

Papal Bull

CUM EX APOSTOLATUS OFFICIO

Promulgated February 15, 1559

by

POPE PAUL IV (23 May 1555 – 18 August 59)

(Gian Pietro Carafa)

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*(The renewal of whatever judgments and punishments promulgated against heretics and schismatics in whatever manner whatsoever; and the imposition of other punishments on prelates and princes of whatever degree and dignity who are guilty of heretical or schismatic perversity. )*

Paul, Bishop, servant of the servants of God, for a perpetual remembrance hereof.

Since the duty of the Apostolic Office has been divinely entrusted to Us, although We are unworthy of it, the general care of the flock of the Lord is upon Us, and thence, for the sake of the faithful custody and healthy direction of it, in the manner of a vigilant pastor, to carefully watch and attentively provide so that those who in this age, sins demanding, relying upon their own prudence, rise up against the discipline of the orthodox faith, more knowledgeably and perniciously than usual, and by perverting the meaning of the Sacred Scriptures with superstitions and false innovations, contrive to tear the unity of the Catholic Church and the seamless robe of the Lord asunder, must be thrown out of the sheepfold of Christ, lest they continue a magisterium of error, who despise to be disciples of the truth.

1. We, considering these same things to be very grave and dangerous, that the Roman Pontiff, who rules the offices of God and our Lord Jesus Christ on earth and who holds the fullness of power over kingdoms and kings, and who judges all, and by no one at this time is judged, must, if found deviating from the Faith, be confuted, and that, where the greater the danger is intended, there it must be more fully and diligently reflected, lest pseudo prophets and others even having secular jurisdiction should wretchedly entrap simple souls and thereby drag innumerable peoples who are committed to their care and rule in spiritual and temporal matters with them into perdition and the ruin of eternal damnation, nor at some time should the abomination of desolation, which was spoken by Daniel the prophet as he was standing in the holy place, reach Us; desiring, as much as possible with God to do what We can, for the sake of Our Pastoral duty, to seize the foxes, who sow destruction in the vineyard of the Lord, and to keep the wolves at a distance from the sheepfold, lest We seem mute dogs, unable to bark, and be destroyed with the evil farmer or like the hireling.

2. We reviewed these things with mature deliberation with Our venerable brethren the cardinals of the holy Roman Church and who after their consultation and unanimous consent, all and each and any other sentences, censures and penalties of excommunication, of suspension and of prohibition and privation, by any Roman Pontiff, Our predecessors or by any held in place of such, also through letters having gone abroad, or by the holy Councils accepted by the Church of God, or by decrees and statutes of the Holy Fathers, or by the sacred canons and Apostolic Constitutions and ordinances against heretics or schismatics in whatever matter borne and promulgated, with Apostolic Authority, We approve of and renew with the fullest vigor that they may be uninterruptedly observed and to be filled with new vigor if perhaps they lack any vigor; and indeed whosoever who has deviated at all from the Catholic Faith or who has fallen into some heresy or has incurred or has incited or committed schism will, upon being caught or confessed or convicted or (may God in His mercy and goodness deign to avert this) will deviate at any time in the future or who will fall into heresy or who will incur or incite or commit schism at any time in the future, and who will at any time in the future have deviated or fallen into or have incurred or incited or committed or will be caught or will confess or will be convicted, of whatever state, degree, order, condition and preeminence, even if they be with episcopal, archepiscopal, patriarchal, primatial or other major ecclesiastical dignity or the honor of cardinalate and anywhere of the places of the Apostolic See, both perpetual and temporal, with the office of legate or secular, even though they may be distinguished with the authority of excellence of a count, baron, earl, duke, king or emperor and We will and determine that anyone whosoever of them to incur the aforesaid sentences, censures and penalties.

