

# Bullarium Diplomatum et Privilegiorum Sanctorum Romanorum Pontificum (*Bullarium of Diplomas and Privileges of the Holy Roman Pontiffs*)

by Pope Martin V, 1418

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## Inter Cunctus

### SUMMARY

**Condemnation of the errors of John Wycliffe, John Huss, Jerome of Prague, and others who hold erroneous views concerning the sacraments of the Church, as well as their accomplices and supporters: and the procedure for examining those suspected of heresy**<sup>1</sup>.

Preface. — 1. He laments the negligence of bishops which allowed new heresies to be disseminated by Wycliffe, John Huss, and Jerome of Prague. — 2. The Council of Constance therefore segregated them from the assembly of the faithful: — 3. But some of their followers continued reading their books and defending their heresies: — 4. Pope Martin commands the prelates of the Churches to hand over these same individuals, judged as heretics, to the secular Court for punishment: 5. They should restrain those who harbor them: — 6. With the obstinate, after prior warnings, they should deal severely; — 7. And admonish all princes to expel them from their domains. — 8. He wishes heretics to be deprived of ecclesiastical burial, and their goods to be confiscated. — 9. Concerning those suspected [of heresy]. — 10. The constitution of Boniface VIII in chapter 18, *De hæret.* [On heresy], is renewed. — 11. He prescribes the form of interrogatories to be made to those suspected of heresy and those with ill reputation. — 12. The content of the articles of John Wycliffe. — 13. The content of the articles of John Huss. — 14. The content of the

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<sup>1</sup> {org. 1} We have previously seen Wycliffe condemned by John XXIII in the Constitution of the same Pontiff, page 661.

interrogatories according to which heretics or those suspected of heresy ought to be interrogated. — 15. Concerning the procedure against those defamed or suspected of heresy. — 16. Concerning the publication of this constitution: and the denunciation as excommunicated of such heretics, etc. those defending them, etc. — 17. Concerning the penalties against those holding, teaching, etc. such errors. — Concerning the manner of abjuration. — 18. Anything to the contrary is derogated.

**Martin, bishop, servant of the servants of God, to the venerable brothers, archbishops, bishops, and inquisitors of heretical depravity appointed everywhere, to whom these present letters may come, greetings and apostolic benediction.**

*Preface.*

Among all the concerns of pastoral care by which we are unceasingly burdened, this one particularly distresses us most forcefully: that with heretics driven from the territories of Christians, and their false doctrines and perverse errors thoroughly extirpated—as far as is granted to us from on high—the orthodox and Catholic faith may remain whole and unblemished, and the Christian people may persist immovable and inviolate in the sincerity of the same faith, with every veil of obscurity removed.

*He deplores the negligence of bishops in allowing new heresies to be disseminated by Wycliffe, John Huss, and Jerome of Prague.*

§ 1. Indeed, a while ago, more than in all previous times, in certain regions and domains, especially in the Kingdom of Bohemia and the Margraviate of Moravia and places and districts adjacent to them, there rose up against the dogmas of the Catholic faith certain heresiarchs, vagabonds, schismatics, and seditious persons, carried away by Luciferian pride and wolfish rage, deluded by the frauds of demons, coming together in the same vanity (although they originated from different parts of the world) and having their tails bound together—namely, John Wycliffe of England, Jan Hus of Bohemia, and Jerome of Prague, all of damned memory, who would that they had not drawn others with them to the destruction of infidelity. For when such pestilent persons were persistently sowing perverse dogmas, at the beginning of their pestiferous doctrine, the prelates and others exercising the authority of judicial power, like mute dogs unable to bark, and not avenging with the Apostle every disobedient person, neglected to restrain canonically these pestiferous and deceitful heresiarchs with their savage wolfish rage immediately, as they were obligated to do, and to cast them bodily from the house of the Lord, but through lengthy delays they negligently allowed their sacrilegious, false, and pernicious doctrine to grow strong: the multitude of peoples, deceived by their false opinions, accepted as true what they had long mendaciously, perniciously, and damnably sown, and by believing them, a great crowd fell from the right faith and was involved, alas! in the deviant error of the pagans, to such an extent that, throughout various regions of those parts and neighboring areas, these heresiarchs successively infected the Catholic sheep of Christ, and caused them to putrefy in the filth of lies.

