THE CANONS OF THE THIRD LATERAN COUNCIL OF 1179

Alexander III’s 1179 Lateran Council was, for medieval contemporaries, the first of the great papal councils of the central Middle Ages. Gathered to demonstrate the renewed unity of the Latin Church, it brought together hundreds of bishops and other ecclesiastical dignitaries to discuss and debate the laws and problems that faced that church. In this evaluation of the 1179 conciliar decrees, Danica Summerlin demonstrates how these decrees, often characterized as widespread and effective ecclesiastical legislation, emerged from local disputes which were then subjected to a period of sifting and gradual integration into the local and scholarly consciousness, in exactly the same way as other contemporary legal texts. Rather than papal mandates that were automatically observed as a result of their inherent papal authority, therefore, Summerlin reveals how the conciliar decrees should be viewed as representative of contemporary discussions between the papacy, their representatives and local bishops, clerics, and scholars.

Danica Summerlin is Lecturer in Medieval History at the University of Sheffield, where her research focuses on the role of canon law in government and society in the central Middle Ages. She is one of three leaders of an international project revamping the Clavis canonum, a key database for the study of medieval canonical collections available online via the Monumenta Germaniae Historica. She is the co-editor of The Use of Canon Law in Ecclesiastical Administration, 1000–1234 (2018) with Melodie H. Eichbauer.
The series Cambridge Studies in Medieval Life and Thought was inaugurated by G. G. Coulton in 1921; Professor Rosamond McKitterick now acts as General Editor of the Fourth Series, with Dr Christopher Briggs, Professor Adam J. Kosto, Professor Alice Rio, and Dr Magnus Ryan as Advisory Editors. The series brings together outstanding work by medieval scholars over a wide range of human endeavour extending from political economy to the history of ideas.

This is book 116 in the series, and a full list of titles in the series can be found at: www.cambridge.org/medievallifeandthought
THE CANONS OF THE THIRD
LATERAN COUNCIL OF 1179

Their Origins and Reception

DANICA SUMMERLIN
University of Sheffield
For my parents, with grateful thanks
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ACKNOWLEDGEMENTS

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This book is based on my PhD thesis, initially written at Cambridge University Library and refined over six years as a postdoc and junior lecturer in three cities across two countries. Neither thesis nor book would have been completed without the Stephan Kuttner Institute, then in Munich and now in Yale, and particularly without Jörg Müller and the microfilms in the Institute’s care. At UCL, David D’Avray provided more opportunities to discuss medieval canon law than I could have dreamt possible. Elsewhere, I benefitted from the generosity of the librarians at the Fitzwilliam Museum and St John’s College, Cambridge; New, Oriel and Corpus Christi Colleges, Oxford; the Durham, Lincoln, Worcester, and Hereford Cathedral Libraries; the Bibliothèque royale de Belgique; the Biblioteca Medicea Laurenziana, Biblioteca Nazionale Centrale, and Biblioteca Riccardiana in Florence; the Biblioteca Apostolica Vaticana; the Bayerische Staatsbibliothek; the Monumenta Germaniae Historica; the Universitätsbibliotheken in Darmstadt, Innsbruck, and Leipzig; the Staatsbibliotheken in Bamberg and Berlin; the Biblioteca della Basilica di Sant’Ambrogio, Milan; the Bibliothèque nationale de France; the Bodleian Library; and the British Library. These libraries have made this work possible.
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Acknowledgements

Berlin, and Munich, but in the face of such potentially baffling terminology their constant and unquenchable support means more than I can say. Incredibly, they have mostly refrained from asking me when this book will be finished, so in answer to that unasked question: it is now. Thanks both; you’re brilliant.
ABBREVIATIONS


AHC Annuarioium historiae conciliorum

AHP Archivium historiae pontificiae

AKKR Archiv für katholisches Kirchenrecht

BAV Biblioteca Apostolica Vaticana

BL British Library

BM Bibliothèque municipale

BMCL Bulletin of Medieval Canon Law, new series

BML Biblioteca Medicea Laurenziana

BN Bibliothèque nationale, Biblioteca nacional, etc.

BSB Bayerische Staatsbibliothek

c., cc. canon(s), chapter(s), etc.

