.

However, since the time-limit for accomplishing the above is imminent, this holy synod, desirous of fulfilling its promises completely and of bringing to its desired goal this holy endeavour which is the most salutary of all works in these times, came to the following conclusion in its discussions and then in a general congregation: namely, that Florence or Udine in Friuli should be put into the council's hands, or else that there should be chosen for the ecumenical council some other safe place which is mentioned in the decree and is convenient for the pope and the Greeks, that is to say whichever of the aforesaid places shall be quickest to collect and send the galleys, the sums of money and other requisites with the necessary securities. The port would be Venice, Ravenna or Rimini; whichever of them the emperor and the patriarch of Constantinople prefer. Also, so that the clergy are not burdened uselessly, the tenth shall not be decreed or exacted until the Greeks have arrived at one of the above-mentioned ports. Also, that the sacred council should remain in this city during the whole time covered by the decree. Also, that the legates and presidents of the apostolic see, after they have summoned such fathers as shall seem good to them, shall choose the envoys for accompanying the Greeks and for carrying out the aforesaid things; these envoys ought to urge forcibly the choice of this city of Basel. Therefore, in order that each and all of the above may attain due effect, with the assistance of divine grace, in this public and solemn session this holy synod wishes, decrees and declares that the aforesaid decision is definite and valid, to be adhered to and to be implemented. It quashes, voids and annuls, and declares to be quashed, void and null, whatever has been or shall be done, or may be attempted, by any person or persons contrary to the above or its consequences or whatever could in any way impede their execution. And it wishes that the aforesaid apostolic legates and presidents shall compose in due form and under the seal of the council suitable letters for the execution of the above, and shall expedite whatever else may be necessary and appropriate for this holy enterprise.

SESSION 1 8 January 1438

[Declaration of cardinal Nicholas Albergati, president of the council]

We, Nicholas, legate of the apostolic see, announce that we preside on behalf of our most holy lord pope Eugenius IV in this sacred synod which was translated from Basel to the city of Ferrara and is already legitimately assembled, and that the continuation of this translated synod has been effected today 8 January, and that the synod is and ought to be continued from today onwards for all the purposes for which the synod of Basel was convened, including being the ecumenical council at which the union of the western and the eastern church is treated and with God's help achieved.

SESSION 2 10 January 1438 [On the legitimate continuation of the council of Ferrara, against the assembly at Basel]

For the praise of almighty God, the exaltation of the catholic faith and the peace, tranquillity and unity of the whole Christian people. This holy universal synod, through the grace of God authorized by the most blessed lord pope Eugenius IV, legitimately assembled in the holy Spirit in this city of Ferrara, represents the universal church. Its president, on behalf and in the name of the said most holy lord Eugenius, is the most reverend father and lord in Christ lord Nicholas, cardinal-priest of the holy Roman church of the title of holy Cross in Jerusalem, legate of the apostolic see. It adheres to the firm foundation of him who said to the prince of the apostles: You are Peter, and on this rock I will build my church. It is eager to preserve the unity of the spirit in the bond of peace, so that we might be one body and one spirit, just as we were called in the one hope of our calling. It records that much was done in days past both at the former council of Basel and after its translation by some staying on there without any authority, and also by the said most blessed pope lord Eugenius, especially in respect of the business of the most holy union of the western and the eastern church, namely the following: the decree of the nineteenth session of the former council of Basel beginning As a dutiful mother, to which the most holy lord Eugenius gave his assent by his letter; also an agreed proposal on the choice of a place to which the council of Basel should be translated which was agreed upon and confirmed by all the fathers in common and which led to the decree of the twenty-fifth session of the former council, which begins This holy synod from its outset etc. and which the pope himself, urged on by the envoys of the Greeks, accepted and confirmed by his letter given in a general consistory at Bologna and published in the presence of these envoys, also the letter of the same most blessed Eugenius dated 18 September last, issued in a general consistory at Bologna and solemnly read out at the beginning of the continuation of this synod, by which the pope with the counsel and consent of the most reverend cardinals of the holy Roman church and with the approval of the prelates then in the curia, transferred the council to this city of Ferrara; also the letter of the declaration of the same, dated 30 December, immediately following the said translation; all of which this holy synod has ordered to be registered verbatim in its acts as a permanent record, as is contained in these same acts.

All these facts and many more have been duly pondered and maturely discussed in various meetings. This holy synod declares that the aforesaid translation and declaration were and are legitimate, just and reasonable, and were and are made from urgent necessity so as to remove an obstacle to the most holy union of the western and the eastern church, to prevent a schism already threatening in God's church, and for the manifest benefit of the whole Christian commonwealth, and that therefore this holy synod was legitimately assembled and established in the holy Spirit in this city of Ferrara for all the purposes for which the said former council of Basel was instituted at its beginning, and especially to be the future ecumenical council for the aforesaid most holy union; and that it ought to continue and to proceed to all the aforesaid matters. This holy synod therefore praises, accepts and approves the translation and the consequent declaration, as mentioned above. It exhorts in the Lord and requires of each and all of the present and future members of the holy synod to apply themselves to the above things with earnest care and serious study. By the generosity of him who has begun in us a good work, may everything be directed and done for his glory and the salvation of the whole Christian people.

This holy synod further declares that, since the well known necessity of the above reasons demanded and impelled the said most holy lord Eugenius to that translation, the matter in no way falls within the decrees of the eighth, the eleventh or any other session of the former council of Basel.

It decrees that the assembly at Basel, and every other assembly which may perchance convene there or elsewhere under the name of a general council, rather is and ought to be considered a spurious gathering and conventicle, and can in no way exist with the authority of a general council.

It quashes, invalidates and annuls, and declares to be invalid, quashed, null and of no force or moment, each and all of the things done in the city of Basel in the name of a general council after the said translation, and whatever may be attempted there or elsewhere in the future in the name of a general council.

But if in the matter of the Bohemians something useful has been achieved by the said people assembled at Basel after the said translation, it intends to

approve that and supply for defects.

In order that each and all of the members of the holy synod may be kept safe from every annoyance and may serve God in good works without anxiety, free from all fear, harassment and injury, this holy synod absolves, frees and dispenses, and declares to be absolved and freed, and the oaths to be dispensed from, each and all of those who, under whatsoever plea or cause, bound themselves to the former synod of Basel by oaths, with obligations and commitments, whereby their full and free right to obey this present holy synod and to promote its honour and good might be impeded and they might have scruples of some kind.

This holy synod also ordains and decrees that nobody of whatsoever rank or dignity, by any ordinary or delegated jurisdiction for any cause or occasion, except by the jurisdiction of the apostolic see, shall dare to disturb, harass or molest, in their dignities, offices, administrations, privileges, honours, benefices and other goods, each and all of those, both seculars and religious, including members of mendicant orders, who are or shall be at this present synod, or who follow the Roman curia and will soon be at this synod on account of the move of the most holy lord Eugenius with his curia to this city, which has been announced by the posting up of notices in accordance with the ancient custom of the curia.

But if, under any pretext, directly or indirectly, any should presume to molest any of the said persons in their dignities, offices, administrations, honours, privileges, benefices or other goods, or to prevent them from freely enjoying their jurisdiction, fruits and emoluments as they did before, or to confer on others their dignities, offices, administrations, honours and benefices, on the plea of some deprivation, this holy synod intends that each and all of them, even if they are cardinals, patriarchs, archbishops, bishops or persons with some other dignity, or chapters, colleges, convents or universities, shall incur automatically and without the need for a previous warning sentences of excommunication, suspension and interdict, absolution from which is reserved to the Roman pontiff alone, except at the hour of death.

Moreover the synod decrees that those who do not repent within three days after making these conferrals or placing these obstacles, by fully restoring those whose dignities, offices, administrations, honours and benefices they conferred, or whom they impeded in other ways, as stated above, to all their churches and benefices as they held them before, whether they held them by title, in commendam or in administration; and also each and all of those who presume to accept collation to the aforesaid dignities, offices, administrations, honours and benefices, even if they were made *motu proprio*, or to take possession of them in person or through others, or to hold such action as valid; all these persons are automatically deprived by law, if they previously had any claim in them, of all their other benefices, whether they held them by title, in commendam or in administration, and they are rendered perpetually disqualified from them and all other benefices, and they can be restored and habilitated only by the Roman pontiff.

This holy synod, moreover, warns and requires each and all of those who are obliged by law or custom to take part in general councils, to come as soon as possible to this present synod at Ferrara, which will continue, as noted above, for the speedy attainment of the aforesaid purposes.

SESSION 31 15 February 1438

[Ecclesiastical penalties against members of the Basel synod]

Eugenius, bishop, servant of the servants of God, for an everlasting record. The duties of the pastoral office over which we preside by divine mercy, despite our lack of merit, demand that we repress by opportune remedies the nefarious excesses of evil-minded persons, especially those who, unless prevented, strive to force the peaceful state of the church into various dangerous storms and disturbances and who endeavour to overturn the barque of Peter, and that we inflict due retribution for their excesses, lest boasting of their malice they give occasion to others to commit mischief. For it is a crime to be slack in punishing crimes that harm many people, as canonical regulations state.

Thus, the former council of Basel debated the choice of a place for the future ecumenical council. Those on whom the power of choosing the place devolved, passed a decree which was accepted by the ambassadors of our most dear son in Christ John, emperor of the Greeks, and of our venerable brother Joseph, patriarch of Constantinople. Some persons chose Avignon or another place, but the said ambassadors protested that most assuredly they did not want to go there, declaring as certain that the said emperor and patriarch would by no means go to the said sacred council unless we attended in person. Those who asked for Avignon, afraid that the Greeks certainly would not come to them, dared to concoct a certain decree or notorious pamphlet, which they call a monition, against us, even though it is null and indeed leads to serious scandal and a split in the church, disrupting this holy work of union with the Greeks.

In order to preserve the unity of the church and to promote the said union with the Greeks, we, for just, necessary and pressing reasons, with the advice and assent of our venerable brothers the cardinals of the holy Roman church, and with the advice and approval of very many of our venerable brothers the archbishops, bishops, beloved chosen sons and abbots who were present at the apostolic see, translated the said council of Basel, by our apostolic authority and in a fixed manner and form, to the city of Ferrara, which is suitable for the Greeks and for us, so that those at Basel might duly recoil from their scandalous actions, as is contained at greater length in the letter composed for the occasion'. But they, spurning every avenue of peace, persevering in their obstinate purpose, scorning the letter of the said translation and everything contained in it, and piling evil upon evil, not only rejected our reasonable translation made for the said most just and urgent reasons, as stated above, but even dared with renewed obstinacy to warn us to withdraw the said translation within a fixed time and under pain of suspension. Yet this would have been nothing less than to force us to abandon the prosecution of such a holy work so much desired by all Christians.

When we realized this, with grief of heart, since we saw that everything tended to the destruction of the holy task of union and to an open split in the church, as was said above, we declared that the translation had been made by us from necessity, that the conditions attached to it had been regularized, and that the council at Ferrara ought to begin and legitimately continue, as is stated more fully in another letter of ours .

To open this council at Ferrara we sent our beloved son Nicholas, cardinal-priest of the holy Roman church of the title of holy Cross, legate of us and the apostolic see.

This council at Ferrara, legitimately assembled and with many prelates, solemnly declared in a public session that the said translation and declaration were and are legitimate, just and reasonable, and were made from urgent necessity so as to remove an obstacle to the said most holy union between the western and the eastern church and to avoid an impending split in God's church for the evident benefit of the whole Christian commonwealth, as is crystal clear from the decree made about it.



Meanwhile, informed that the aforesaid emperor, patriarch and Greeks were approaching the shores of Italy, under God's guidance we came to this council at Ferrara with the firm intention and purpose of effectively pursuing, with God's help, not only the work of holy union but also the objectives for which the council of Basel had assembled.

In view of all this, our beloved son Julian, cardinal-priest of the title of St Sabina, legate of the apostolic see, strongly urged the aforesaid people at Basel to withdraw from such flagrant scandals. But because of their obstinacy of mind he was without effect. Then, seeing them ready to precipitate still worse scandals in God's church, he departed so as not to appear to approve their impiety. They, for their part, paid no attention to this. Ignorant of how to direct their steps in the way of peace and justice, although they were already aware that the Greeks were utterly unwilling to come to them and were approaching the shores of Italy, they persevered in their hardness of heart. Since they could in no other way prevent and disrupt the union with the Greeks, for which they should have been labouring with us with all their strength and mind and assisting us, they added bad to worse and went to such a pitch of rashness and insolence that, even though many of the envoys of kings and princes who were at Basel execrated so wicked a deed and protested against it, they dared to declare with sacrilegious arrogance that we were suspended from the administration of the papacy and to proceed to various other things, albeit everything was null.

So we, conscious that their excesses are so notorious that they cannot be hidden by any subterfuge, and that error that is not resisted appears to be approved and throws wide open to delinquents a door that no longer guards against their intrusions, and unable without grave offence to our lord Jesus Christ and his holy church to tolerate further so many grievous excesses which are seen especially to impede, disrupt and utterly destroy the holy and most desired union with the Greeks, we decree against the aforesaid remnant at Basel, in virtue of the most High and with the approval of this holy council, the steps that should be taken with justice.

Hence we decree and declare, after mature deliberation with this holy synod and with its approval, that each and all of those meeting in Basel, in spite of the aforesaid translation and declaration, under the pretended name of a council which more accurately should be called a conventicle, and daring to perpetrate such scandalous and nefarious deeds, whether they are cardinals, patriarchs archbishops, bishops or abbots or of some other ecclesiastical or secular dignity, have already incurred the penalties instanced in our said letter of translation, namely excommunication, privation of dignities and disqualification from benefices and offices in the future.

We also decree and declare to be null and void and of no force or moment, whatever has been attempted by them in the name of a council or otherwise since the day of the translation made by us, or shall be attempted in the future, in respect of the aforesaid matters or against those who follow our curia or are at this sacred council at Ferrara.

We also command, with the approval of this council, under the same penalties and censures and in virtue of their oath by which they are bound to the holy apostolic see, each and all of the cardinals, patriarchs, archbishops, bishops, elected persons, abbots and all others of whatsoever condition, status or rank who are meeting in the said city of Basel under the pretext of a council, really and effectively to leave the said city within thirty days of the date of this decree. We also order the mayor of the citizens, the councillors and the magistrates ruling the city of Basel and the governors and other officials, whatever name they go under, to expel the aforesaid persons who have not left the city within the said thirty days and really and effectively to eject them.