*And thus the Council of Constance segregated them from the assembly of the faithful*

§ 2. Wherefore the general Council of Constance, beholding such a grievous wound and ruin inflicted upon the faithful and orthodox faith, was compelled to cry out with Augustine: “What shall the medicine of the Church do, seeking with maternal charity the salvation of all, laboring as it were among the frenzied and the lethargic? Should it neglect them, should it cease its efforts, or is it able to do so?” Certainly not, according to the same authority; rather it must necessarily be troublesome to both, though hostile to neither. For the physician is troublesome to the raging madman, and the father to the undisciplined son—the former by restraining, the latter by chastising—but both act out of love. But if they neglect them and permit them to perish, says Augustine, “such false gentleness is rather cruelty.” Therefore the aforementioned synod, for the glory of Almighty God and for the preservation and increase of the Catholic faith and Christian religion, and for the salvation and protection of souls, corporally cast out from the house of God John Wycliffe, John Huss, and Jerome [of Prague], who, among other things, pertinaciously attempted to believe, hold, preach, and teach many rash and damnable things concerning the holy sacrament of the Eucharist and other sacraments of the Church and articles of faith, differently from what the holy Roman Church believes, holds, preaches, and teaches. The synod declared them to be heretics, pertinacious and obstinate, already separated from the communion of the faithful and spiritually cast out. And it established and decreed certain other useful and salutary measures concerning the aforementioned matters, by which others who, on account of these heresiarchs and their false doctrines, had spiritually departed from the house of God, might be led back to the paths of truth through canonical ways.

*But as some of their rectors read their books and defend heresies*

§ 3. And because, as we have received with sorrow, not only in the kingdom of Bohemia and the aforementioned dominions, marquisates, and places, but also in certain contiguous or neighboring regions and provinces, even some of the sectarians and followers of the heresies and errors of the aforementioned heresiarchs, having utterly cast aside divine fear and human shame, and not drawing the fruit of conversion and penance from their miserable death, especially that of John Huss and Jerome, but as though pressed down into the depths of sins, do not cease to blaspheme the Lord God, bringing His name to nothing, whose minds the father of lies has so damnably blinded that they read, study, and from the aforementioned books, codices, and pamphlets—containing heresies and errors long since condemned by the aforementioned synod and assigned to be burned by fire and so burned—presume to dogmatize, to their own peril and that of many simple people, not only against the statutes, decrees, and ordinances established in the aforementioned synod, but also against canonical sanctions, to the danger of souls, the defamation of the purity of faith, and the scandal of many.

*Pope Martin commands the prelates of the Churches to hand over these same persons as declared heretics to the secular Court for punishment:*

§ 4. We, therefore, considering that an error which is not resisted appears to be approved, and desiring to resist such evil and pernicious errors and to completely uproot them from

among the Christian faithful, especially from the aforementioned domains and districts of Bohemia and Moravia and their borders and vicinities, lest they spread further and more widely, with the sacred approval of the Council of Constance, we commit and command to your discretion by apostolic writings that you, archbishops and bishops and those elected [to these offices], and any one of you, by himself or through another or others, whom we wish to be grave and suitable persons having spiritual jurisdiction, should judge as heretics all and each, of whatever dignity, office, preeminence, state or condition they may be, and by whatever names they may be known, who presume to think or teach otherwise than the most holy Roman Church and the universal [Church] teaches, preaches, and observes concerning the most excellent, saving, and most wonderful sacrament of the Body and Blood of Our Lord Jesus Christ, or concerning Baptism or Confession of sins, the imposition of Penance for sins, or the remaining ecclesiastical sacraments or articles of faith, or who presume in any way to hold, believe, and dogmatize the articles or books and teachings of the aforementioned heresiarchs John Wycliffe and John Huss and Jerome [of Prague], condemned along with their authors by the same Council of Constance, as stated, or who publicly or secretly, obstinately in any way presume to praise or approve the end of the lives of these same heresiarchs, and any receivers, defenders and supporters of them, even in consideration of the aforementioned errors, as well as those believing in and adhering to them, and you should abandon them as heretics to the secular court.