CCCM Corpus Christianorum Continuatio Medievalis

COD3 G. Alberigo et al., Conciliorum oecumenicorum decreta (Bologna, 1973)


COGD Conciliorum Oecumenicorum Generaliumque Decreta, ed. A. Melloni et al. (3 vols, Turnhout, 2007–13)

Councils & Synods Councils & Synods, With Other Documents Relating to the English Church, Volume 1 to 1205, ed. D. Whitelock, C. N. L. Brooke, and M. Brett (Oxford, 1981); Volume 2, 1205–1313, ed. F. M.
List of Abbreviations

Powicke and C. R. Cheney (Oxford, 1964)

DA Deutsches Archiv

DDC Dictionnaire du droit canonique, ed. R. Naz
(7 vols, Paris, 1935–65)


Decretum Decretum magister Gratiani, ed. E. Friedberg, Corpus Iuris Canonici, 1
(2 vols, Leipzig, 1879)

D. Distinctio
C., q., c. Causa, questio, capitulum
d.a.c. dictum ante capitulum
d.p.c. dictum post capitulum

EEA English Episcopal Acta

EHR English Historical Review

frag. fragment of a conciliar canon, decretal, or similar


HMCL W. Hartmann and K. Pennington (eds.), The History of Medieval Canon Law in the Classical Period, 1140–1234. From Gratian to the Decretals of Pope Gregory IX
(Washington, DC, 2008)

Holtzmann-Cheney Walther Holtzmann, Studies in the Collections of Twelfth Century Decretals From the Papers of the Late Walther Holtzmann, ed. and rev. C. R. Cheney and M. G. Cheney, MIC, B, 3 (Vatican City, 1979)


Howden, Gesta Roger of Howden, Gesta, ed. W. Stubbs, Gesta Regis Henrici Secundi Benedicti Abbatis, Rolls Series, 49 (2 vols, London, 1867)

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List of Abbreviations


JEH  Journal of Ecclesiastical History


MGH  Monumenta Germaniae Historica

SS. rer. Germ.  Scriptores rerum Germanicarum in usum scholarum separatum editi

MIC  Monumenta Iuris Canonici

A Series A: Corpus Glossatorum
B Series B: Corpus Collectionum
C Series C: Subsidia

MIÖG, [Erg. Band]  Mitteilungen des Institut für österreichisches Geschichtsforschung, [Ergänzungen Band]


Proceedings . . .


Berkeley  S. Kuttner and K. Pennington (eds.), Proceedings of the Sixth International Congress of Medieval Canon Law: Berkeley,

xiv
List of Abbreviations

California, MIC, C, 7 (Vatican City, 1985)

Cambridge

San Diego

Munich

Syracuse

Catania

Washington

Esztergom

Toronto II

QF
Quellen und Forschungen aus Italienischen Archiven und Bibliotheken

RDC
Revue de droit canonique

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<table>
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<tr>
<th>Abbreviation</th>
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<tr>
<td>RHD</td>
<td><em>Revue historique de droit français et étranger</em></td>
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<tr>
<td>RHE</td>
<td><em>Revue d’histoire ecclésiastique</em></td>
</tr>
<tr>
<td>RIDC</td>
<td><em>Rivista internazionale di diritto comune</em></td>
</tr>
<tr>
<td>SB Wien, Phil.-hist. Kl.</td>
<td><em>Sitzungsberichte der kaiserlichen Akademie der Wissenschaften, Wien, Philosophisch-historische Klasse</em></td>
</tr>
<tr>
<td>SCH</td>
<td><em>Studies in Church History</em></td>
</tr>
<tr>
<td>Schulte, Quellen und Literatur</td>
<td>J.-F. von Schulte, <em>Die Geschichte der Quellen und Literatur des canonischen Rechts von Gratian bis auf die Gegenwart</em> (2 vols, Stuttgart, 1875)</td>
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<td>WH</td>
<td>Walther-Holtzmann Nummer; see p. xxii</td>
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### Abbreviations Used in Letter Citations