If they fail to do this within the said thirty days, we decree that each and all of the said rulers and officials automatically incur sentence of excommunication, and the people and the city automatically incur sentence of ecclesiastical interdict; we specially reserve to ourself absolution from the sentences of excommunication, except at the hour of death, and the lifting of the interdict. We order and command, in virtue of holy obedience and under pain of excommunication, each and all of those to whom this notice shall come that, if the aforesaid persons meeting in Basel and the citizens are obstinately disobedient towards us, nobody should approach the city of Basel after the said thirty days and they should deny them all commerce and all articles needed for human use.

Merchants of all kinds, who have gone to Basel on account of the former council, shall depart under the same pain of excommunication. If there are some who ignore these orders of ours, daring perhaps to convey goods after the time-limit to those at Basel persisting in contumacy, since it is written that the righteous plundered the ungodly, such persons may be despoiled without penalty by any of the faithful and their goods shall be ceded to the first takers.

However, because the church never closes its bosom to returning sons, if the said people meeting in Basel, or some of them, repent and depart from the said city within the said interval of thirty days from the date of this present decree, then with the approval of this sacred council we remit and fully cancel the aforesaid penalties as for obedient sons and we wish, decree and order that they and their consequences are to be regarded as without force from the date of their imposition, and we supply with the council's approval for all defects, if perhaps there are any in respect of solemnity of the law or of omission. Let nobody therefore ... If anyone however ...

SESSION 42 9 April 1438

[Eugenius IV and the fathers of the council at Ferrara declare the council at Ferrara to be legitimate and ecumenical]

Eugenius, bishop, servant of the servants of God, for an everlasting record. It befits us to render thanks to almighty God who, mindful of his past mercies, always bestows on his church even richer growth and, although he allows her to be tossed on occasions by the waves of trials and tribulations, yet never permits her to be submerged but keeps her safe amid the mountainous waters, so that by his mercy she emerges from the various vicissitudes even stronger than before. For behold, the western and eastern peoples, who have been separated for long, hasten to enter into a pact of harmony and unity; and those who were justly distressed at the long dissension that kept them apart, at last after many centuries, under the impulse of him from whom every good gift comes, meet together in person in this place out of desire for holy union.

We are aware that it is our duty and the duty of the whole church to strain every nerve to ensure that these happy initiatives make progress and have issue through our common care, so that we may deserve to be and to be called co-operators with God.

Finally, our most dear son John Palacologus, emperor of the Romans, together with our venerable brother Joseph, patriarch of Constantinople, the apocriaries of the other patriarchal sees and a great multitude of archbishops, ecclesiastics and nobles arrived at their last port, Venice, on 8 February last. There, the said emperor expressly declared, as he had often done before, that for good reasons he could not go to Basel to celebrate the

ecumenical or universal council, and he intimated this by a letter to those assembled at Basel. He exhorted and required all of them to go to Ferrara, which had been chosen for the council, to carry through the pious task of this holy union.

We have always had this holy union close to our heart and have sought with all our strength to bring it about. Therefore we intend to carry out with care, as is our duty, the decree of the council of Basel, to which the Greeks agreed, as well as the choice of a place for the ecumenical council, which was made at the council of Basel and which was later confirmed by us at Bologna at the urging of the envoys of the said emperor and patriarch, and any other things pertaining to this work of holy union.

Therefore we decree and declare, in every way and form as best we can, with the assent of the said emperor and patriarch and of all those in the present synod, that there exists a holy universal or ecumenical synod in this city of Ferrara, which is free and safe for all; and therefore it should be deemed and called such a synod by all, in which this holy business of union will be conducted without any quarrelsome contention but with all charity and, as we hope, will be brought by divine favour to a happy conclusion together with the other holy tasks for which the synod is known to have been instituted.

SESSION 5' 10 January 1439

[Decree translating the council of Ferrara to Florence]

Eugenius, bishop, servant of the servants of God, for an everlasting record. It is fitting that the site of an ecumenical council, in which men chosen from the whole Christian world meet together, should be such that in it, among other human necessities, there should be the most important of all, namely healthy air. Otherwise, because of the pest-laden contagion of infected air which all people naturally fear and flee, those present at the council may be forced to depart with nothing accomplished and the absent will refuse to attend. Assuredly it is right that those who come together at synods to treat of difficult questions should be free from every anxiety and fear, so that they may be able in greater peace and freedom to give their attention to the matters of public concern.

We would, indeed, have preferred that the universal council which we initiated in this city should continue here, and that the union of the eastern and western churches should be brought to its happy and desired conclusion in this city, where we initiated it. When the plague afflicted this city last autumn, pressure was exerted by some for the transferral of the synod to a non-infected locality. Nothing was done, however, because it was hoped that the plague would cease with the advent of winter, as it usually does.

Since in fact the plague continues from day to day and it is feared that it will gain strength when spring and summer come, all judge and advise that a move must be made without delay to some non-infected place. For this and several other good reasons, with the agreement of our dear son John Palaeologus, emperor of the Romans, and of our venerable brother Joseph, patriarch of Constantinople, and with the approval of the council:

In the name of the Trinity, Father, Son and holy Spirit, with the full securities and safe-conducts which we gave to all at the beginning of the sacred council, we transfer and declare to be transferred as from now this ecumenical or universal synod from this city of Ferrara to the city of Florence, which is manifestly free for all, safe, peaceful and tranquil, and enjoying healthy air, and which, situated as it is between the Tyrrhenian and Adriatic seas, is excellently situated for easy access for both easterners and westerners. Let nobody therefore . . . If anyone however . . .

SESSION 6 6 July 1439

[Definition of the holy ecumenical synod of Florence]

Eugenius, bishop, servant of the servants of God, for an everlasting record. With the agreement of our most dear son John Palaeologus, illustrious emperor of the

Romans, of the deputies of our venerable brothers the patriarchs and of other representatives of the eastern church, to the following.

Let the heavens be glad and let the earth rejoice. For, the wall that divided the western and the eastern church has been removed, peace and harmony have returned, since the corner-stone, Christ, who made both one, has joined both sides with a very strong bond of love and peace, uniting and holding them together in a covenant of everlasting unity. After a long haze of grief and a dark and unlovely gloom of long-enduring strife, the radiance of hoped-for union has illuminated all.

Let mother church also rejoice. For she now beholds her sons hitherto in disagreement returned to unity and peace, and she who hitherto wept at their separation now gives thanks to God with inexpressible joy at their truly marvellous harmony. Let all the faithful throughout the world, and those who go by the name of Christian, be glad with mother catholic church. For behold, western and eastern fathers after a very long period of disagreement and discord, submitting themselves to the perils of sea and land and having endured labours of all kinds, came together in this holy ecumenical council, joyful and eager in their desire for this most holy union and to restore intact the ancient love. In no way have they been frustrated in their intent. After a long and very toilsome investigation, at last by the clemency of the holy Spirit they have achieved this greatly desired and most holy union. Who, then, can adequately thank God for his gracious gifts? Who would not stand amazed at the riches of such great divine mercy? Would not even an iron breast be softened by this immensity of heavenly condescension?

These truly are works of God, not devices of human frailty. Hence they are to be accepted with extraordinary veneration and to be furthered with praises to God. To you praise, to you glory, to you thanks, O Christ, source of mercies, who have bestowed so much good on your spouse the catholic church and have manifested your miracles of mercy in our generation, so that all should proclaim your wonders. Great indeed and divine is the gift that God has bestowed on us. We have seen with our eyes what many before greatly desired yet could not behold.

For when Latins and Greeks came together in this holy synod, they all strove that, among other things, the article about the procession of the holy Spirit should be discussed with the utmost care and assiduous investigation. Texts were produced from divine scriptures and many authorities of eastern and western holy doctors, some saying the holy Spirit proceeds from the Father and the Son, others saying the procession is from the Father through the Son. All were aiming at the same meaning in different words. The Greeks asserted that when they claim that the holy Spirit proceeds from the Father, they do not intend to exclude the Son; but because it seemed to them that the Latins assert that the holy Spirit proceeds from the

Father and the Son as from two principles and two spirations, they refrained from saying that the holy Spirit proceeds from the Father and the Son. The Latins asserted that they say the holy Spirit proceeds from the Father and the Son not with the intention of excluding the Father from being the source and principle of all deity, that is of the Son and of the holy Spirit, nor to imply that the Son does not receive from the Father, because the holy Spirit proceeds from the Son, nor that they posit two principles or two spirations; but they assert that there is only one principle and a single spiration of the holy Spirit, as they have asserted hitherto. Since, then, one and the same meaning resulted from all this, they unanimously agreed and consented to the following holy and God-pleasing union, in the same sense and with one mind.

In the name of the holy Trinity, Father, Son and holy Spirit, we define, with the approval of this holy universal council of Florence, that the following truth of faith shall be believed and accepted by all Christians and thus shall all profess it: that the holy Spirit is eternally from the Father and the Son, and has his essence and his subsistent being from the Father together with the Son, and proceeds from both eternally as from one principle and a single spiration. We declare that when holy doctors and fathers say that the holy Spirit proceeds from the Father through the Son, this bears the sense that thereby also the Son should be signified, according to the Greeks indeed as cause, and according to the Latins as principle of the subsistence of the holy Spirit, just like the Father.

And since the Father gave to his only-begotten Son in begetting him everything the Father has, except to be the Father, so the Son has eternally from the Father, by whom he was eternally begotten, this also, namely that the holy Spirit proceeds from the Son.

We define also that the explanation of those words "and from the Son" was licitly and reasonably added to the creed for the sake of declaring the truth and from imminent need.

Also, the body of Christ is truly confectioned in both unleavened and leavened wheat bread, and priests should confection the body of Christ in either, that is, each priest according to the custom of his western or eastern church. Also, if truly penitent people die in the love of God before they have made satisfaction for acts and omissions by worthy fruits of repentance, their souls are cleansed after death by cleansing pains; and the suffrages of the living faithful avail them in giving relief from such pains, that is, sacrifices of masses, prayers, almsgiving and other acts of devotion which have been customarily performed by some of the faithful for others of the faithful in accordance with the church's ordinances.

Also, the souls of those who have incurred no stain of sin whatsoever after baptism, as well as souls who after incurring the stain of sin have been cleansed whether in their bodies or outside their bodies, as was stated above, are straightaway received into heaven and clearly behold the triune God as he is, yet one person more perfectly than another according to the difference of their merits. But the souls of those who depart this life in actual mortal sin, or in original sin alone, go down straightaway to hell to be punished, but with unequal pains. We also define that the holy apostolic see and the Roman pontiff holds the primacy over the whole world and the Roman pontiff is the successor of blessed Peter prince of the apostles, and that he is the true vicar of Christ, the head of the whole church and the father and teacher of all Christians, and to him was committed in blessed Peter the full power of tending, ruling and governing the whole church, as is contained also in the acts of ecumenical councils and in the sacred canons.

Also, renewing the order of the other patriarchs which has been handed down in the canons, the patriarch of Constantinople should be second after the most holy Roman pontiff, third should be the patriarch of Alexandria, fourth the patriarch of Antioch, and fifth the patriarch of Jerusalem, without prejudice to all their privileges and rights.

SESSION 7 4 September 1439

[Decree of the council of Florence against the synod at Basel]

Eugenius, bishop, servant of the servants of God, for an everlasting record. Moses, the man of God, was zealous for the well-being of the people entrusted to him. He feared that God's wrath would be roused against them if they followed Korah, Dathan and Abiram in their seditious schism. Therefore he said to the whole people, at the Lord's command: depart from the tents of these wicked men and touch nothing of theirs, lest you be involved in their sins. For he had perceived, under the Lord's inspiration, that those seditious and schismatic men would incur a grievous retribution, as was demonstrated afterwards when even the earth could not bear with them but by God's just judgment swallowed them up, so that they fell alive into hell.

Similarly we too to whom, though unworthy, the lord Jesus Christ has deigned to entrust his people, as we hear of the abominable crime that certain wicked men dwelling in Basel have plotted in these days so as to breach the unity of holy church, and since we fear that they may seduce some of the unwary by their deceits and inject them with their poisons, are forced to proclaim in like words to the people of our lord Jesus Christ entrusted to us, depart from the tents of these wicked men, particularly since the Christian people is far more numerous than the Jewish people of those days, the church is holier than the synagogue, and the vicar of Christ is superior in authority and status even to Moses.

This impiety of those at Basel we began to foresee long ago, when we observed the council of Basel already lapsing into tyranny; when many, including those of lower status, were forced to go to it and to stay at the whim of that faction of agitators; when the votes and decisions of some of them were being extorted by various tricks and others were being suborned by lies and deceits, as they abandoned almost everything to conspiracies, cabals, monopolies and cliques, and from a long-standing rivalry with the papacy sought to prolong the duration of the council; when, finally, innumerable novelties, irregularities, deformities and ills were perpetrated, to which there concurred even clerics in lower orders, the ignorant and inexperienced, vagabonds, quarrelers, fugitives, apostates, condemned criminals, escapees from prison, those in rebellion against us and their own superiors, and other such human monsters, who brought with them every stain of corruption from those teachers of evil-doing.

We directed our attention also to that most holy work of union with the eastern church, which seemed to us to be greatly endangered by the deceit of certain factious persons, and we wished to provide as best we could for so many evils. For these and other just and necessary reasons which are stated in full in the decree of translation, with the advice of our venerable brothers the cardinals of the holy Roman church, and with the approval of very many venerable

brothers and sons, archbishops, bishops, elected persons, abbots and other prelates of churches, masters and doctors, we transferred the aforesaid council of Basel to this city of Ferrara, where we established with the Lord's help an ecumenical council of the western and the eastern church.

Afterwards, when the plague came and continued unabated, under the inspiration of grace and with the approval of the same holy council, we

transferred the council to this city of Florence. Here the most gracious and merciful God showed his wonders. For, the most disastrous schism, which had endured in God's church for almost five hundred years to the immense harm of the whole of Christianity, and for the elimination of which very many of our predecessors as Roman pontiffs and many kings and princes and other Christians in past times had laboured very hard, at last, after public and private discussions in both places and many other labours, was removed and the most holy union of the Greeks and the Latins was happily achieved, as is described more fully in the decree about this which was drawn up and solemnly promulgated.

Returning fervent thanks for this to the eternal God and sharing our joy with all the faithful, we offered to God a sacrifice of jubilation and praise. For we saw that not just one nation like the Hebrew people was being summoned to the promised land, but peoples of many races, nations and tongues were hastening to the one utterance and merit of the divine truth. Through this, great hope is forthcoming that the sun of justice, rising in the east, will spread the beams of its light to pierce the darkness of many other races, even of infidels, and the salvation of the Lord may reach to the ends of the earth.

Already indeed, by God's providence, we have excellent pledges of this. For almighty God has granted that, by our means, representatives of the Armenians with full powers have recently come from most distant northern parts to us and the apostolic see and to this holy council. They regard and venerate us as no other than blessed Peter, prince of the apostles, they recognize the holy see as mother and mistress of all the faithful, and they profess that they have come to the holy see and to the aforesaid council for spiritual food and the truth of sound doctrine. For this too we have given many thanks to our God.