*Let them restrain those who harbor them.*

§ 5. Furthermore, those who receive, favor, and defend such pestiferous persons, who may have believed in these errors—not out of favor for or contemplation of those errors, but perhaps from carnal love or some other such occasion have harbored these pestiferous persons—beyond the penalties inflicted upon such persons by both laws, shall, through competent judges, receive punishment with such severity of penalties for so enormous a crime that it may serve as an example to other offenders, so that those whom the fear of God does not recall from evil, may at least be restrained by the severity of discipline.

*With the obstinate, after proper admonitions, let them deal severely;*

§ 6. However, with others infected in any way by such damnable sect who, after appropriate admonition and frequent exhortation, which has been piously used toward them in hope of correction and amendment and conversion to the fruit of a better life, shall refuse to come to their senses regarding the aforementioned errors and sect, and to fully recognize and confess the bosom and unity of holy mother Church and the Catholic faith, which alone can save, without which no aid of true salvation occurs to anyone, let the severity of justice, as the quality of the deed shall have demanded, be tempered with the sweetness of mercy.

*And admonishing all princes to expel them and their dominions.*

§ 7. And nevertheless, you shall admonish and require, by apostolic authority, according to the form and demands of law, all professors of the Christian and Catholic faith—emperors, kings, dukes, princes, marquises, counts, barons, knights, authorities, governors, consuls,

proconsuls, magistrates, communities, and universities of kingdoms, provinces, cities, towns, fortresses, villages, lands, and other such places, as well as others who exercise temporal jurisdiction—that they expel from the kingdoms, provinces, cities, towns, fortresses, villages, lands, and all other aforementioned places and domains, each and every such heretic, according to the tenor of the Lateran Council which begins “Sicut ait,” treating them like those ensnared in the crime of usury, whom they know to be such publicly or manifestly by the evidence of their deeds, as diseased sheep infecting the Lord’s flock, until and for such time as they receive other instructions from us or from you or from other ecclesiastical judges or inquisitors who hold to the faith and communion of the Roman Church. Nor shall they permit these same persons to preach in their districts, to maintain domiciles, to keep a household, to enter into contracts, to exercise any negotiations and merchandising whatsoever, or to have consulations of humanity with the faithful of Christ.

*Heretics are deprived of ecclesiastical burial, their bodies and goods are to be confiscated.*

§ 8. And if such public and manifest heretics, although not yet declared as such by the Church, should die in so grave a crime, they shall be deprived of ecclesiastical burial, nor shall offerings be made or received for them. However, their goods, which according to canonical sanctions are confiscated from the time the crime was committed, shall not be seized by those to whom they would otherwise belong, until a declaratory sentence concerning the crime of heresy itself has been promulgated by ecclesiastical judges having authority in this matter.

*Concerning Those Suspected [of Heresy].*

§ 9. Those who, by a competent ecclesiastical judge, are found to be marked or suspected with mere suspicion of heresy, unless they demonstrate their innocence with appropriate devotion according to the consideration and requirement of the suspicion and the quality of the person, at the discretion of such judge, failing in the canonical purgation imposed upon them, and being unable to purge themselves canonically, or refusing to swear for the purpose of making such purgation through damnable obstinacy, shall be condemned as heretics. Those who neglect or through sloth fail to demonstrate said innocence, and omit to make such purgation, shall be struck with the sword of anathema, and avoided by all until suitable satisfaction is made; so that, if they persist in such excommunication for a year, they shall thereafter be condemned as heretics. If anyone, however, is found guilty regarding any aspect of the aforementioned pestiferous doctrine of the aforesaid heresiarchs, or merely regarding certain articles that are scandalous, reckless, seditious, or offensive to pious ears, he shall be punished canonically. If indeed, on account of mere infamy or suspicion of the said articles or any of them, someone is found suspect, and should fail in the canonical purgation imposed on him for this reason, he shall be held as convicted, and shall be punished as canonically convicted.