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<tr>
<td>Aguirre</td>
<td><em>Collectio maxima conciliorum omnium Hispaniae et novi orbis</em>, ed. J. S. de Aguirre (6 vols, 1753–50)</td>
</tr>
<tr>
<td>Colliete</td>
<td><em>Mémoires pour servir à l’histoire ecclésiastique, civile et militaire de la province de Vermundois</em>, ed. L.-P. Colliete (3 vols, Cambrai, 1771–3)</td>
</tr>
<tr>
<td>Ineditae</td>
<td><em>Decretales ineditae sæculi XII. From the Papers of the Late Walther Holtzmann</em>, ed. S. Chodorow and C. Duggan, MIC, B, 4 (Vatican City, 1982)</td>
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<tr>
<td><strong>Martène-Durand</strong></td>
<td>E. Martène and U. Durand (ed.), <em>Veterum scriptorum et monumentorum historicorum dogmaticorum moralium, amplissima collectio</em> (9 vols, Paris, 1724–33)</td>
</tr>
<tr>
<td><strong>MHH</strong></td>
<td><em>Monumenta Hungariae Historica, Diplomata</em> (72 vols, Pest, 1872–)</td>
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List of Abbreviations

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<tr>
<td>Sirmond, Opera</td>
<td><em>Jacobi Sirmondi soc. Jesu presbyteri, Opera Varia</em> (5 vols, Venice, 1728)</td>
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Decretal Collections

1 Abr. *Abrincensis I*, analysed by Heinrich Singer, Neue Beiträge über die Dekretalsammlungen vor und nach Bernhard von Pavia, SB Wien, Phil.-hist. Kl., 171 (Vienna, 1913), pp. 355–400

1 Alcob. *Alcobacensis I*, analysed in Holtzmann-Cheney, pp. 16–25

Ambros. *Ambrosiana*, analysed in Holtzmann-Cheney, pp. 37–42

App. *Appendix Concilii Lateranensis*, printed in Mansi, 22,248–453


Bridl. *Bridlingtonensis*, no analysis; Oxford, Bodleian Library, Bodley 357, fols 80r–133v

Brug. *Brugensis*, analysed by E. Friedberg, *Die Canones-sammlungen zwischen Gratian und Bernhard von Pavia* (Leipzig, 1897), pp. 140–70


List of Abbreviations


1 Comp. Brevisarium Extravagantium, analysed in E. Friedberg, ed., Quinque Compilationes Antiquae necnon Collectio Lipsiensis (Leipzig, 1882), pp. 1–65

2 Comp. Compilatio Secunda, analysed in Friedberg, ed., Quinque Compilationes, pp. 66–104

3 Comp. Compilatio Tertia, analysed in Friedberg, ed., Quinque Compilationes, pp. 105–34

Cott. Cottoniana, no analysis; London, BL, Cotton Vitellius E.xiii, fols 204–88

Cus. Cusana, summary analysis in Holtzmann–Cheney, pp. 70–4


Duac. Duacenae, no analysis; Douai, Bibliothèque de la ville 590, fols 1r–2v, 247r–248v

1, 2 Dun. Dunelmensis I, the first and second sections thereof, analysed in Holtzmann–Cheney, pp. 80–99


Flor. Florianensis, summary analysis in Holtzmann–Cheney, pp. 48–61


Lips. Lipsiensis I, analysed in Friedberg, Quinque Compilationes, pp. 189–208

1 Par. Parisiensis I, analysed in Friedberg, ed., Canones-Sammlungen, pp. 52–63

2 Par. Parisiensis II, analysed in Friedberg, ed., Canones-Sammlungen, pp. 32–45

Pet. Petrihusensis; no analysis, various manuscripts

Rem. Remensis, analysed in Holtzmann–Cheney, pp. 280–3

Roff. Roffensis; analysed by C. Duggan, Twelfth-Century Decretal Collections, 173–87

1 Rot. Rotomagensis I, analysed in Holtzmann–Cheney, pp. 169–207

Sang. Sangermanensis, analysed in Singer, Neue Beiträge, pp. 117–354

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<th>Abbreviation</th>
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<tr>
<td>1 Vict</td>
<td>Victorina I, summary analysis in Holtzmann–Cheney, pp. 31–4</td>
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<tr>
<td>X</td>
<td>Gregory IX, Decretales, ed. E. Friedberg in Corpus Iuris Canonici (2 vols, Leipzig 1879–81), 2.1–928</td>
</tr>
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</table>