3. And nonetheless, considering it to be worthy that those who for the love of virtue do not abstain from evils, by fear of penalties may be deterred from them and that bishops, archbishops, patriarchs, primates, cardinals, legates, counts, barons, earls, dukes, kings and emperors, who teach others and who must be, by good example to them, so that they may keep them in the Catholic Faith, by double dealing, sin more gravely than others, since they not only lose themselves, but also drag with them into perdition and into the pit of destruction innumerable other souls, entrusted to their care and rule or others subject to them, with the counsel and assent concerning similar things, with this Our Constitution to be valid in perpetuity, in hatred of so great a crime, that which none in the Church of God could be greater or more evil, from the fullness of Our Apostolic Power, We decree, establish, determine and appoint that, with the aforesaid sentences, censures, and penalties remaining in their full strength and efficacy, and receiving its effect, all and each bishops, archbishops, patriarchs, primates, cardinals, legates, counts, barons, earls, dukes, kings and emperors, who so far as is brought to light, have deviated or fallen into heresy, or incurred, excited or committed schism will have been caught, or will have confessed, or will have been convicted, and who in the future will deviate or fall into heresy or incur or excite or commit schism and have deviated or fallen or excited or committed schism either having committed, being caught, or confessing or are convicted, since in this those that are more inexcusable than others are delivered, beyond the sentences, censures and penalties already mentioned, may they also by the very fact itself of commission, be without any office of law or of deed, authority, and cathedrals, even of metropolitans, patriarchs and primates and the honor of cardinalate and the function of any legate, and indeed active and passive voice and every authority and monasteries, benefices, and ecclesiastical offices, with care and without care, seculars and regulars of whatsoever order, which, from whatever concessions and Apostolic dispensations, in title, in benefice and administration or others in whatsoever matter they will have obtained and in which they may have some right, and indeed with any fruits, compensation and revenue reserved and assigned to them, and also deprived completely and totally of counties, baronies, earldoms, duchies, kingdoms, and power, and with respect to those things concerning the rest unfit and incapable, and that they must be held as lapsed and subversives among all and through all things, just as if they had abjured publicly previously the heresy in this manner in a trial; nor ever at any time can they be reestablished, replaced, requisitioned or rehabilitated to their earlier state or cathedrals, to churches of metropolitans, of patriarchs, and of primates or to the cardinalate or to other honors or to as great as you please other major or minor dignity or to active or passive voice, or to authority, or to monasteries and to benefices or to counties to baronies, to earldoms, duchies, kingdoms, and empire; nay, rather may they be left to the judgment of the secular power, to be punished by due punishment, unless there do appear in them the signs of true repentance and the fruits of very worthy repentance and from the mildness and clemency of this very See, they will have been thrust back to a complete perpetual penance in some monastery or other regular place in the bread of grief and the water of sadness, Whereas, as such, by everyone existing in whatsoever state, degree, order, condition and preeminence, and strong in any office even of a bishop, of an archbishop or a patriarch and a primate or greater ecclesiastical office and also with the honor of a cardinalate or secular authority and excellence even of a count, a baron, a duke, a king or emperor, they must be held, tested and reputed and, as such, must be avoided and deprived of every human solace.

4. And whosoever will have pretended to have the right of patronage or of nominating suitable persons to

cathedrals, even to churches of metropolitans, and of patriarchs and of primates or to monasteries or other ecclesiastical benefices, through privation by a vacancy of this kind, in order that they might not expose those places to the inconveniences of a long vacancy, but, snatched from the slavery of heretics, they may be granted to suitable persons who must direct the people of those places faithfully in the narrow path of justice, must be held, for the churches, monasteries, and benefices of this kind to present other suitable persons at that time, by law or from their agreements or compacts with the aforementioned see, established by Us or the then existing Roman Pontiff at that time, otherwise, the time of such a vacancy continuing, the full and free disposition of the churches, monasteries, and aforementioned benefices devolve upon Us or the aforementioned Roman Pontiff by that very fact with full right.

5. And in addition, those who knowingly in whatsoever manner presume to harbor or defend or to support or to believe in or to teach the doctrines of those thus seized or confessed or convicted, incur the sentence of excommunication by that very fact, are made infamous, nor are they to be admitted, nor could they be admitted neither by voice, by person, by writings, nor by a messenger or by some agent to public or private functions or to council or synod, general or provincial, nor to a conclave of cardinals or some congregation of the faithful or election of someone or to bring forward testimony; they are moreover disqualified from being witnesses, nor are they eligible to receive an inheritance; no one, moreover, is to be compelled to answer them concerning some business. If, by chance, they were judges, their opinions possess no force, nor can any of their cases be brought to them for a hearing; and if they will have been lawyers, their actions in court can in no way be accepted; if, indeed, they were recorders (clerks), the public records made through their work is totally without any power and moment. And in addition the clerics for each and all churches, even for cathedrals, for the churches of metropolitans, of patriarchs, and of primates and for dignities, monasteries, benefices, and ecclesiastical functions, even as shown, qualified, obtained in some manner through them, and both these and the lay persons, even, as shown qualified and furnished with the mentioned dignities, with whatever kingdoms, duchies, powers, fiefs, and temporal goods possessed through them are deprived of them by that very fact; the kingdoms, duchies, powers, fiefs and goods of this kind are to be confiscated and of that confiscated must be made of proper use, who first occupied them, if they will have been in sincerity of faith and in unity of the holy Roman Church, and under Our obedience and that of Our Roman Pontiffs who succeed Us properly.