*The constitution of Boniface VIII in chapter 18 On Heretics is renewed.*

§ 10. And furthermore, renewing and also executing the disposition of Pope Boniface VIII of happy memory, our predecessor, which begins: *Ut inquisitionis negotium* [That the business of inquisition], we exhort and command all temporal powers and lords and the aforementioned judges, by whatever dignities or offices or names they may be known, that, just as they desire to be considered and held as faithful, and to be called children of the Church, and to glory in the name of Christ, so, for the defense of the faith, they should obey and attend to you archbishops, bishops, and bishops-elect, and inquisitors of heretical depravity, and other ecclesiastical judges or persons who, as stated above, are to be deputized by you for this purpose, who hold the faith and communion of holy mother Church, and they should provide help and favor in the investigation, capture, and diligent custody of heretics, as well as believers, supporters, receivers, and defenders of the same, when they have been required to do so by the same [ecclesiastical authorities], so that they may lead or cause to be led without delay these pestiferous persons, who strive to destroy others with themselves, into the power or prison designated by you archbishops, bishops, bishops-elect, and inquisitors, or those deputized by you, or to a place which you or they shall command, within the jurisdiction of the same lords, rulers, or judges, where they shall be placed under strict and diligent custody by Catholic men deputized by you archbishops or bishops, bishops-elect, or inquisitors, or by persons of this kind, or by any one of you appointed for this purpose, so that they may not escape, also keeping them in shackles and iron manacles, until their case is terminated by the judgment of the Church, and when they have been condemned for heresy by a competent ecclesiastical judge, who holds the faith and communion of the said holy Roman Church, the aforementioned temporal lords or rulers, judges or their officials or representatives shall receive those handed over to them without delay to be punished with due severity.

*He prescribes the form of interrogatories to be administered to those suspected of heresy and those of ill repute.*

§ 11. But lest anyone be misled in this matter under the pretext of ignorance, to the prejudice and scandal of the aforementioned orthodox faith of the Christian religion, or lest cunning men be allowed to conceal themselves behind the veil of frivolous excuse in this matter, and so that in the future more complete instruction may be available for convicting or identifying heretics, their protectors, defenders, supporters, believers, and adherents, as well as those suspected of heresy and others in any way tainted by such perverse doctrine, we decree that the articles written below, concerning the sect of the said heresiarchs, shall be transmitted and also sent to the Kingdom of Bohemia and its neighboring regions, as well as to any other places where this superstitious doctrine may have sprouted in any manner, for the guidance of the said faith. Regarding these articles, we command and order you and all other archbishops, bishops, bishops-elect, commissaries, and inquisitors, by virtue of holy obedience, that each of them within the boundaries and places of their jurisdiction, as well as in the aforementioned kingdom, marquisate, and neighboring places, even if these places lie outside that jurisdiction beyond two days' journey, should diligently keep watch over the extirpation and correction of errors and heresies, and of this pestiferous sect, in favor of the orthodox faith itself. And they shall compel all those who are defamed or suspected of such pestilential corruption

to respond under oath to each of these articles—the oath being physically taken upon the most holy Gospels or the relics of saints, or the image of the Crucifix, according to the observance of certain places—in accordance with the interrogatories written below that are appropriate to each article, under penalty of confessed crime, excommunication, suspension, interdict, or other formidable canonical or legal punishment, as, when, and in the manner that seems expedient to them and as the nature of the case may require. For we intend to proceed and shall proceed, and shall cause proceedings to be instituted, against each and every archbishop, bishop, bishop-elect, and inquisitor who may be negligent or remiss in rooting out the leaven of heretical depravity and in purging their territory, district, or place of such evil and wicked men, even to the point of deprivation or deposition from pontifical dignity, and we shall substitute others in their place who can and may confound heretical depravity. And we shall proceed, and cause proceedings to be instituted, to other penalties inflicted by law against such persons, and to still graver penalties if it be expedient, according to the requirements of law and fact, and the foulness of such fault and crime. The contents of the same articles or chapters, which are mentioned above, follow in order in these words.

*The Content of the Articles of John Wycliffe.*

§ 12. The Content of the Articles of John Wycliffe:

1. The substance of material bread and likewise the substance of material wine remain in the Sacrament of the altar.
2. The accidents of bread do not remain without a subject in the same Sacrament.
3. Christ is not identically and really present in the same Sacrament in His proper bodily presence.
4. If a bishop or priest exists in mortal sin, he does not ordain, does not consecrate, does not confect, does not baptize.
5. It is not established in the Gospel that Christ ordained the Mass.
6. God must obey the devil.
7. If a man has been duly contrite, all external confession is superfluous and useless to him.
8. If the Pope is foreknown [to damnation] and evil, and consequently a member of the devil, he does not have power over the faithful given to him by anyone, except perhaps by Caesar.
9. After Urban VI no one should be received as Pope, but one should live in the manner of the Greeks under their own laws.
10. It is against Sacred Scripture that ecclesiastical men should have possessions.