### Summae

- **Honorius, Summa**

- **Huguccio, Summa**

- **Pauicapalea, Summa**
  - *Die Summa des Pauicapalea über das Decretum Gratiani*, ed. J.-F. von Schulte (Giessen, 1890)

- **Rolandus, Summa**
  - *Die Summa Magistri Rolandi*, ed. F. Thaner (Innsbruck, 1874)

- **Rufinus, Summa**
  - *Die Summa decretorum des Magister Rufinus*, ed. H. Singer (Paderborn, 1902)

- **Simon of Bisignano, Summa**
  - *Summa decretorum Simonis Bisinianensis*, ed. P. V. Aimone-Braida MIC, A, 8 (Vatican City, 2014)

- **Stephen of Tournai, Summa**

- **Summa Lipsiensis**
  - *Summa Omnis qui iuste iudicat sive Lipsiensis*, ed. R. Weigand, P. Landau, and W. Kozur with S. Haering, K.
### List of Abbreviations

*Summa Monacensis*
Miethaner-Vent, and M. Petzolt, MIC, A. 7 (2 vols, Vatican City, 2007–10)
Munich, Staatsbibliothek, clm 16084, fols 1–9, 11–16, 18–27

*Summa Parisiensis*
*The Summa Parisiensis on the Decretum Gratiani*, ed. T. McLaughlin (Toronto, 1952)
A major source for this study is the so-called ‘Walther-Holtzmann Kartei’, a card file created by Walther Holtzmann including all papal letters from ca. 1148–98 that he considered to be decretals. A typed copy of the card file has been made freely available by the Stephan Kuttner Institute of Medieval Canon Law in Munich, at http://www.lrz.de/~SKIMCL/ under the title ‘Walther Holtzmann Kartei’. The Kartei are numbered 1–1090 and are broadly alphabetical according to incipit. Additional decretals of which Holtzmann was unaware have been added since custody of the Kartei passed to the Institute, and inserted into the sequence as appropriate.

Decretals are referred to consistently throughout this book by their Walther Holtzmann Number, in place of the Jaffé-Loewenfeld (JL) numbering. Letters not included in the decretal collections are still denoted according to their JL number, unless they were not calendared in the second edition. Although a project to revise JL is underway, at the time of writing, J3 had not advanced enough in the twelfth century to permit its use for those letters. See also the note on citation styles below.
NOTE ON CITATION STYLES

The Decretum, the Liber Extra, and the Quinque Compilationes Antiquae are cited as in James Brundage, Medieval Canon Law (London, 1994), pp. 190–7.

Papal letters are cited first by their numbering in the Walther Holtzmann Kartei (WH), followed by the relevant Jaffé-Loewenfeld (JL) number, and ending with reference to the printed edition or, if unpublished, the manuscript from which a reading was taken. For example, WH 192, Consultit nos of Alexander III to the bishop of Winchester, is JL 14136 and was published by Friedberg as i Comp. 4.1.3, making the reference WH 192:JL 14136 = i Comp. 4.1.3. Sections of decretals, where they are dissected in collections, are identified by letter. WH 649a, for example, refers to the first ‘section’ of Meminimus nos. Where a letter is included in the Kartei but was not part of Holtzmann’s original numbering, it is noted by an asterisk, and the published version referenced as before.

Letters found in the English Episcopal Acta and Papsturkunden series will be cited by volume, number, and page. Letters found in the Italia pontificia will be cited by volume, page, and number. Other multivolume works are cited by volume and page or column (e.g. the Council of Tours is Mansi, 21.1177–9, while D. 20 of the Summa Lipsiensis is 1.61–3). A full list of the abbreviations used is found above. Quotations from summae and glosses, published or unpublished, are modelled on the standardised format as used in Rudolf Weigand, Die Glossen des Dekret Gratians.

Wherever practicable, names and terms have been Anglicised, except where best expressed in their original language (e.g. Dekretanhänge for the variety of collections that are added to Gratian’s Decretum). The Bible was used in the Vulgate, and translations are based on a modernised version of the King James Bible.

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