But the mind recoils from recording what troubles, attacks and persecutions we have suffered in the course of this divine undertaking until now, not indeed from Turks or Saracens but from those who call themselves Christians. Blessed Jerome reports that from the time of Hadrian until the reign of Constantine there was set up and worshipped by the pagans at the place of the Lord's resurrection an image of Jupiter and on the rock of the crucifixion a marble statue of Venus, since the authors of persecution thought that they could take away from us our faith in the resurrection and the cross if they polluted the holy places with their idols.

Much the same has happened in these days against us and the church of God, at the hands of those desperate men at Basel, except that what was then done by pagans ignorant of the true God is now the work of men who have known him and hated him. Their pride, then, according to the prophet, is ever rising, all the more dangerously in that it is under the cloak of reform, which in truth they have always abhorred, that they spread their poisons.

In the first place, those who were the authors of all the scandals in Basel have failed in their promises to the Greeks. For they knew from the envoys of the Greeks and the eastern church that our most dear son in Christ John Palaeologus, illustrious emperor of the Romans, and Joseph, patriarch of Constantinople of happy memory, and the other prelates and persons of the eastern church wished to proceed to the place which had been legally chosen for the ecumenical council by our legates and presidents and other notable persons present there, whose right it was to choose the site in accordance with the agreement which had been approved by the common consent of the council after serious disagreements among its members. Whereupon we, for our part, confirmed the choice of place in a general consistory at Bologna and we sent to Constantinople, at great labour and expense, the galleys and other things necessary for this holy work of union.

When they learnt of this, they dared to decree against us and the aforesaid cardinals a detestable admonition or citation, so as to block the holy work, [and to send it to the aforesaid emperor and patriarch of Constantinople, so that they and all others] might be deterred from coming. Yet they knew full well that there was no chance of them going to any place other than the one which had been chosen for the site, as stated above.

Then, when they realized that the aforesaid emperor and patriarch and others were already on their way to us for this work of holy union, they tried to lay another wicked snare to catch this divine project. That is, they produced against us a sacrilegious sentence of suspension from the administration of the papacy. Finally, those leaders of scandal, very few in number, most of them of the lowest rank and reputation, in their intense hatred of true peace, piling iniquity on top of iniquity lest they should enter into the justice of the Lord, when they saw that the grace of the holy Spirit was working in us towards union with the Greeks, swerving away from the straight line into paths of error, held a so-called session on 16 May last asserting that they were obeying certain decrees, although these were passed at Constance by only one of the three obediences after the flight of John XXIII, as he was called in that one obedience, at a time of schism.

Alleging obedience to those decrees, they proclaimed three propositions which they term truths of the faith, seemingly to make heretics of us and all princes and prelates and other faithful and devout adherents of the apostolic see. The propositions are the following.

"The truth about the authority of a general council, representing the universal church, over a pope and anyone else whatsoever, declared by the general councils of Constance and this one of Basel, is a truth of the catholic faith. The truth that a pope cannot by any authority, without its consent, dissolve a general council representing the universal church, legitimately assembled for the reasons given in the above-mentioned truth or for any of them, or prorogue it to another time or transfer it from place to place, is a truth of the catholic faith. Anyone who persists in opposing the aforesaid truths is to be considered a heretic."

In this, those utterly pernicious men, masking their malice with the rosy colour of a truth of the faith, gave to the council of Constance an evil and mischievous meaning completely opposed to its true teaching, imitating in this the teaching of other schismatics and heretics who always amass for their support fabricated errors and impious dogmas drawn from their perverse interpretation of the divine scriptures and the holy fathers.

Finally, completely perverting their mind and turning away their eyes from looking to heaven or remembering righteous judgments, after the manner of Dioscorus and the infamous synod of Ephesus, they proceeded to a declaratory sentence of deprivation, as they claimed, from the dignity and office of the supreme apostolate, a poisonous and execrable pronouncement involving an unforgivable crime. Here we will take the tenor of that sentence, abhorrent to every pious mind, as sufficiently expressed. They omitted nothing, as far as was in their power, that might overthrow this incomparable good of union.

O miserable and degenerate sons! O wicked and adulterous generation! What could be more cruel than this impiety and iniquity? Can anything more detestable, more dreadful and more mad be imagined? Earlier on they were the ones who said that nothing better, nothing more glorious and fruitful had ever been seen or heard of in the Christian people, from the very birth of the church, than this most holy union, and that to further it there should be no contention about the place, but rather to achieve it the wealth of this world as well as body and soul should be hazarded, proclaiming this aloud to the whole world and urging the Christian people to it, as their decrees and letters fully state. But now they persecute exactly this as furiously and as

impiously as they can, so that the devils of the entire world seem to have flocked together to that conventicle of brigands at Basel.

So far almighty God has not allowed their iniquity and its lying inconsistencies to prevail. But seeing that they are striving with all their strength to bring it to success, even to the point of setting up the abomination of desolation in God's church, we can in no way pretend to ignore these things without most serious offence to God and imminent danger of confusion and abomination in God's church. In keeping with our pastoral office, at the urging of many who are fired with zeal for God, we wish to put a stop to such evils and, as far as we can, to take appropriate and salutary measures to eliminate from God's church this execrable impiety and most destructive pestilence.

Following in the steps of our predecessors who, as Pope Nicholas of holy memory writes, were accustomed to annual councils which had been conducted improperly, even those of universal pontiffs, as occurred at the second universal synod at Ephesus, inasmuch as the blessed pope Leo summoned it but later established the council of Chalcedon.

We renew by our apostolic authority, with the approval of this holy council of Florence, the solemn and salutary decree against those sacrilegious men, which was issued by us in the sacred general council of Ferrara on 15 February. By that decree we declared among other things, with the approval of the said sacred council of Ferrara, that each and every person at Basel who, in the name of a pretended council which we called more accurately a conventicle, dared to perpetrate those scandalous and wicked deeds in contravention of our translation and declaration, whether they are cardinals, patriarchs, archbishops, bishops, abbots or of some other ecclesiastical or secular dignity, has incurred the penalties of excommunication, privation of dignities, benefices and offices and disqualification for the future, which are instanced in our letter of translation.

Now we decree and declare again that all the things done or attempted by those impious men presently in Basel, which were mentioned in our said decree of Ferrara, and each and all of the things done, performed or attempted by the same men since then, especially in the two so-called sessions or rather conspiracies which have just been mentioned, and whatever may have followed from these things or from any of them, or may follow in the future, as coming from impious men who have no authority and have been rejected and reprobated by God, were and are null, quashed, invalid, presumptuous and of no effect, force or moment.

With the approval of the sacred council we condemn and reject, and we proclaim as condemned and rejected, those propositions quoted above as understood in the perverse sense of the men at Basel, which they demonstrate by their deeds, as contrary to the sound sense of sacred scripture, the holy fathers and the council of Constance itself; and likewise the aforesaid so-called sentence of declaration or deprivation, with all its present and future consequences, as impious and scandalous and tending to open schism in God's church and to the confusion of all ecclesiastical order and Christian government. Also, we decree and declare that all of the aforesaid persons have been and are schismatics and heretics, And that as such they are assuredly to be punished with suitable penalties over and above the penalties imposed at the aforesaid council of Ferrara, together with all their supporters and abettors, of whatever ecclesiastical or secular status, condition or rank they may be, even cardinals, patriarchs, archbishops, bishops or abbots or those of any other dignity, so that they may receive their deserts with the aforesaid Korah, Dathan and Abiram Let nobody therefore ... If anyone however ...

SESSION 8 22 November 1439 [Bull of union with the Armenians]

Eugenius, bishop, servant of the servants of God, for an everlasting record. All people everywhere who go by the name of Christian: Exult in God our helper, rejoice in the God of Jacob. Behold the Lord once again, mindful of his mercy had deigned to remove from his church another stumbling block which has endured for more than nine centuries. He who makes peace in the heavens and is peace on earth for people of good will, has granted in his inexpressible mercy that most desired union with the Armenians. Blessed be the God and Father of our lord Jesus Christ, the father of mercies and God of all comfort, who comforts us in all our tribulation. For the most merciful Lord, seeing his church buffeted about by strong whirlwinds, some times at the hands of those who are outside, at other times at the hands of those within, deigns in many ways every day to console and strengthen her so that she may be able to breathe freely in the midst of her troubles and to rise more robust to resist.

Some time ago God established that great union with the Greeks, who include many races and tongues spread far and wide. Today God has confirmed in the same bond of faith and charity with the apostolic see this union with the Armenians, who are a very numerous people spread over the north and east. These indeed are such great and wondrous benefactions of divine providence that the human mind cannot render worthy thanks for either of them, still less for both together. Who would not be overwhelmed with admiration at the achievement in this council, within so short a time, of two such brilliant feats which have been longed for over centuries? Truly this is the Lord's doing and it is wonderful in our eyes. For how could human prudence or diligence have brought to completion such great exploits as these are, unless the favour of God had given them their beginning and end? Let us, then, together and with all our hearts bless the Lord who alone does great wonders, let us sing with the spirit, let us sing with our minds and our mouths and let us give thanks in deeds, as far as human weakness allows, for such great gifts. Let us pray and beseech that, as the Greeks and the Armenians have been made one with the Roman church, so also may other nations be, especially those signed with the seal of Christ, and that finally the whole Christian people, after all hatreds and wars have been extinguished, may rest and rejoice together in mutual peace and brotherly love. Rightly we hold that the Armenians deserve great praise. As soon as they were invited by us to this synod, in their eagerness for ecclesiastical unity, at the cost of many labours and much toil and perils at sea, they sent to us and this council from very distant parts, their notable, dedicated and learned envoys with sufficient powers to accept, namely whatever the holy Spirit should inspire this holy synod to achieve.

We, for our part, with all our attention as befits our pastoral office and desiring to bring this holy work to a successful conclusion, frequently conversed with their envoys about this holy union. To avoid even the slightest delay in this holy project, we nominated from every rank of this sacred council experts in divine and human law to treat of the matter with the envoys with all care, study and diligence, closely inquiring of them about their faith in respect of the unity of the divine essence and the Trinity of divine persons, also about the humanity of our lord Jesus Christ, the seven sacraments of the church and other points concerning the orthodox faith and the rites of the universal church.

So, after many debates, conferences and disputations, after a thorough examination of the written authorities which were produced from fathers and doctors of the church, and after discussion of the questions at issue, at length, so that in future there could be no doubt about the truth of the faith of the Armenians and that they should think in every way like the apostolic see and that the union should be stable and lasting with no cause for hesitation whatsoever we judged it advantageous, with the approval of this sacred council of Florence and the agreement of the said envoys, to give in this decree a summary of the truth of the orthodox faith that the Roman church professes about the above.

In the first place, then, we give them the holy creed issued by the hundred and fifty bishops in the ecumenical council of Constantinople, with the

added phrase and the Son, which for the sake of declaring the truth and from urgent necessity was licitly and reasonably added to that creed, which runs as follows: I believe . . . I decree that this holy creed should be sung or read within the mass at least on Sundays and greater feasts, as is the Latin custom, in all Armenian churches.

In the second place, we give them the definition of the fourth council of Chalcedon about two natures in the one person of Christ, which was later renewed in the fifth and sixth universal councils. It runs as follows: This wise and saving creed . . . Thirdly, the definition about the two wills and two principles of action of Christ promulgated in the above-mentioned sixth council, the tenor of which is This pious and orthodox creed, and the rest which follows in the above-mentioned definition of the council of Chalcedon until the end, after which it continues thus: And we proclaim

Fourth, apart from the three synods of Nicaea, Constantinople and the first of Ephesus, the Armenians have accepted no other later universal synods nor the most blessed Leo, bishop of this holy see, by whose authority the council of Chalcedon met. For they claim that it was proposed to them that both the synod of Chalcedon and the said Leo had made the definition in accordance with the condemned heresy of Nestorius. So we instructed them and declared that such a suggestion was false and that the synod of Chalcedon and blessed Leo holily and rightly defined the truth of two natures in the one person of Christ, described above, against the impious tenets of Nestorius and Eutyches. We commanded that for the future they should hold and venerate the most blessed Leo, who was a veritable pillar of the faith and replete with all sanctity and doctrine, as a saint deservedly inscribed in the calendar of the saints; and that they should reverence and respect, like the rest of the faithful, not only the three above-mentioned synods but also all other universal synods legitimately celebrated by the authority of the Roman pontiff.

Fifthly, for the easier instruction of the Armenians of today and in the future we reduce the truth about the sacraments of the church to the following brief scheme. There are seven sacraments of the new Law, namely baptism, confirmation, Eucharist, penance, extreme unction, orders and matrimony, which differ greatly from the sacraments of the old Law. The latter were not causes of grace, but only prefigured the grace to be given through the passion of Christ; whereas the former, ours, both contain grace and bestow it on those who worthily receive them. The first five of these are directed to the spiritual perfection of each person in himself, the last two to the regulation and increase of the whole church.

For, by baptism we are reborn spiritually; by confirmation we grow in grace and are strengthened in faith. Once reborn and strengthened, we are nourished by the food of the divine Eucharist. But if through sin we incur an illness of the soul, we are cured spiritually by penance. Spiritually also and bodily as suits the soul, by extreme unction. By orders the church is governed and spiritually multiplied; by matrimony it grows bodily.

All these sacraments are made up of three elements: namely, things as the matter, words as the form, and the person of the minister who confers the sacrament with the intention of doing what the church does. If any of these is lacking, the sacrament is not effected.

Three of the sacraments, namely baptism, confirmation and orders, imprint indelibly on the soul a character, that is a kind of stamp which distinguishes it from the rest. Hence they are not repeated in the same person. The other four, however, do not imprint a character and can be repeated.

Holy baptism holds the first place among all the sacraments, for it is the gate of the spiritual life; through it we become members of Christ and of the body of the church. Since death came into the world through one person, unless we are born again of water and the spirit, we cannot, as Truth says, enter the kingdom of heaven. The matter of this sacrament is true and natural water, either hot or cold. The form is: I baptize you in the name of the Father and of the Son and of the holy Spirit. But we do not deny that true baptism is conferred by the following words: May this servant of Christ be baptized in the name of the Father and of the Son and of the holy Spirit; or, This person is baptized by my hands in the name of the Father and of the Son and of the holy Spirit. Since the holy Trinity is the principle cause from which baptism has its power and the minister is the instrumental cause who exteriorly bestows the sacrament, the sacrament is conferred if the action is performed by the minister with the invocation of the holy Trinity. The minister of this sacrament is a priest, who is empowered to baptize in virtue of his office. But in case of necessity not only a priest or a deacon, but even a lay man or a woman, even a pagan and a heretic, can baptize provided he or she uses the form of the church and intends to do what the church does. The effect of this sacrament is the remission of all original and actual guilt, also of all penalty that is owed for that guilt. Hence no satisfaction for past sins is to be imposed on the baptized, but those who die before they incur any guilt go straight to the kingdom of heaven and the vision of God.