- 11.** No prelate should excommunicate anyone unless he first knows him to be excommunicated by God: and whoever excommunicates in this way becomes thereby a heretic or excommunicated.
  - 12.** A prelate who excommunicates a cleric who has appealed to the king or to the council of the realm is, by that very fact, a betrayer of the king and realm.
  - 13.** Those who cease to preach or to hear the word of God because of excommunication by men are themselves excommunicated, and in God's judgment will be considered betrayers of Christ.
  - 14.** It is permitted for any deacon or priest to preach the word of God without the authority of the Apostolic See or a catholic bishop.
  - 15.** No one is a civil lord, no one is a prelate, no one is a bishop, while in mortal sin.
  - 16.** Temporal lords may at their discretion take away temporal goods from the Church, from those in possession who are habitually delinquent, that is, those who are delinquent by habit, not merely by act.
  - 17.** The common people may at their discretion correct their delinquent lords.
  - 18.** Tithes are merely alms, and parishioners may at their pleasure withdraw them because of the sins of their prelates.
  - 19.** Special prayers applied to one person by prelates or religious benefit that person no more than general prayers, all else being equal.
  - 20.** One who gives alms to friars is excommunicated by that very fact.
  - 21.** If anyone enters any private religious order, whether of those owning property or of mendicants, he is rendered more inept and incapable of observing the commandments of God.
  - 22.** The saints who instituted private religious orders sinned in doing so.
  - 23.** Religious living in private religious orders are not part of the Christian religion.
  - 24.** Friars are obliged to earn their livelihood through manual labor and not through begging.
- The first part is scandalous and presumptively asserted, insofar as it speaks so generally and indirectly, and the second part is erroneous, insofar as it asserts that begging is not permitted to friars.
- 25.** All are simoniacs who obligate themselves to pray for others who support them in temporal matters.
  - 26.** The prayer of one who is foreknown [to be damned] avails nothing.



- 27.** All things happen by absolute necessity.
- 28.** The confirmation of youths, the ordination of clerics, and the consecration of places are reserved to the Pope and bishops out of greed for temporal gain and honor.
- 29.** Universities, studies, colleges, graduations, and masterships in the same are introduced by vain paganism, and they benefit the Church as the devil does.
- 30.** Excommunication by the Pope or any prelate is not to be feared, because it is a censure of Antichrist.
- 31.** Those who found cloisters sin; and those who enter them are diabolical men.
- 32.** To enrich the clergy is contrary to the rule of Christ.
- 33.** Pope Sylvester and Emperor Constantine erred in endowing the Church<sup>2</sup>.
- 34.** All of the Mendicant Orders are heretics; and those giving alms to them are excommunicated.
- 35.** Those entering a religious order or any Order are, by that very act, incapable of observing divine precepts, and consequently of reaching the kingdom of heaven, unless they apostatize from these same orders.
- 36.** The Pope, along with all his clerics who possess property, are heretics because they hold possessions; and those who consent to them—namely all secular lords and other laypeople—are likewise heretics.
- 37.** The Roman Church is the synagogue of Satan, and the Pope is not the immediate and proximate vicar of Christ and the Apostles.
- 38.** The Decretal letters are apocryphal, and they lead people away from the faith of Christ, and clerics who study them are foolish.
- 39.** The Emperor and secular lords have been seduced by the devil to endow the Church with temporal goods<sup>3</sup>.
- 40.** The election of the Pope by the cardinals was introduced by the devil.
- 41.** It is not necessary to believe that the Roman Church is supreme among other Churches.

This is erroneous if by “Roman Church” one understands the universal Church or a general council, or insofar as it denies the primacy of the Supreme Pontiff over other particular Churches.

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<sup>2</sup> {org. 1} Dictating.

<sup>3</sup> {org. 2} They might enrich (Cocquelines).

**42.** It is foolish to believe in the indulgences of the Pope and bishops.

**43.** Oaths made to strengthen human contracts and civil commerce are illicit.

**44.** Augustine, Benedict, and Bernard are damned, unless they repented of this: that they had possessions and instituted and entered religious orders; and thus from the Pope down to the last religious, all are heretics.