6. Adding that if at any time it will be found that some bishop, even conducting himself as an archbishop or patriarch or already mentioned cardinal of the Roman Church, even, as shown, a legate, or even a Roman Pontiff, before his promotion or assumption as cardinal or as Roman Pontiff had deviated from the Catholic Faith or fallen into some heresy, before his promotion or assumption as Cardinal or as Roman Pontiff, that promotion or assumption concerning him, even if made in concord and from the unanimous assent of all the cardinals, is null, void and worthless; not by the reception of consecration, not by the ensuing possession of the office and administration, or as if, either the enthronement or homage of the Roman Pontiff, or the obedience given to him by all, and the length of whatever time in the future, can be said to have recovered power or to be able to recover power, nor can (the assumption or promotion) be considered as legitimate in any part of it, and for those who are promoted as bishops or archbishops or patriarchs or assumed as primates, or as cardinals or even as Roman Pontiff, no faculty of administration in spiritual or temporal matters may be thought to have been attributed or to attribute, but may all things and each thing in any way said, done, effected and administered and then followed up in any way through them lack power and they are not able to attribute any further power nor right to anyone; and they themselves who are thus promoted and assumed by that very fact, without any further declaration to be made, are deprived of every dignity, place, honor, title, authority, function and power; and yet it is permitted to all and each so promoted and assumed, if they have not deviated from the Faith before nor have been heretics, nor have incurred or excited or committed schism.

7. It is fit to subject persons, both to secular priests and to priests that are members of a religious order as well as to laymen and also to cardinals, even to those who by the election of this pontiff formerly deviated from the Faith or who will have been heretics or schismatics in the interim, or who will have conspired with others and will have manifested obedience to him, and will have honored him, and to the garrison of a fortress, to the prefects, to the captains and officers, even to Our nourishing city and to the entire ecclesiastical state, even to those thus promoted or assumed by homage or bound or exposed to punishment by oath or by bond, to retire with impunity at anytime from obedience and devotion of those thus promoted or assumed and to avoid them as warlocks, heathens, publicans, and heresiarchs; it is fit that to the same persons subjected by faith and obedience to future bishops, archbishops, patriarchs, primates, cardinals, and the Roman Pontiff, who enters canonically, nevertheless, to those remaining bound together, and, for the greater confusion of those thus promoted and assumed, if they will have

wished to continue their rule and administration, to implore the help of the secular arm against those thus promoted and assumed; nor can they be subject to the punishment of any censures or penalties on account of the fact that they retreat from fidelity and obedience of those thus promoted and assumed, by the opportunity of those sent on before, as if tearers of the tunic of the Lord.

8. Notwithstanding apostolic regulations and arguments and indeed privileges, indulges, and apostolic letters to the same bishops, to archbishops, to patriarchs, to primates, and to cardinals and to those others, under whatever courses and forms and with whatever conclusions and decrees, even by a *motu proprio* and from certain knowledge and from the fullness of apostolic power, either even from a consistory or at another time in whatever manner from things granted and also approved and renewed by repeated vicissitudes, and even from things enclosed in the body of laws and indeed in whatsoever chapters of a conclave, be even by apostolic oath and confirmation or strengthened by whatsoever other stability and sworn by We Ourselves. By these words We at least specifically and expressly repeal all those things whose tenors are in proportion to the present things expressed and all of the other contrary things whatever.

9. Moreover, in order that the present letter be read to the knowledge of all those whom it concerns, We desire that it or a copy (to which, written underneath with the hand of the public notary and furnished with the seal of some person constituted in ecclesiastical dignity, We determine that full faith is to be shown thereto) be published and posted on the doors of the basilica of the Prince of the Apostles and of the Apostolic Chancery and on the edge of the Campo Flora by some of our runners and that a posted copy of it be left, and that the publication, posting and the notification of the posted copy in this manner suffice and be held as solemn and lawful, nor that another publication be obliged to be required or respected.

10. Therefore, it is permitted to no one to impair this page of Our approval, renewal, sanction, statute, wills of repeal, of decrees, or to go contrary to it by a rash daring deed. If anyone moreover will have presumed to attempt this, he will incur the wrath of almighty God and of the blessed Apostles Peter and Paul.

Given in Rome, at St. Peter's in the year of the Incarnation of the Lord 1559, the fifteenth day of February, in the fourth year of Our Pontificate.