The second sacrament is confirmation. Its matter is chrism made from oil and balsam blessed by a bishop, the oil symbolizing the gleaming brightness of conscience and balsam symbolizing the odour of a good reputation. The form is: I sign you with the sign of the cross and I confirm you with the chrism of salvation in the name of the Father and of the Son and of the holy Spirit. The ordinary minister is a bishop. Whereas a simple priest can use other unctions, only a bishop ought to confer this one, because it is said only of the apostles, whose place is held by bishops, that they gave the holy Spirit by the imposition of hands, as this text from the Acts of the Apostles shows: Now when the apostles at Jerusalem heard that Samaria had received the word of God, they sent to them Peter and John, who came down and prayed for them that they might receive the holy Spirit; for it had not yet come down upon any of them, but they had only been baptized in the name of the lord Jesus. Then they laid their hands on them and they received the holy Spirit'. In place of this imposition of hands confirmation is given in the church. We read that sometimes for a reasonable and really urgent cause, by dispensation of the apostolic see, a simple priest has conferred this sacrament of confirmation with chrism prepared by a bishop. The effect of this sacrament is that a Christian should boldly confess the name of Christ, since the holy Spirit is given in this sacrament for strengthening just as he was given to the apostles on the day of Pentecost. Therefore the candidate is enjoined on the forehead, which is the seat of shame, not to shrink from confessing the name of Christ and especially his cross, which is a stumbling block for Jews and a folly for gentiles, according to the Apostle, and for this reason he is signed with the sign of the cross. The third is the sacrament of the Eucharist. Its matter is wheat bread and wine from the vine, to which a very little water is added before the consecration. Water is added thus because it is believed, in accordance with the testimony of holy fathers and doctors of the church manifested long ago in disputation, that the Lord himself instituted this sacrament in wine mixed with water, and because it befits the representation of the Lord's passion. For the blessed pope Alexander, fifth after blessed Peter, says: "In the oblations of the sacraments which are offered to the Lord within the solemnities of masses, only bread and wine mixed with water are to be offered in sacrifice. There should not be offered in the chalice of the Lord either wine only or water only but both mixed together, because both blood and water are said to have flowed from Christ's side"; also because it is fitting to signify the effect of this sacrament, which is the union of the Christian people with Christ. For, water signifies the people according to those words of the Apocalypse: many waters, many peoples. And Pope Julius, second after blessed Silvester, said: The chalice of the Lord, by a precept of the canons, should be offered mixed of wine and water, because we see that the people is understood in the water and the blood of Christ is manifested in the wine; hence when wine and water are mingled in the chalice, the people are made one with Christ and the mass of the faithful are linked and joined together with him in whom they believe. Since, therefore, both the holy Roman church taught by the most blessed apostles Peter and Paul and the other churches of Latins and Greeks, in which the lights of all sanctity and doctrine have shone brightly, have behaved in this way from the very beginning of the growing church and still do so, it

seems very unfitting that any other region should differ from this universal and reasonable observance. We decree, therefore, that the Armenians should conform themselves with the whole Christian world and that their priests shall mix a little water with the wine in the oblation of the chalice, as has been said. The form of this sacrament are the words of the Saviour with which he effected this sacrament. A priest speaking in the person of Christ effects this sacrament. For, in virtue of those words, the substance of bread is changed into the body of Christ and the substance of wine into his blood. In such wise, however, that the whole Christ is contained both under the form of bread and under the form of wine, under any part of the consecrated host as well as after division of the consecrated wine, there is the whole Christ. The effect of this sacrament, which is produced in the soul of one who receives it worthily, is the union of him or her with Christ. Since by grace a person is incorporated in Christ and is united with his members, the consequence is that grace is increased by this sacrament in those who receive it worthily, and that every effect that material food and drink produce for corporal life -- sustaining, increasing, repairing and delighting -- this sacrament works for spiritual life. For in it, as Pope Urban said, we recall the gracious memory of our Saviour, we are withdrawn from evil, we are strengthened in good and we receive an increase of virtues and graces.

The fourth sacrament is penance. Its matter is the acts of the penitent, which are threefold. The first is contrition of heart, which includes sorrow for sin committed, with the resolve not to sin again. The second is oral confession, which implies integral confession to the priest of all sins that are remembered. The third is satisfaction for sins in accordance with the judgment of the priest which is ordinarily done by prayer, fasting and almsgiving. The form of this sacrament are the words of absolution which the priest pronounces when he says: I absolve you. The minister of this sacrament is a priest with authority to absolve, which is either ordinary or by commission of a superior.

The fifth sacrament is extreme unction. Its matter is olive oil blessed by a priest. This sacrament should not be given to the sick unless death is expected. The person is to be anointed on the following places: on the eyes for sight, on the ears for hearing, on the nostrils for smell, on the mouth for taste or speech, on the hands for touch, on the feet for walking, on the loins for the pleasure that abides there. The form of this sacrament is: Through this anointing and his most pious mercy may the Lord pardon you whatever you have done wrong by sight, and similarly for the other members. The minister of the sacrament is a priest. Its effect is to cure the mind and, in so far as it helps the soul, also the body. Blessed James the apostle said of this sacrament: Any one of you who is sick should send for the elders of the church, and they shall pray over him and anoint him with oil in the name of the Lord. The prayer of faith will save the sick person and the Lord will raise him up again: and if he is in sins, they will be forgiven him.

The sixth is the sacrament of orders. Its matter is the object by whose handing over the order is conferred. So the priesthood is bestowed by the handing over of a chalice with wine and a paten with bread; the diaconate by the giving of the book of the gospels; the subdiaconate by the handing over of an empty chalice with an empty paten on it; and similarly for the other orders by allotting things connected with their ministry. The form for a priest is: Receive the power of offering sacrifice in the church for the living and the dead, in the name of the Father and of the Son and of the holy Spirit. The forms for the other orders are contained in full in the Roman pontifical. The ordinary minister of this sacrament is a bishop. The effect is an increase of grace to make the person a suitable minister of Christ.

The seventh is the sacrament of matrimony, which is a sign of the union of Christ and the church according to the words of the apostle: This sacrament is a great one, but I speak in Christ and in the church. The efficient cause of matrimony is usually mutual consent expressed in words about the present. A threefold good is attributed to matrimony. The first is the procreation and bringing up of children for the worship of God. The second is the mutual faithfulness of the spouses towards each other. The third is the indissolubility of marriage, since it signifies the indivisible union of Christ and the church. Although separation of bed is lawful on account of fornication, it is not lawful to contract another marriage, since the bond of a legitimately contracted marriage is perpetual.

Sixthly, we offer to the envoys that compendious rule of the faith composed by most blessed Athanasius, which is as follows:

Whoever wills to be saved, before all things it is necessary that he holds the catholic faith. Unless a person keeps this faith whole and undefiled, without doubt he shall perish eternally. The catholic faith is this, that we worship one God in the Trinity, and the Trinity in unity, neither confounding the persons nor dividing the substance. For there is one person of the Father, another of the Son, and another of the holy Spirit. But the Godhead of the Father, of the Son and of the holy Spirit is one, the glory equal, and the majesty co-eternal. Such as the Father is, such is the Son, and such is the holy Spirit. The Father uncreated the Son uncreated and the holy Spirit uncreated. The Father infinite, the Son infinite and the holy Spirit infinite. The Father eternal, the Son eternal and the holy Spirit eternal. Yet they are not three eternals, but one eternal. As also they are not three uncreated nor three infinities, but one uncreated and one infinite. Likewise the Father is almighty, the Son is almighty and the holy Spirit is almighty. Yet they are not three almighties, but one almighty. Likewise the Father is God, the Son is God and the holy Spirit is God. Yet they are not three gods, but one God. Likewise the Father is Lord, the Son is Lord and the holy Spirit is Lord. Yet they are not three lords, but one Lord. For just as we are compelled by the Christian truth to acknowledge each person by himself to be God and Lord, so we are forbidden by the catholic religion to say there are three gods or three lords. The Father is made by none, neither created nor begotten. The Son is from the Father alone; not made nor created, but begotten. The holy Spirit is from the Father and the Son; not made nor created nor begotten, but proceeding. So there is one Father, not three fathers; one Son, not three sons; one holy Spirit, not three holy spirits. And in this Trinity nothing is before or after, nothing is greater or less; but the whole three persons are co-eternal together and co-equal. So that in all things, as has been said above, the unity in Trinity and the Trinity in unity is to be worshipped. Whoever, therefore, wishes to be saved, let him think thus of the Trinity.

It is also necessary for salvation to believe faithfully the incarnation of our lord Jesus Christ. The right faith, therefore, is that we believe and confess that our lord Jesus Christ, Son of God, is God and man. God, of the substance of the Father, begotten before the ages; and man, of the substance of his mother, born in the world. Perfect God, perfect man, subsisting of a rational soul and human flesh. Equal to the Father according to his Godhead, less than the Father according to his humanity. Although he is God and man, he is not two, but one Christ. One, however, not by conversion of the Godhead into flesh, but by the taking of humanity into God. One altogether, not by confusion of substance, but by unity of person. For as a reasoning soul and flesh is one man, so God and man is one Christ. He suffered for our salvation and descended into hell. On the third day he rose from the dead. He ascended into heaven and sits at the right hand of God the Father almighty. Thence he shall come to judge the living and the dead. At his coming all shall rise again with their bodies, and shall give an account of their own deeds. Those who have done good shall go into eternal life, but those who have done evil shall go into eternal fire.

This is the catholic faith. Unless a person believes it faithfully and firmly, he cannot be saved.

Seventhly, the decree of union concluded with the Greeks, which was promulgated earlier in this sacred ecumenical council of Florence and which is as follows: Let the heavens be glad . . . '



Eighthly, there was discussion with the Armenians about, among other things, the days on which the following feasts should be kept: the annunciation of the blessed virgin Mary, the birth of blessed John the Baptist and, in consequence, the birth and the circumcision of our lord Jesus Christ and his presentation in the temple (or the purification of the blessed virgin Mary). The truth was made quite clear by the testimonies of fathers and by the custom of the Roman church and all other churches among Latins and Greeks. Therefore, lest the rites of Christians be at variance in such great celebrations, whence a threat to charity could arise, we decree that, as something consonant with truth and reason, the Armenians too should solemnly celebrate, according to the observance of the rest of the world, the following feasts on the following days: the annunciation of the blessed virgin Mary on 25 March, the birth of blessed John the Baptist on 24 June, the birth of our Saviour on 25 December, his circumcision on 1 January, the epiphany on 6 January, and the presentation of our Lord in the temple (or the purification of the mother of God) on 2 February.

After all these matters had been explained, the aforesaid Armenians, in their own name and in the name of their patriarch and of all Armenians, with all devotion and obedience accept, admit and embrace this salutary synodal decree with all its chapters, declarations, definitions, traditions, precepts and statutes and all the doctrine contained in it, and also whatever the holy apostolic see and the Roman church holds and teaches. They also accept with reverence all those doctors and holy fathers approved by the Roman church. Indeed, they hold as reprobated and condemned whatever persons and things the Roman church reprobates and condemns. They promise that as true sons of obedience, in the name as above, they will faithfully obey the ordinances and commands of the apostolic see.

When the aforesaid decree had been solemnly read out in our and the holy synod's presence, straightaway our beloved son Narses, an Armenian, in the name of the said envoys, publicly recited the following in Armenian and thereupon our beloved son Basil of the order of friars Minor, the interpreter between us and the Armenians, publicly read it out in Latin as follows.

Most blessed father and most holy synod. Recently the whole of this holy decree, which has now been read out in Latin in your presence, was clearly explained and interpreted to us word by word in our language. It was and is completely acceptable to us. To disclose our understanding more fully, however, we repeat its contents in summary.

The following is contained in it. First, you give to our people of the Armenians the holy creed of Constantinople, with the added phrase and the Son, to be sung or read within the mass in our churches at least on Sundays and greater feasts. Secondly, the definition of the fourth universal council of Chalcedon about two natures in the one person of Christ. Thirdly, the definition about the two wills and principles of action of Christ which was promulgated in the sixth universal council.

Fourthly, you declare that the synod of Chalcedon and most blessed pope Leo rightly defined the truth about two natures in the one person of Christ against the impious doctrines of Nestorius and Eutyches. You order that we should venerate most blessed Leo as holy and a pillar of the faith and that we should reverently accept not only the synods of Nicaea, Constantinople and the first of Ephesus, but also all other synods legitimately celebrated . . . authority of the Roman pontiff.

Fifthly, a short scheme of the seven sacraments of the church, namely baptism, confirmation, Eucharist, penance, extreme unction, orders and matrimony indicating the matter, the form and the minister of each; and that while the chalice is being offered in the sacrifice of the altar a little water should be mixed with the wine.

Sixthly, a compendious rule of the faith of most blessed Athanasius, which begins: Whoever wills to be saved etc.

Seventhly, the decree of union concluded with the Greeks, which was promulgated earlier in this sacred council, recording how the holy Spirit proceeds eternally from the Father and the Son, and that the phrase and the Son was licitly and reasonably added to the creed of Constantinople. Also that the body of the Lord is effected in leavened or unleavened wheat bread; and what is to be believed about the pains of purgatory and hell, about the life of the blessed and about suffrages offered for the dead. In addition, about the plenitude of power of the apostolic see given by Christ to blessed Peter and his successors, . . . . about the order of the patriarchal sees.

Eighthly, you decree that the following feasts should be kept on the following days, in accordance with the custom of the universal church: the annunciation of the blessed virgin Mary on 25 March, the birth of blessed John the Baptist on 24 June, the birth of our Saviour on 25 December, his circumcision on 1 January, the epiphany on 6 January, and the presentation of the Lord in the temple (or the purification of blessed Mary) on 2 February.

Therefore we envoys, in our own name and in the name of our reverend patriarch and of all Armenians, with all devotion and obedience accept, admit and embrace, just as your holiness affirms in the decree, this most salutary synodal decree with all its chapters, declarations, definitions, traditions, precepts and statutes and all the doctrine contained in it, and also whatever the holy apostolic see and the Roman church holds and teaches. We accept with reverence all those doctors and holy fathers approved by the Roman church. Indeed we hold as reprobated and condemned whatever persons and things the Roman church reprobates and condemns. We promise that as true sons of obedience, in the name of the above, we will faithfully obey the ordinances and commands of this apostolic see.