**45.** All religious orders without distinction were introduced by the devil.

*The content of the articles of John Huss.*

§ 13. The content of the articles of John Huss.

**1.** There is only one holy universal Church, which is the totality of the predestined. *and what follows below:* The holy universal Church is only one, just as there is only one number of all the predestined.

**2.** Paul was never a member of the devil, although he performed certain acts similar to the acts of those belonging to the church of malignants.

**3.** The foreknown are not parts of the Church, since no part of it will finally fall away from it, because the charity of predestination, which binds it together, will not fall away.

**4.** The two natures, divinity and humanity, are one Christ.

**5.** The foreknown person, although he is sometimes in grace according to present justice, nevertheless is never part of the holy Church; and the predestined always remains a member of the Church, although he sometimes falls from adventitious grace, but not from the grace of predestination.

**6.** When taking the Church as the convocation of the predestined, whether they are in grace or not according to present justice, in this way the Church is an article of faith.

**7.** Peter neither is nor was the head of the holy catholic Church.

**8.** Any priests living criminally pollute the power of the priesthood; and thus, as unfaithful sons, they think unfaithfully about the seven sacraments of the Church, about the keys, offices, censures, customs, ceremonies and sacred things of the Church, the veneration of relics, indulgences, and orders.

**9.** The papal dignity grew from Caesar, and the appointment and institution of the Pope emanated from Caesar's power.

**10.** No one without revelation could reasonably assert of himself or another that he was the head of a particular Church, nor is the Roman Pontiff the head of the particular Roman Church.

**11.** It is not necessary to believe that whoever is the Roman Pontiff is the head of any particular holy Church, unless God has predestined him.

**12.** No one acts as the vicar of Christ or Peter unless he follows him in morals, since no other form of following is more pertinent, nor does he otherwise receive procuratorial power from God, because for that office of vicar both conformity of morals and the authority of the one instituting are required.

**13.** The Pope is not a true and manifest successor of Peter, the Prince of the Apostles, if he lives contrary to Peter's example: and if he seeks avarice, then he is the vicar of Judas Iscariot. And, with equal evidence, the Cardinals are not true and manifest successors of the college of Christ's other apostles, unless they live according to the apostolic manner, observing the commandments and counsels of Our Lord Jesus Christ.

**14.** Doctors who maintain that anyone who is to be corrected by ecclesiastical censure, if he refuses to be corrected, should be handed over to secular judgment, certainly follow in this the Pontiffs, Scribes, and Pharisees, who, when Christ would not obey them in all things, saying: "It is not lawful for us to put anyone to death," handed Him over to secular judgment, and such persons are more grievous murderers than Pilate.

**15.** Ecclesiastical obedience is obedience according to the invention of the priests of the Church, apart from the express authority of Scripture.

**16.** The immediate division of human actions is that they are either virtuous or vicious: because if a man is vicious and does anything, then he acts <sup>4</sup> virtuously: since just as vice, which is called a crime or mortal sin, universally infects all acts of a vicious man, so virtue vivifies all acts of a virtuous man.

**17.** The priests of Christ who live according to His law and possess knowledge of Scripture and the ability to edify the people ought to preach, notwithstanding any pretended excommunication; *and further*: If the Pope or any prelate commands a priest so disposed not to preach, the subject ought not to obey.

**18.** Whoever accedes to the priesthood receives the office of preaching by mandate: and he ought to execute that mandate, notwithstanding any pretended excommunication.

**19.** Through ecclesiastical censures of excommunication, suspension, and interdict, the clergy subjugates the lay people for its own exaltation, multiplies avarice, protects wickedness, and prepares the way for Antichrist. Moreover, it is an evident sign that such censures proceed from Antichrist, which they call in their proceedings "fulminations," by which the clergy proceeds principally against those who expose the iniquity of Antichrist, who will usurp the clergy especially for himself.

**20.** If the Pope is evil and especially if he is foreknown [to damnation], then, like Judas the apostle, he is a devil, a thief, and a son of perdition, and is not the head of the holy militant Church, since he is not even a member of it.