SESSION 9 23 March 1440

[Monition of the council of Florence against the antipope Felix V]

Eugenius, bishop, servant of the servants of God, for an everlasting record. Many examples of holy fathers of the old and the new Testament warn us that we should not pass over in silence or leave completely unpunished specially grave crimes which lead to the scandal and public division of the people entrusted to us. For if we delay to pursue and avenge what is grievously offensive to God, we thereby provoke the divine patience to wrath. For, there are sins for which it is a sin to be slack about their retribution. It is indeed right and eminently reasonable, in the opinion of holy fathers, that those who despise divine commands and disobey paternal enactments should be corrected with really severe penalties, so that others may fear to commit the same faults and that all may rejoice in fraternal harmony and take note of the example of severity and probity. For if -- though may it never be -- we are negligent about ecclesiastical vigilance and activity, idleness ruins discipline and the souls of the faithful will suffer great harm. Therefore, rotting flesh should be cut away and mangy sheep driven out

He cannot have God as his father If he does not hold the unity of the church i he who does not agree with the body of the church and the whole

brotherhood, cannot agree with anyone. Since Christ suffered for the church and since the church is the body of Christ, without doubt the person who divides the church is convicted of lacerating the body of Christ. Hence the avenging will of the Lord went forth against schismatics like Korah, Dathan and Abiram, who were swallowed up together by an opening in the ground for instigating schism against Moses, the man of God, and others were consumed by fire from heaven; idolatry indeed was punished by the sword; and the burning of the book was requited by the slaughter of war and imprisonment in exile.

Finally, how indivisible is the sacrament of unity! How bereft of hope, and how punished by God's indignation with the direst loss, are those who produce schism and, abandoning the true spouse of the church, set up a pseudo-bishop! Divine scripture declares this in the book of Kings, which says that when ten tribes had separated themselves from the tribe of Judah and Benjamin and abandoned their king, setting up for themselves another king: the Lord was indignant with all the descendants of Israel and gave them over to destruction till he cast them away from his face. It says that the Lord was indignant and gave over to destruction those who split off from unity and set up for themselves another king. Indeed, so great was the wrath of God against those who had brought about a schism that even when the man of God had been sent to Jeroboam to reprove his sins and to predict a future vengeance, the man of God was forbidden to eat bread with them or to drink water and when he did not obey this order of the Lord and dined, straightaway the divine retribution struck him and he was killed by a lion on his return journey. Hence, as blessed Jerome declares, nobody should doubt that the crime of schism is very wicked since it is avenged so severely.

In days gone by, in the holy general council of Constance, that chronic and disastrous schism, which had cruelly and daily afflicted God's church and the Christian religion with great loss of souls, not only of individual persons but also in entire cities and provinces, was at last settled by the ineffable mercy of God and the unbounded labours and hardships of many kings and princes, both ecclesiastical and secular, many universities and others of Christ's faithful, and at great expense. With the election of lord Martin of happy memory and, after his death, the undisputed, genuine, unanimous and canonical elevation of your holiness to the summit of the apostolate, the universal church seemed to be enjoying a greatly desired peace. But behold! Again we are compelled with copious tears to say with Jeremiah the prophet: we looked for peace, but behold disturbance. And again with Isaiah: we looked for light, but behold darkness. Some sons of perdition and disciples of iniquity, who were few in numbers and of little authority, tried at Basel with all their strength, guile and cunning, even after the translation of the former council which had been made canonically and legitimately by your holiness for just, evident, urgent and necessary reasons, to prevent the most holy union with the Greeks and the whole eastern church, which was ardently desired by the whole Christian people.

For after the said authors of the scandals who remained in Basel had failed to fulfil their promise to the Greeks, when they learnt from the envoys of the Greeks and the eastern church that the most serene prince lord John Palaeologus, emperor of the Romans, and Joseph, patriarch of Constantinople of happy memory, with many other prelates and men of the eastern church were about to come to the place chosen for the ecumenical council, and that your holiness had dispatched many prelates and envoys with galleys at great expense and outlay, they dared to decree, with a view to preventing the arrival of the said emperor and Greeks, a detestable monition against your holiness and my most reverend lords, the lord cardinals of the holy Roman church.

Afterwards, when they learnt that the said emperor and patriarch and other easterners were coming, they issued against your holiness a kind of sacrilegious decree of suspension from the administration of the papacy.

Despite these and other wicked attempts and sacrilegious acts, on account of the constant solicitude displayed by you and this sacred council and after great labours and many disputations, at last the divine mercy granted that the above-mentioned schism of the Greeks and the eastern church, which had lasted for almost five hundred years to the great harm of the whole Christian people, should be removed from the midst of the church and that the most desired union of the western and the eastern church, which was hardly thought possible, should follow with the utmost harmony from your and this sacred council's holy work. This ought to be greatly admired and venerated with the highest praise and the joy of exultation, as all the rest of the Christian religion had done, and thanks should be returned to the most High for so admirable a gift. But they became more hard-hearted and obstinate, preferring even at the cost of ruining the whole Christian world to fan into flames the conflagration, which they had already begun, of their aforesaid most wicked monster. They adopted an attitude of opposition and, prodigal of their good name and enemies to their own honour, they strove to their utmost with pestilential daring to rend the unity of the holy Roman and universal church and the seamless robe of Christ, and with serpentlike bites to lacerate the womb of the pious and holy mother herself.

The leader and prince of these men and the architect of the whole nefarious deed was that first-born son of Satan, the most unfortunate Amadeus, once duke and prince of Savoy. He meditated this scheme for long. Several years ago, as is widely said, he was seduced by the trickery, soothsayings and phantoms of certain unfortunate men and women of low reputation (commonly called wizards or witches or Waldensians and said to be very numerous in his country), who had forsaken their Saviour to turn backwards to Satan and be deceived by demonic illusions, to have himself raised up to be a monstrous head in God's church. He adopted the cloak of a hermit, or rather of a most false hypocrite, so that in sheep's clothing, like a lamb he might assume the ferocity of a wolf. Eventually he joined the people at Basel. By force, fraud, bribery, promises and threats he prevailed on the majority of those at Basel, who were subject to his sway and tyranny, to proclaim him as an idol and Beelzebub, the prince of these new demons, in opposition to your holiness, the true vicar of Christ and the undoubted successor of Peter in God's church.

Thus that most ill-starred Amadeus, a man of insatiable and unheard of greed, whom avarice (which, according to the Apostle, is the service of idols) has always blinded, was set up as an idol and like a statue of Nebuchadnezzar in God's church by that most wicked synagogue, those offscourings of forsaken men, that shameful cesspool of all Christianity, from among whom certain heinous men, or rather demons hiding under the form of men, had been deputed as electors or rather as profaners. He himself, agitated by the furies of his own crimes and sinking into the depth of all evils, said after the manner of Lucifer: I will set my throne in the north and I shall be like the most High. He grasped with avid and detestable greed at the above-mentioned election, or rather profanation made of him, which he had earlier sought with intense fever of mind and anguish of heart. He did not shrink from adopting and wearing papal robes, ornaments and insignia, from behaving, holding himself and acting as Roman and supreme pontiff, and from having himself venerated as such by the people. Further, he was not afraid to write and despatch to many parts of the world letters which were sealed with a leaden seal after the manner of the Roman pontiffs. By these letters, in which he calls himself Felix even though he is the most unhappy of mortals, he tries to spread the poisons of his faction among the people of Christ.

What complaint or accusation am I to make first, most blessed father and most holy synod? With what force of speech, grief of mind or outpouring of words am I to deplore so great a crime? What rich discourse could suitably bewail or express this most foul deed? Assuredly no account can equal the grossness of the act, for the magnitude of so heinous a crime transcends the power of speech.

But, as I see it, most blessed father and most reverend and reverend fathers, now is the hour not for lament but for remedy.

For behold, holy mother church was basking in true unity and peace, in the person of your holiness her undoubted spouse, when the fountain of tears was opened. To you, her spouse, and to you most reverend and reverend fathers, who share in solicitude and have been summoned to this sacred and ecumenical council, she is forced to cry and shout with many sighs and sobs: Have pity on me, have pity on me, at least you my fiends'. For my bowels are full of bitterness. For the foxes destroy the vineyard of the God of hosts, and the impious rend the seamless robe of Christ. Let God therefore arise, let all his enemies be scattered. And you, most blessed father, since all these things are so manifest, public and notorious that they cannot be hidden by any evasion or defended by excuses, arise in the power of the most High, together with this sacred council, and judge the cause of your spouse and be mindful of your sons. Gird your sword upon your thigh, O mighty one. Set out, proceed prosperously and reign, and say with the psalmist: I will pursue my enemies and crush them, and I shall not return until I consume them. I shall consume and crush them and they will not rise; they will fall at my feet. For it is wrong that so wicked a deed and so detestable a precedent should be allowed to pass by disguised, lest perhaps unpunished daring and malice find an imitator, but rather let the example of punished transgressions deter others from offending.

Therefore your holiness and this sacred synod, following the example of Moses the man of God, must say to the whole Christian people: Depart from the tents of these impious men. Follow also the example of blessed pope Leo, your predecessor, who moved the second council of Ephesus and Dioscorus with his supporters to Chalcedon, where he instituted a synod which condemned them, and of your other predecessors as supreme pontiff, who continuously rising up in God's church have eliminated heresies and schisms, with their instigators, followers and supporters, from the church of God and the communion of the faithful, which is the most sacred body of Christ, and have afflicted them with many other condign penalties at the demand of justice.

With the approval and help of this sacred ecumenical council, avenge with condign penalties this new frenzy which has become inflamed to your injury and that of the holy Roman church, your spouse, and to the notorious scandal of the whole Christian people. By the authority of almighty God and of the blessed apostles Peter and Paul and by your own authority, remove and separate from God's holy church, by a perpetual anathema, the aforesaid wicked perpetrators of this prodigious crime and their unfortunate heresiarch and veritable antichrist in God's church together with all their supporters, adherents and followers and especially his execrable electors or rather profaners.

May he and all the aforesaid be cast out like an antichrist and an invader and a destroyer of the whole of Christianity. Let no appeal in this matter ever be allowed to him or to them. Let them and their posterity and successors be deprived without appeal of every ecclesiastical or secular rank and dignity whatsoever. Let all of them be condemned by a perpetual anathema and excommunication and may they be counted among the wicked who will not rise at the judgment. May they feel the anger of God against them. May they feel the rage of saints Peter and Paul, whose church they dare to throw into confusion, both in this life and in the next. May their dwelling be a desolation, let no one dwell in their tents. May their children be orphans and their wives be widows. May the world fight against them and all the elements be opposed to them, so that they may be cast out, destroyed and eliminated by all and so that, as they grovel in permanent penury, death may deservedly be their refuge and life their punishment. May the merits of all the saints cast them into confusion and display open vengeance on them in their lifetime. May they receive a deserved fate with Korah, Dathan and Abiram. Finally, unless they repent from their hearts, perform deeds worthy of repentance and make worthy satisfaction to your holiness and the universal church for the enormity of their sins, may they be thrust with the wicked into the everlasting darkness, doomed by the just judgment of God to eternal torments.

May the grace of almighty God protect all of us and all Christ's faithful who execrate with merited blasphemies the aforesaid heresiarchs and their abominable idol and antichrist, who acknowledge you as Christ's vicar and spouse of his most worthy church, and who venerate you with devout reverence and constant faith and obedience. By the authority of blessed Peter and Paul and your authority, may we and they be absolved from all bonds of sins, be filled with all blessings on our pilgrimage and finally be led by his ineffable mercy to eternal joys. Amen.

For our part, as soon as we were aware from the reports of trustworthy people that so great an impiety had been committed, we were afflicted with grief and sadness, as was to be expected, both for the great scandal to the church and for the ruin of the souls of its perpetrators, especially Amadeus that antichrist whom we used to embrace in the depths of charity and whose prayers and wishes we always strove to meet in so far as we could in God. Already for some time we had it in mind to provide salutary remedies, in accordance with our pastoral office, against an abomination of this sort. Now, however, challenged publicly before the church to confront these evils, we propose to rise to the defense of the church and tackle this great crime more quickly and more urgently. Therefore, in order that so enormous and execrable a deed may, with the help of God whose cause is at stake, be destroyed from its very roots, we are applying, in conjunction with this holy council and with the least possible delay, a remedy in accordance with the holy canons.

We are aware that the above petition of the promoter and the procurator is just and in conformity with both divine and human law, and although the aforesaid crimes and excesses are so very public and notorious that nothing can conceal them and no further information is required; Nevertheless, for greater precaution and certainly about the above, we commissioned, with the approval of this sacred council, some noteworthy persons from every rank in the council to seek information about the above and to refer their findings to us and the sacred council. Those so commissioned fulfilled their task of investigation with the care demanded by a schismatical depravity of this kind and faithfully reported to us and the sacred council in a synodal congregation what they had found out by the interrogation of trustworthy persons. In such public, manifest and notorious matters, action could have been taken against the said infamous and scandalous men without waiting further, by means of severe penalties in accordance with canonical sanctions. Nevertheless we and this holy synod, imitating the mercy of God who desires not the death of the sinner but rather that he be converted and live, have decided to show all possible mercy and to act, in so far as we can, in such a way that the proposed mildness may recall them to heart and lead them to recoil from the above-mentioned excesses, and so that when at last they return to the bosom of the church like the prodigal son, we may receive them with kindness and embrace them with fatherly love.

Therefore, through the tender mercy of our God and by the shedding of the precious blood of our lord Jesus Christ, in whom and by whom the redemption of the human race and the foundation of holy mother church were effected, from the depths of our hearts we exhort, beg and beseech the antichrist Amadeus and the aforesaid electors, or rather profaners, and whoever else believes in, adheres to, receives or in any way supports him, straightaway to stop violating the church's unity for which the Saviour prayed so earnestly to the Father, and to cease from rending and lacerating the fraternal charity and peace which the same Redeemer, as he was about to leave this world, repeatedly and so insistently commended to his disciples and without which neither prayers nor fasts nor alms are acceptable to God, and utterly to desist as quickly as possible from the aforesaid destructive and scandalous excesses, and so to find with us and this sacred council, if they really obey as they are bound to do, the affection of a father in respect of everything.

However, so that fear of penalties and harshness of discipline may force them if perchance love of justice and virtue does not withdraw them from sin, with the approval of this sacred council we demand and warn the antichrist Amadeus and the aforesaid electors, or rather profaners, and

believers, adherents, receivers and supporters, and we strictly enjoin and order him and them in virtue of holy obedience and under the penalties of anathema, heresy, schism and treason which have been inflicted in any ways against such persons, whether by men or by the law:

That within fifty days immediately following the publication of this letter, the antichrist Amadeus should cease from acting any more and designating himself as the Roman pontiff and should not, in so far as he can, allow himself to be held and called such by others, and should not dare hereafter in any way to use papal insignia and other things belonging in any way to the Roman pontiff; And that the aforesaid electors, or rather profaners, and adherents, receivers and supporters should no longer, either in person or through others, directly or indirectly or under any pretext, aid, believe in, adhere to or support the said Amadeus in this crime of schism.

Rather, both Amadeus himself and the aforesaid electors, believers, adherents and supporters should hold, recognize and reverence us as the true Roman pontiff and vicar of Christ and legitimate successor of Peter, and should reverently obey and maintain us as father and pastor of their souls, and should take care legitimately to notify us and this sacred council about these matters within the appointed interval of time, so that no scruple of doubt may remain about their genuine obedience.

If Amadeus and the said electors, believers, adherents, receivers and supporters shall act otherwise -- though may it not be so -- and do not effectively fulfil each and all of the aforesaid points within the appointed time, we wish and decree that from then as from now they automatically incur the stated penalties.

Moreover, on the fifteenth day after the aforesaid interval of time, if it is not a feast, otherwise on the following non-feast day, the aforesaid supporters all together or singly shall appear in person before us and the aforesaid council where we shall then be, to be seen and heard individually and even by name. Thus we now cite them for that day, to be declared schismatics, blasphemers and as heretics, to be punished as traitors, and to have incurred the aforesaid censures and penalties, and others to be inflicted, according as it shall seem good and justice shall persuade:

Notifying the same people and any of them individually, whether or not they come, that if they shall not have shown that they have obeyed, we shall proceed with justice to declaring the aforesaid penalties, notwithstanding their contumacy or absence, with the intention of proceeding further to aggravation and re-aggravation, as the rigour of justice shall demand and their merits require. In order that this monition and citation of ours may be brought to the attention of the authors of their monition and citation and of other interested persons, we shall have sheets of paper or membranes of parchment containing it affixed to the doors or gates of the church of St Mary Novella in Florence, of our palace situated near that church and of the cathedral church of Florence. These will make known this monition as if by a sonorous town-crying and a public notice, in order that after such notification these people may not be able to pretend that it did not reach them or that they were ignorant of it, since it is unlikely that what is made known so obviously to all should remain unknown or hidden to them.

We wish and we decree by our apostolic authority that this our monition promulgated on the said doors and gates shall have as much value and be as immutable and as binding on the said warned people, notwithstanding any contrary constitution, as if it had been intimated and disclosed to each and all of the warned people in person and in their presence.

Finally, lest the aforesaid warned and cited persons allege as a cloak of excuse that the council and the Roman curia, the common fatherland of all, is an unsafe place for them and that, because of the above-mentioned things or other enmities or other reasons, danger threatens them in their coming, staying and returning, we reassure them by this present letter and we require and exhort by the same letter all patriarchs, archbishops, bishops and other prelates of churches and monasteries, clerics and ecclesiastical persons as well as dukes, marquises, princes, rulers, captains and any other officials and their lieutenants, as also the communities and corporations of cities, castles, towns, vills and other places, and we strictly command the patriarchs, archbishops, bishops and other prelates and our other subjects that they are not to inflict any injury or harm on the aforesaid warned persons and their goods and property nor, to the best of their power, to allow such to be inflicted by others. Let nobody therefore . . . If anyone however . . .

SESSION 10 27 May 1440

[Eugenius IV exhorts the members of the synod at Basel to desist from their opposition]

Eugenius, bishop, servant of the servants of God, for an everlasting record. In the opinion of holy fathers, public sinners ought to be publicly censured so that others may stand in fear. Accordingly, we and this sacred council of Florence recently censured and denounced in public before the church, in synodal form, the authors and abettors of the pestilential sin of schism against the holy apostolic see and the holy Roman church, the mother and mistress of all Christians, which was perpetrated by Amadeus, once duke of Savoy, and his accomplices. It would have been in conformity with the sacred canons to have passed a sentence of due severity straightaway on those notoriously sacrilegious persons. However, desiring their conversion and salvation rather than their punishment, we begged, warned and required of them, with all the charity and mildness we could, to reflect and to recoil from such great iniquity, promising them pardon and favour and a father's affection. But if they refused to heed these dutiful admonitions, we decreed that they should be punished with penalties proportionate to so great an outrage, as is contained in the monition promulgated against them, which is as follows.

SESSION 11 4 February 1442

[Bull of union with the Copts]

Eugenius, bishop, servant of the servants of God, for an everlasting record. Sing praises to the Lord for he has done gloriously; let this be known in all the earth. Shout, and sing for joy, O inhabitant of Zion, for great in your midst is the holy one of Israel. To sing and to exult in the Lord certainly befits the church of God for his great magnificence and the glory of his name, which the most merciful God has deigned to bring about on this very day. It is right, indeed, to praise and bless with all our hearts our Saviour, who daily builds up his holy church with new additions. His benefactions to his Christian people are at all times many and great and manifest more clearly than the light of day his immense love for us. Yet if we look more closely at the benefactions which the divine mercy has deigned to effect in most recent times, we shall assuredly be able to judge that in these days of ours the gifts of his love have been more in number and greater in kind than in many past ages.

For in less than three years our lord Jesus Christ by his indefatigable kindness, to the common and lasting joy of the whole of Christianity, has

generously effected in this holy ecumenical synod the most salutary union of three great nations. Hence it has come about that nearly the whole of the east that adores the glorious name of Christ and no small part of the north, after prolonged discord with the holy Roman church, have come together in the same bond of faith and love. For first the Greeks and those subject to the four patriarchal sees, which cover many races and nations and tongues, then the Armenians, who are a race of many peoples, and today indeed the Jacobites, who are a great people in Egypt, have been united with the holy apostolic see.

Nothing is more pleasing to our Saviour, the lord Jesus Christ, than mutual love among people and nothing can give more glory to his name and advantage to the church than that Christians, with all discord between them banished, should come together in the same purity of faith. Deservedly all of us ought to sing for joy and to exult in the Lord; we whom the divine clemency has made worthy to see in our days such great splendour of the Christian faith. With the greatest readiness we therefore announce these marvellous facts to the whole Christian world, so that just as we are filled with unspeakable joy for the glory of God and the exaltation of the church, we may make others participate in this great happiness. Thus all of us with one voice may magnify and glorify God and may return abundant and daily thanks, as is fitting, to his majesty for so many and so great marvellous benefits bestowed on his holy church in this age. He who diligently does the work of God not only awaits merit and reward in heaven but also deserves generous glory and praise among people. Therefore we consider that our venerable brother John, patriarch of the Jacobites, whose zeal for this holy union is immense, should deservedly be praised and extolled by us and the whole church and deserves, together with his whole race, the general approval of all Christians. Moved by us, through our envoy and our letter, to send an embassy to us and this sacred synod and to unite himself and his people in the same faith with the Roman church, he sent to us and this synod the beloved son Andrew, an Egyptian, endowed in no mean degree with faith and morals and abbot of the monastery of St Anthony in Egypt, in which St Anthony himself is said to have lived and died. The patriarch, fired with great zeal, ordered and commissioned him reverently to accept, in the name of the patriarch and his Jacobites, the doctrine of the faith that the Roman church holds and preaches, and afterwards to bring this doctrine to the patriarch and the Jacobites so that they might acknowledge and formally approve it and preach it in their lands.

We, therefore, to whom the Lord gave the task of feeding Christ's sheep, had abbot Andrew carefully examined by some outstanding men of this sacred council on the articles of the faith, the sacraments of the church and certain other matters pertaining to salvation. At length, after an exposition of the catholic faith to the abbot, as far as this seemed to be necessary, and his humble acceptance of it, we have delivered in the name of the Lord in this solemn session, with the approval of this sacred ecumenical council of Florence, the following true and necessary doctrine.

First, then, the holy Roman church, founded on the words of our Lord and Saviour, firmly believes, professes and preaches one true God, almighty, immutable and eternal, Father, Son and holy Spirit; one in essence, three in persons; unbegotten Father, Son begotten from the Father, holy Spirit proceeding from the Father and the Son; the Father is not the Son or the holy Spirit, the Son is not the Father or the holy Spirit, the holy Spirit is not the Father or the Son; the Father is only the Father, the Son is only the Son, the holy Spirit is only the holy Spirit. The Father alone from his substance begot the Son; the Son alone is begotten of the Father alone; the holy Spirit alone proceeds at once from the Father and the Son. These three persons are one God not three gods, because there is one substance of the three, one essence, one nature, one Godhead, one immensity, one eternity, and everything is one where the difference of a relation does not prevent this. Because of this unity the Father is whole in the Son, whole in the holy Spirit; the Son is whole in the Father, whole in the holy Spirit; the holy Spirit is whole in the Father, whole in the Son. No one of them precedes another in eternity or excels in greatness or surpasses in power. The existence of the Son from the Father is certainly eternal and without beginning, and the procession of the holy Spirit from the Father and the Son is eternal and without beginning. Whatever the Father is or has, he has not from another but from himself and is principle without principle. Whatever the Son is or has, he has from the Father and is principle from principle. Whatever the holy Spirit is or has, he has from the Father together with the Son. But the Father and the Son are not two principles of the holy Spirit, but one principle, just as the Father and the Son and the holy Spirit are not three principles of creation but one principle. Therefore it condemns, reprobates, anathematizes and declares to be outside the body of Christ, which is the church, whoever holds opposing or contrary views. Hence it condemns Sabellius, who confused the persons and altogether removed their real distinction. It condemns the Arians, the Eunomians and the Macedonians who say that only the Father is true God and place the Son and the holy Spirit in the order of creatures. It also condemns any others who make degrees or inequalities in the Trinity.

Most firmly it believes, professes and preaches that the one true God, Father, Son and holy Spirit, is the creator of all things that are, visible and invisible, who, when he willed it, made from his own goodness all creatures, both spiritual and corporeal, good indeed because they are made by the supreme good, but mutable because they are made from nothing, and it asserts that there is no nature of evil because every nature, in so far as it is a nature, is good. It professes that one and the same God is the author of the old and the new Testament -- that is, the law and the prophets, and the gospel -- since the saints of both testaments spoke under the inspiration of the same Spirit. It accepts and venerates their books, whose titles are as follows.

Five books of Moses, namely Genesis, Exodus, Leviticus, Numbers, Deuteronomy; Joshua, Judges, Ruth, four books of Kings, two of Paralipomenon, Esdras, Nehemiah, Tobit, Judith, Esther, Job, Psalms of David, Proverbs, Ecclesiastes, Song of Songs, Wisdom, Ecclesiasticus, Isaiah, Jeremiah, Baruch, Ezechiel, Daniel; the twelve minor prophets, namely Hosea, Joel, Amos, Obadiah, Jonah, Micah, Nahum, Habakkuk, Zephaniah, Haggai, Zechariah, Malachi; two books of the Maccabees; the four gospels of Matthew, Mark, Luke and John; fourteen letters of Paul, to the Romans, two to the Corinthians, to the Galatians, to the Ephesians, to the Philippians, two to the Thessalonians, to the Colossians, two to Timothy, to Titus, to Philemon, to the Hebrews; two letters of Peter, three of John, one of James, one of Jude; Acts of the Apostles; Apocalypse of John.

Hence it anathematizes the madness of the Manichees who posited two first principles, one of visible things, the other of invisible things, and said that one was the God of the new Testament, the other of the old Testament. It firmly believes, professes and preaches that one person of the Trinity, true God, Son of God begotten by the Father, consubstantial and coeternal with the Father, in the fullness of time which the inscrutable depth of divine counsel determined, for the salvation of the human race, took a real and complete human nature from the immaculate womb of the virgin Mary, and joined it to himself in a personal union of such great unity that whatever is of God there, is not separated from man, and whatever is human is not divided from the Godhead, and he is one and the same undivided, each nature perduring in its properties, God and man, Son of God and son of man, equal to the Father according to his divinity, less than the Father according to his humanity, immortal and eternal through the nature of the Godhead, passible and temporal from the condition of assumed humanity. It firmly believes, professes and preaches that the Son of God was truly born of the virgin in his assumed humanity, truly suffered, truly died and was buried, truly rose from the dead, ascended into heaven and sits at the right hand of the Father and will come at the end of time to judge the living and the dead. It anathematizes, execrates and condemns every heresy that is tainted with the contrary. First it condemns Ebion, Cerinthus, Marcion, Paul of Samosata, Photinus and all similar blasphemers who, failing to see the personal union of the humanity with the Word, denied that our lord Jesus Christ was true God and professed him to be simply a man who by a greater participation in divine grace, which he had received through the merit of his holier life, should be called a divine man.

It anathematizes also Manes and his followers who, imagining that the Son of God took to himself not a real body but a phantasmal one completely rejected the truth of the humanity in Christ, Valentinus, who declared that the Son of God took nothing from his virgin mother but that he assumed a heavenly body and passed through the virgin's womb like water flowing down an aqueduct; Arius, who by his assertion that the body taken from the virgin had no soul, wanted the Deity to take the place of the soul; and Apollinarius who, realizing that if the soul informing the body were denied there would be no true humanity in Christ, posited only a sensitive soul and held that the deity of the Word took the place of the rational soul. It anathematizes also Theodore of Mopsuestia and Nestorius, who asserted that the humanity was united to the Son of God through grace, and hence that there are two persons in Christ just as they profess there are two natures, since they could not understand that the union of the humanity to the Word was hypostatic and therefore they denied that he had received the subsistence of the Word. For according to this blasphemy the Word was not made flesh but the Word dwelt in flesh through grace, that is, the Son of God did not become man but rather the Son of God dwelt in a man. It also anathematizes, execrates and condemns the archimandrite Eutyches who, when he understood that the blasphemy of Nestorius excluded the truth of the incarnation, and that it was therefore necessary for the humanity to be so united to the Word of God that there should be one and the same person of the divinity and the humanity; and also because, granted the plurality of natures, he could not grasp the unity of the person, since he posited one person in Christ of divinity and humanity; so he affirmed that there was one nature, suggesting that before the union there was a duality of natures which passed into a single nature in the act of assumption, thereby conceding a great blasphemy and impiety that either the humanity was converted into the divinity or the divinity into the humanity. It also anathematizes, execrates and condemns Macarius of Antioch and all others of similar views who, although they are orthodox on the duality of natures and the unity of person, yet have gone enormously wrong on Christ's principles of action by declaring that of the two natures in Christ, there was only one principle of action and one will. The holy Roman church anathematizes all of these and their heresies and affirms that in Christ there are two wills and two principles of action.

It firmly believes, professes and preaches that never was anyone, conceived by a man and a woman, liberated from the devil's dominion except by faith in our lord Jesus Christ, the mediator between God and humanity, who was conceived without sin, was born and died. He alone by his death overthrew the enemy of the human race, cancelling our sins, and unlocked the entrance to the heavenly kingdom, which the first man by his sin had locked against himself and all his posterity. All the holy sacrifices sacraments and ceremonies of the old Testament had prefigured that he would come at some time.

It firmly believes, professes and teaches that the legal prescriptions of the old Testament or the Mosaic law, which are divided into ceremonies, holy sacrifices and sacraments, because they were instituted to signify something in the future, although they were adequate for the divine cult of that age, once our lord Jesus Christ who was signified by them had come, came to an end and the sacraments of the new Testament had their beginning. Whoever, after the passion, places his hope in the legal prescriptions and submits himself to them as necessary for salvation and as if faith in Christ without them could not save, sins mortally. It does not deny that from Christ's passion until the promulgation of the gospel they could have been retained, provided they were in no way believed to be necessary for salvation. But it asserts that after the promulgation of the gospel they cannot be observed without loss of eternal salvation. Therefore it denounces all who after that time observe circumcision, the sabbath and other legal prescriptions as strangers to the faith of Christ and unable to share in eternal salvation, unless they recoil at some time from these errors. Therefore it strictly orders all who glory in the name of Christian, not to practice circumcision either before or after baptism, since whether or not they place their hope in it, it cannot possibly be observed without loss of eternal salvation.

With regard to children, since the danger of death is often present and the only remedy available to them is the sacrament of baptism by which they are snatched away from the dominion of the devil and adopted as children of God, it admonishes that sacred baptism is not to be deferred for forty or eighty days or any other period of time in accordance with the usage of some people, but it should be conferred as soon as it conveniently can; and if there is imminent danger of death, the child should be baptized straightaway without any delay, even by a lay man or a woman in the form of the church, if there is no priest, as is contained more fully in the decree on the Armenians.

It firmly believes, professes and teaches that every creature of God is good and nothing is to be rejected if it is received with thanksgiving, because according to the word of the Lord not what goes into the mouth defiles a person, and because the difference in the Mosaic law between clean and unclean foods belongs to ceremonial practices, which have passed away and lost their efficacy with the coming of the gospel. It also declares that the apostolic prohibition, to abstain from what has been sacrificed to idols and from blood and from what is strangled, was suited to that time when a single church was rising from Jews and gentiles, who previously lived with different ceremonies and customs. This was so that the gentiles should have some observances in common with Jews, and occasion would be offered of coming together in one worship and faith of God and a cause of dissension might be removed, since by ancient custom blood and strangled things seemed abominable to Jews, and gentiles could be thought to be returning to idolatry if they ate sacrificial food. In places, however, where the Christian religion has been promulgated to such an extent that no Jew is to be met with and all have joined the church, uniformly practicing the same rites and ceremonies of the gospel and believing that to the clean all things are clean, since the cause of that apostolic prohibition has ceased, so its effect has ceased. It condemns, then, no kind of food that human society accepts and nobody at all neither man nor woman, should make a distinction between animals, no matter how they died; although for the health of the body, for the practice of virtue or for the sake of regular and ecclesiastical discipline many things that are not proscribed can and should be omitted, as the apostle says all things are lawful, but not all are helpful.

It firmly believes, professes and preaches that all those who are outside the catholic church, not only pagans but also Jews or heretics and schismatics, cannot share in eternal life and will go into the everlasting fire which was prepared for the devil and his angels, unless they are joined to the catholic church before the end of their lives; that the unity of the ecclesiastical body is of such importance that only for those who abide in it do the church's sacraments contribute to salvation and do fasts, almsgiving and other works of piety and practices of the Christian militia produce eternal rewards; and that nobody can be saved, no matter how much he has given away in alms and even if he has shed his blood in the name of Christ, unless he has persevered in the bosom and the unity of the catholic church.

It embraces, approves and accepts the holy synod of 318 fathers at Nicaea, which was convened in the time of our predecessor most blessed Silvester and the great and most pious emperor Constantine. In it the impious Arian heresy and its author was condemned and there was defined that the Son of God is consubstantial and coeternal with the Father. It also embraces, approves and accepts the holy synod of 150 fathers at Constantinople, which was convoked in the time of our predecessor most blessed Damasus and the elder Theodosius and which anathematized the impious error of Macedonius, who asserted that the holy Spirit is not God but a creature. Those whom they condemn, it condemns; what they approve, it approves; and in every respect it wants what was defined there to remain unchanged and inviolate.

It also embraces, approves and accepts the first holy synod of 200 fathers at Ephesus, which is third in the order of universal synods and was convoked under our predecessor most blessed Celestine and the younger Theodosius. In it the blasphemy of the impious Nestorius was condemned, and there was defined that the person of our lord Jesus Christ, true God and true man, is one and that the blessed ever-virgin Mary should be preached

by the whole church not only as Christ-bearer but also as God-bearer, that is as mother of God as well as mother of the man.

But it condemns, anathematizes and rejects the impious second synod of Ephesus, which was convened under our predecessor most blessed Leo and the aforesaid emperor. In it Dioscorus, bishop of Alexandria, defender of the heresiarch Eutyches and impious persecutor of holy Flavian, bishop of Constantinople, with cunning and threat led the execrable synod to an approval of the Eutychian impiety.

It also embraces, approves and accepts the holy synod of 630 fathers at Chalcedon, which is fourth in the order of universal synods and was held in the time of our predecessor most blessed Leo and the emperor Marcian. In it the Eutychian heresy and its author Eutyches and its defender Dioscorus were condemned, and there was defined that our lord Jesus Christ is true God and true man and that in the one and same person the divine and human natures remain entire, inviolate, incorrupt, unconfused and distinct, the humanity doing what befits man, the divinity what befits God. Those whom they condemn, it condemns; those whom they approve, it approves.

It also embraces, approves and accepts the fifth holy synod, the second of Constantinople, which was held in the time of our predecessor most blessed Vigilius and the emperor Justinian. In it the definition of the sacred council of Chalcedon about the two natures and the one person of Christ was renewed and many errors of Origen and his followers, especially about the penitence and liberation of demons and other condemned beings, were refuted and condemned.

It also embraces, approves and accepts the third holy synod of 150 fathers at Constantinople, which is sixth in the order of universal synods and was convened in the time of our predecessor most blessed Agatho and the emperor Constantine IV. In it the heresy of Macarius of Antioch and his adherents was condemned, and there was defined that in our lord Jesus Christ there are two perfect and complete natures and two principles of action and also two wills, although there is one and the same person to whom the actions of each of the two natures belong, the divinity doing what is of God, the humanity doing what is human.

It also embraces, approves and accepts all other universal synods which were legitimately summoned, celebrated and confirmed by the authority of a Roman pontiff, and especially this holy synod of Florence, in which, among other things, most holy unions with the Greeks and the Armenians have been achieved and many most salutary definitions in respect of each of these unions have been issued, as is contained in full in the decrees previously promulgated, which are as follows: Let the heavens be glad . . . 1; Exult in God . 2

However, since no explanation was given in the aforesaid decree of the Armenians in respect of the form of words which the holy Roman church, relying on the teaching and authority of the apostles Peter and Paul, has always been wont to use in the consecration of the Lord's body and blood, we concluded that it should be inserted in this present text. It uses this form of words in the consecration of the Lord's body: For this is my body. And of his blood: For this is the chalice of my blood, of the new and everlasting covenant, *the mystery of faith*<sup>1</sup>, which will be shed for you and for many unto the remission of sins .

Whether the wheat bread, in which the sacrament is confectioned, has been baked on the same day or earlier is of no importance whatever. For, provided the substance of bread remains, there should be no doubt at all that after the aforesaid words of consecration of the body have been pronounced by a priest with the intention of consecrating, immediately it is changed in substance into the true body of Christ.

It is asserted that some people reject fourth marriages as condemned. Lest sin is attributed where it does not exist, since the apostle says that a wife on her husband's death is free from his law and free in the Lord to marry whom she wishes, and since no distinction is made between the deaths of the first, second and third husbands, we declare that not only second and third marriages but also fourth and further ones may lawfully be contracted, provided there is no canonical impediment. We say, however, that they would be more commendable if thereafter they abstain from marriage and persevere in chastity because we consider that, just as virginity is to be preferred in praise and merit to widowhood, so chaste widowhood is preferable to marriage.

After all these explanations the aforesaid abbot Andrew, in the name of the aforesaid patriarch and of himself and of all the Jacobites, receives and accepts with all devotion and reverence this most salutary synodal decree with all its chapters, declarations, definitions traditions, precepts and statutes and all the doctrine contained therein, and also whatever the holy apostolic see and the Roman church holds and teaches. He also reverently accepts those doctors and holy fathers whom the Roman church approves, and he holds as rejected and condemned whatever persons and things the Roman church rejects and condemns, promising as a son of true obedience, in the name of the above persons, faithfully and always to obey the regulations and commands of the said apostolic see.

SESSION 12 14 October 1443

[Eugenius IV convokes the Lateran council, that is, the continuation of the council of Florence]

Eugenius. Convocation of the Lateran council. For an everlasting record. By the infinite clemency and pity of the redeemer of the human race, our God and lord Jesus Christ, by whose ineffable providence the whole body of the church is sanctified and ruled and through whose aid -- which surpasses our merits and exceeds what we recognise ourselves as worthy either to seek or to solicit -- gifts and favours of his mercy daily come to us, we have returned to bountiful Rome, the see of most blessed Peter, to the holy of holies, the Lateran of the patriarchs. With great trust we are embracing and earnestly pursuing the things which seem to be promoted and revealed by divine rather than by human wisdom. Hence it is that because of various just, reasonable and necessary causes which then moved our mind, by apostolic authority and the plenitude of power and with the approval of the council, we transferred the holy ecumenical council of Florence, over which we were then presiding, to this bountiful city of Rome and the Lateran basilica, to be re-established and continued on the first day following the fifteenth day after our arrival, as is contained in more detail in the letter composed for that purpose, whose text is word for word as follows:

Eugenius, bishop, servant of the servants of God, for an everlasting record The compassionate and merciful Lord ordained that his only-begotten Son should assume a human nature and should so join it to himself into a single person that not only would fallen nature be repaired by virtue of that ineffable union, but also by his embrace as spouse and by the kiss of his mouth his bride the holy church would be brought forth, her members would be joined together by a solid bond of love, and the Christian people would acquire peace in harmony, salvation in a unity of spirit, and glory in the bond of charity.



In so far as it is granted to us by the mercy of our lord and saviour Jesus Christ, whose place we though unworthy take on earth, we, following in his footsteps, ardently desire and intensely pursue the salvation, unity and peace of the Christian people. Therefore we are intent, with a deserved watchfulness, on the conservation of this holy ecumenical council. In it, by the marvelous kindness and mercy of the same Saviour, very many most noteworthy works have been achieved for his praise and glory, the increase of the catholic faith, the unity of the Christian people and the exaltation of the holy apostolic see and the Roman church. For in our own days we have seen Greeks, Armenians, Jacobites and other almost innumerable peoples, some of whom have been separated from the rite and the holy teaching of the Roman church for almost five hundred or even seven hundred years, joined with us in this sacred council, by God's mercy, under one divine law of truth and embracing us with due reverence as the true vicar of Christ, the successor of Peter and the shepherd of the universal church.

There are no limits to the kindness of our Saviour, who works for the unity of the Christian people and his mystical body, for which he prayed: I wish, Father, that they may be one even as we are one. Indeed we are experiencing his kindness particularly in these times. For his infinite mercy has granted that we are now awaiting the arrival of envoys, furnished with full power to accept in this holy council the doctrine of the orthodox faith from which their peoples have gone astray in many points, from our most dear son in Christ Zar'a Ya'qob, king of Ethiopia, commonly called Prester John, to whom very many kings and almost innumerable peoples are subject and who is impelled, as we trust, by divine inspiration. To foster and hasten such a holy and divine proposal, which is so necessary for the whole of Christianity, we have sent our own nuncios and envoys, who are full of zeal for this holy task and have considerable influence with the said most powerful king.

Many more works have been proposed to us for the praise of God and the increase of the faith and the Christian people. We wish to give careful attention to them. Frightened by neither the heavy expenses nor the many labours, we put our trust in the power of him whose inspiration motivates us. Let us hope, moreover, that in the course of time many other desirable and salutary fruits will accrue to the catholic faith and the church of Christ, especially if this holy synod is held in a place of greater importance and in a royal and sacerdotal city. To the genial city of Rome, which is particularly our city and which, as is right, we want to participate and help in these salutary and divine tasks, we have turned our attention, a city which we consider to be abounding in all spiritual and temporal goods and more holy and outstanding than all other cities for carrying out these holy tasks and bringing them to a religious and happy conclusion. For in it our Saviour in his eternal providence settled the apostolic see in blessed Peter, prince of all the apostles, and on his right in fellowship the wondrous foresight of the same Saviour added the blessed apostle Paul. They are two bulwarks of the faith through whom the gospel shone in Rome; they are true fathers and true pastors; they are those who suffered on one day for merit, in one place for grace, under one persecutor for equal virtue, and made this city sacerdotal and royal and the capital of the world, as being the holy seat of Peter, and consecrated it to the lord Christ with the glorious blood of martyrdom. "For the Roman church founded all, whether the eminence of a patriarch or the seats of metropolitan primacy or of bishoprics or the dignities of churches of whatever rank; he alone, who entrusted to blessed Peter, the key-bearer of eternal life, the rights of the heavenly as well as of the earthly kingdom, founded the Roman church and straightaway set it on the rock of nascent faith." Since, then, the city of Rome has been ennobled and distinguished by so many and so great divine gifts and is resplendent with so much authority and also draws the faithful to itself from all sides by the relics and sanctity of apostles, martyrs and confessors; since Christian nations and peoples even in the furthest parts of the world flock to the said city and are seen to desire greatly that we return to our see, which has been divinely constituted for Roman pontiffs, in order that a greater veneration and devotion may grow in the Christian people towards both us, through the authority of the said see, and the said see, through our presence and authority, and since we are informed that, on account of our residence in Rome, subjects and faithful of ours and of the Roman church, whose peace and tranquility we are bound to procure and preserve with special zeal, will enjoy much greater peace and unity and that in this way, with God's blessing, we shall be more expeditious and effective in pursuing works of peace and harmony and in arranging and confirming, as we ardently desire, peace and unity among other catholic kings and princes and peoples; Therefore to Rome, which is a suitable and safe place fulfilling all human needs as regards fertility of the soil and sea transport; under the influence of the above-mentioned necessary causes and many other just and reasonable ones which direct our mind to the praise and glory of almighty God, the extirpation of heresies and errors, the reform of morals, the peace, salvation and increase of the Christian people and the prosecution of other holy works, under the Lord's leadership, for which the said council was originally convened;

In the name of the holy and undivided Trinity, Father, Son and holy Spirit, with the approval of the said general council given on 5 January last, in a general congregation under our presidency, by apostolic authority and by this present letter, we translate as from now this holy ecumenical council of Florence, and by the same authority and the same letter we have decreed and declared it to be translated to the Lateran basilica, which is the first and proper seat of the supreme pontiff and the vicar of Jesus Christ, to be resumed, continued and prosecuted on the day following the fifteenth day after our entry into bountiful Rome. In addition, by an inviolable constitution and decree we ordain that each and all of the securities and safe-conducts, which we granted at the beginning of this sacred council and which we are extending anew and prolonging, are to be considered as included in this present letter and as having the same force and effect as if they had been mentioned word for word in this our synodal constitution and had been inserted and denoted in it. Let nobody therefore . . . If anyone however . . .

Now that the appointed day has come and all the reasons for which it had then seemed necessary to resume the council are recognized to be more than ever necessary, with the said necessary reasons and many other just and reasonable ones impelling us, for the praise and glory of almighty God, the extirpation of heresies and errors, the reform of morals, the peace, salvation and increase of the Christian people, and the completion of other holy works, under the Lord's leadership, for which the aforesaid council was originally convened;

In the name of the holy and undivided Trinity, Father, Son and holy Spirit, by the same authority and power, with the same approval and by this present letter; We resume, continue and carry forward the aforesaid ecumenical council of Florence, which was translated as above, and we decree and declare by this present letter that this continuation, resumption and prosecution is taking place in this council hall of the sacred Lateran patriarchate. We warn and require each and all of those who are bound by law or custom to take part in general councils that they should come as quickly as possible to this present holy ecumenical Lateran council, as referred to above, which is continuing for the attainment of the above-mentioned ends. In addition, we ordain again by this constitution and decree that each and all of the securities and safe-conducts, which we granted at the beginning of the sacred ecumenical council of Ferrara and which we are extending anew and prolonging, are to be considered as included in this present letter and as having the same force and effect as if they had been mentioned word for word in this our synodal constitution and had been inserted and denoted in

Let nobody therefore . . . if anyone however . . .

SESSION 13 30 November 1444

[Bull of union with the Syrians]

Eugenius, bishop, servant of the servants of God, for an everlasting record. In these our days the ineffable clemency of divine mercy bestows on his holy church many and marvellous gifts which are much greater than we could have asked for or envisaged. Hence we see that the orthodox faith is expanded, new peoples daily return to the obedience of the apostolic see and reasons for joy and exaltation are daily being multiplied for us and all Christ's faithful, in such wise that we are deservedly incited time and again to say in jubilation with the prophet to the faithful peoples: Come, let us exult in the Lord, let us hail the God who saves us, for the Lord is great and most worthy of praise in the city of our God, on his holy mountain. It is true that in the catholic church, which is the city of God on the holy mountain and is founded on the authority of the apostolic see and Peter, God, whose omnipotence and wisdom knows no limits, has always worked great and inscrutable deeds. But the singular and special gift which the ineffable providence of its founder bestowed on it is that the orthodox faith, which alone gives life to and sanctifies the human race, should abide for ever on that holy mountain in a unique and unchangeable profession of faith and that dissents, which arise against the church from the variety of earthly opinions and separate people off from the firmness of that rock, should return to that mountain and be exterminated and eradicated. Whence it comes about that the peoples and nations thronging to its bosom agree with it in one truth of faith. Assuredly it is not from our merit that the immensity of divine goodness has granted us to behold these great sublime and marvellous gifts of God. His benevolence and condescension alone have granted that after the union of the Greeks in the sacred ecumenical council of Florence, who were seen to differ from the Roman church in some articles, and after the return of the Armenians and the Jacobites, who were entangled in various opinions, they should at last, having abandoned all dissent, come together into the one right way of truth. Behold now again with the Lord's help other nations have gathered from afar, inhabitants of Mesopotamia between the Tigris and the Euphrates, whose thinking about the procession of the holy Spirit and some other articles had gone astray.

Great, then, for us and for all Christ's faithful is the reason for rejoicing. For with the Lord's approval the most illustrious profession of the Roman church about the truth of the faith, which has always been pure from all stain of error shines with new beams also in the east beyond the bounds of the Euphrates inasmuch as it has drawn our venerable brother Abdala, archbishop of Edessa and legate of our venerable brother Ignatius, patriarch of the Syrians, and of his whole nation, to us here in bountiful Rome and to this sacred ecumenical Lateran council and has bidden him humbly and devoutly to petition that we give to them the rule of faith which the holy Roman church professes. Among all the preoccupations of the holy apostolic see, we hold, as we have always done, our first and chiefest care to be the defence of the faith, the extermination of heresies and the propagation of the orthodox faith. Therefore we selected some of our venerable brethren, cardinals of the holy Roman church, who in turn co-opted from this sacred council some masters in holy scripture, to confer with the aforesaid archbishop about the difficulties, doubts and errors of that nation, to examine him in person and to open to him the rule of catholic truth, and finally to instruct and inform him fully about the integrity of the faith of the Roman church.

They found him orthodox on all points of faith and practice except three articles: namely, the procession of the holy Spirit, the two natures in Jesus Christ our saviour, the two wills and principles of action in him. They laid before him the truth of the orthodox faith, opened up the meaning of the sacred scriptures, adduced the testimonies of holy doctors and added telling and pertinent reasons.

When the archbishop had understood the doctrine on these points, he affirmed that all his doubts had been completely answered. He professed that he thought he fully understood the truth of the faith as regards both the procession of the holy Spirit and the two natures, two wills and two principles of action in our lord Jesus Christ. Moreover he declared that he would accept, in the name of the aforesaid patriarch and of the whole nation and of himself, the whole faith and all the teaching which we, with the approval of this sacred council, would propose to him.

For this reason we were filled with exultation in Christ and poured out immense gratitude to our God, since we are seeing our desire for the salvation of that nation fulfilled.

After careful discussion with our brethren and the sacred council, we decided, with the approval of the same council, to propose and assign to the said archbishop, who will accept it in the name of the above persons, the faith and doctrine which the holy Roman mother church holds.

This, then, is the faith which the holy Roman mother church has always held, preached and taught and which she now holds, preaches, professes and teaches. This is the faith, as regards those three articles, which we decree that the said archbishop Abdala, on behalf and in the name of the said patriarch of the Syrians and of all that nation and of himself, shall accept and shall keep for ever. First, that the holy Spirit is eternally from the Father and the Son, and has his essence and his subsistent being from the Father together with the Son, and proceeds from both eternally as from one principle and a single spiration.

Also it holds, professes and teaches that one and the same Son of God and of man, our lord Jesus Christ, is perfect in divinity and perfect in humanity; true God and true man, of a rational soul and a body; consubstantial with the Father as regards his divinity, consubstantial with us as regards his humanity; like us in all respects except for sin; begotten before the ages from the Father, and in the last days the same born according to his humanity for us and our salvation from Mary the virgin mother of God; one and the same Christ true only-begotten Son of God, acknowledged in two natures which undergo no confusion, no change, no division, no separation; at no point was the difference between the natures taken away through the union, but rather the property of both natures is preserved and comes together into a single person and a single subsistent being; he is not parted or divided into two persons, but is one and the same Son of God and of man, our lord Jesus Christ.

Also it believes, professes and teaches in the one lord Jesus Christ two natural principles of action which undergo no division, no change, no separation, no confusion, in accordance with the teaching of the holy fathers; and two natural wills one divine, the other human, not in opposition, but his human will subject to his divine and all powerful will. For in the same way that his most holy animate flesh was made divine, not destroyed, but remained in its own limit and category, so his human will was made divine, not destroyed, but rather was preserved and perfected.

We decree that the said archbishop Abdala ought, in the name of the above persons, to accept this faith, to hold it in his heart and to profess it with his mouth. Further we ordain and decree that he ought to receive and embrace, in the name of the above persons, whatever has been defined and established at various times by the holy Roman church, especially the decrees on the Greeks, the Armenians and the Jacobites, which were issued in the sacred ecumenical council of Florence and which, since Archbishop Abdala has carefully read them translated into Arabic and praised them, we have given to him, in the name of the above persons, for a wider and more complete instruction on everything; that whatever doctors and holy fathers the holy Roman church approves and accepts, he should, in the name of the above persons, approve and accept; and that whatever persons and other things she condemns and rejects, he should, in the name of the above persons, hold as condemned and rejected; promising on oath as a true son of obedience, in the name of the above persons, always devoutly and faithfully to obey the regulations and orders of the said apostolic see. If anyone however . . . Let nobody therefore . . .

SESSION 14 7 August 1445

[Bull of union with the Chaldeans and the Maronites of Cyprus]

Eugenius, bishop, servant of the servants of God, for an everlasting record. Blessed be the God and Father of our lord Jesus Christ, the Father of mercies and God of all consolation, who daily promotes with many great favours, and accompanies with happy results far beyond our deserts, our aims and pious desires, whereby in fulfillment of our pastoral duties we long for and foster with many works, in so far as this allowed us from on high, the salvation of the Christian people.

Indeed, after the union of the eastern church with the western church in the ecumenical council of Florence, and after the return of the Armenians, the Jacobites and the people of Mesopotamia, we despatched our venerable brother Andrew, archbishop of Kalocsa, to eastern lands and the island of Cyprus. He was to confirm in the faith which had been accepted the Greeks, Armenians and Jacobites living there, by his sermons and his expositions and explanations of the decrees issued for their union and return. He was also to try to bring back to the truth of the faith, using our warnings and exhortations, whoever else he might find there to be strangers to the truth of faith in other sects, whether they are followers of Nestorius or of Macarius.

He pursued this task with vigour, thanks to the wisdom and other virtues with which the Lord, the giver of graces, has enriched him. He finally eliminated from their hearts, after many discussions, first all the impurity of Nestorius, who asserted that Christ is only a man and that the blessed Virgin is the mother of Christ but not of God, then that of the most impious Macarius of Antioch who, although he confessed that Christ is true God and man, asserted that there is in him only the divine will and principle of action, thereby diminishing his humanity.

With divine assistance he converted to the truth of the orthodox faith our venerable brothers Timothy, metropolitan of the Chaldeans, who have been called Nestorians in Cyprus until now because they used to follow Nestorius, and Elias, bishop of the Maronites, who with his nation in the same realm was infected with the teachings of Macarius, together with a whole multitude of peoples and clerics subject to him in the island of Cyprus. To these prelates and all their subjects there, he delivered the faith and doctrine that the holy church has always cherished and observed. The said prelates, moreover, accepted this faith and doctrine with much veneration in a great public assembly of different peoples living in that realm, which was held in the metropolitan church of St Sophia.

After that, the Chaldeans sent to us the aforesaid metropolitan Timothy, and Bishop Elias of the Maronites sent an envoy, to make to us a solemn profession of the faith of the Roman church, which by the providence of the Lord and the aid of blessed Peter and the apostle has always remained immaculate. Timothy, the metropolitan, reverently and devoutly professed this faith and doctrine to us, in this sacred general congregation of the ecumenical Lateran council, first in his own Chaldean tongue, which was interpreted in Greek and then translated from Greek into Latin, as follows: I, Timothy, archbishop of Tarsus and metropolitan of the Chaldeans who are in Cyprus, on behalf of myself and all my peoples in Cyprus, profess, vow and promise to almighty God, Father and Son and holy Spirit, and then to you, most holy and blessed father pope Eugenius IV, to this holy apostolic see and to this holy and venerable congregation, that henceforth I will always remain under the obedience of you and your successors and of the holy Roman church as under the unique mother and head of all other churches. Also, in future I will always hold and profess that the holy Spirit proceeds from the Father and the Son, as the holy Roman church teaches and holds. Also, in future I will always hold and approve two natures, two wills, one hypostasis and two principles of action in Christ.

Also, in future I will always confess and approve all seven sacraments of the Roman church, just as she holds, teaches and preaches.

Also, in future I will never add oil in the sacred Eucharist.

Also, in future I will always hold, confess, preach and teach whatever the holy Roman church holds, confesses, teaches and preaches and I reject, anathematize and condemn whatever she rejects, anathematizes and condemns; in future I will always reject, anathematize and condemn especially the impieties and blasphemies of the most wicked heresiarch Nestorius and every other heresy raising its head against this holy catholic and apostolic church.

This is the faith, holy father, that I vow and promise to hold and observe and to see that it is held and observed by all my subjects. I engage myself and solemnly promise to deprive of all his goods and benefices, to excommunicate and to denounce as heretical and condemned, whoever rejects it and raises himself up against it and, if he is obstinate, to degrade him and to hand him over to the secular arm.

Then our beloved son in Christ Isaac, envoy of our venerable brother Elias, bishop of the Maronites, on his behalf and in his name, rejecting the heresy of Macarius about one will in Christ, made with great veneration a profession that was similar in all details.

For the devotion of these professions and for the salvation of so many souls we offer immense thanks to God and our lord Jesus Christ, who is in our times so greatly enlarging the faith and bestowing benefits on so many Christian peoples. We receive and approve these professions; we receive into the bosom of holy mother church the metropolitan and the bishop in Cyprus and their subjects; and while they remain in the aforesaid faith, obedience and devotion, we honour them with the following favours and privileges.

First, nobody shall in future dare to call the said metropolitan of the Chaldeans and the said bishop of the Maronites, or their clerics and peoples or any individual among them, heretics, or to call Chaldeans, Nestorians. If anyone despises this ordinance, we order him to be excommunicated until such time as he offers a worthy satisfaction or has been punished, in the judgment of the ordinary, by some other temporal penalty.

Also, the said metropolitan and bishop and their successors are forthwith to be preferred in each and every honour to bishops who are separated from the communion of the holy Roman church.

Also, in future they can lay censures on their subjects, and those whom they rightly excommunicate in future shall be held by all as excommunicated, and those whom they absolve shall be held by all as absolved.

Also, the said prelates and priests and their clerics can freely celebrate divine services in the churches of Catholics, and Catholics can freely celebrate them in their churches.

Also, in future the said prelates and clerics and their lay men and women, who have accepted this union and faith, can choose to be buried in the

churches of Catholics, to contract marriages with Catholics, but in the rite of Latin Catholics, and to enjoy and utilize all benefits, immunities and liberties which other Catholics, both lay and clerical, possess and enjoy in the said realm. Let nobody therefore . . . If anyone however . . .

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

1. "Mysterium Fidei" - found in the original Latin. Denzinger 1290 section 1352 on the Congregation for the Clergy of the Holy See website. Not included in the Tanner translation.

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