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<sup>4</sup> {org. 1} The words to be added from Raynaldus: *defective; and if he is virtuous and does anything, then he acts etc.*, which perhaps fell away due to Mainardian officials.

**21.** The grace of predestination is the bond by which the body of the Church and each of its members is joined indissolubly to Christ the head.

**22.** A Pope or prelate who is evil and foreknown [to damnation] is equivocally a pastor, and truly a thief and a robber.

**23.** The Pope should not be called “most holy,” even according to his office, because otherwise a king should also be called “most holy” according to his office, and torturers and heralds would be called holy, indeed even the devil should be called holy, since he is an official of God.

**24.** If the Pope lives contrary to Christ, even if he ascended through a proper and legitimate election according to commonly accepted human constitution, nevertheless he would ascend by a way other than through Christ, even if it were granted that he entered through an election primarily made by God: for Judas Iscariot was rightly and legitimately elected by God Christ Jesus to the episcopate, and yet he ascended by another way into the sheepfold.

**25.** The condemnation of the forty-five articles of John Wycliffe made by the doctors is irrational, unjust, and improperly done, and the reason alleged by them is fictitious, namely that none of these articles is Catholic, but each of them is either heretical or erroneous or scandalous.

**26.** It is not by the mere fact that electors, or a majority of them, have given their consent by voice according to human customs to some person, that this person is thereby legitimately elected, or is thereby the true and manifest successor or Vicar of the Apostle Peter, or of another apostle in ecclesiastical office: thus whether the electors have chosen well or poorly, we must believe the works of the elect. For by the very fact that someone works more abundantly in a meritorious manner for the advancement of the Church, he receives from God more abundant power for this purpose.

**27.** There is not a spark of evidence that there needs to be one head in spiritual matters governing the Church, which always converses with and is preserved with the Church militant itself.

**28.** Christ, without such monstrous heads, would better govern His Church through His truthful disciples scattered throughout the world.

**29.** The Apostles and faithful priests of the Lord vigorously governed the Church in matters necessary for salvation before the office of the Pope was introduced: they would do so again, if through the highest possibility the Papacy should fail until the day of judgment.

**30.** No one is a civil lord, no one is a prelate, no one is a bishop while he is in mortal sin.

*The content of the interrogatories according to which heretics or those suspected of heresy ought to be questioned.*

§ 14. The content of the interrogatories according to which heretics or those suspected of heresy ought to be questioned.

1. Concerning the aforementioned articles, anyone suspected of them, or discovered in asserting them, shall be interrogated according to the manner prescribed below: first, whether he has known John Wycliffe of England, Jan Hus of Bohemia, Jerome of Prague, or any of them, and whence he obtained knowledge of them, and whether he has had association or friendship with them or any of them while they were living.
2. Likewise, whether, knowing that they or any of them were excommunicated, he has knowingly participated with them, considering and saying that such participation was not a sin.
3. Likewise, whether after their deaths, he has prayed for them or any of them, and has publicly or secretly performed works of piety for them, asserting that they were blessed and saved.
4. Likewise, whether he has considered them or any of them as saints, and has said so, and has shown them veneration as if they were saints.
5. Likewise, whether he believes, holds, and asserts that every general council, and also the Council of Constance, represents the universal Church.
6. Likewise, whether he believes that what the sacred Council of Constance, representing the universal Church, has approved and approves in favor of the faith and for the salvation of souls, ought to be approved and held by all Christ's faithful; and what it has condemned and condemns ought to be believed and asserted as condemned<sup>5</sup>.
7. Likewise, whether he believes that the condemnations of John Wycliffe, John Huss, and Jerome of Prague regarding their persons, books, and teachings by the holy general Council of Constance were properly and justly carried out, and are to be held and firmly asserted as such by every Catholic.
8. Likewise, whether he believes, holds, and asserts that John Wycliffe of England, John Huss of Bohemia, and Jerome of Prague were heretics and should be named and considered as heretics, and that their books and doctrines were and are perverse, on account of which and because of their pertinacity, they were condemned as heretics by the holy Council of Constance.
9. Likewise, whether he has in his possession any treatises, small works, letters, or any other writings in any language whatsoever produced or translated by the heretics John Wycliffe, John Huss, and Jerome, or by their pseudo-disciples and followers, and if so, that he present them under oath to the ordinary of the place, or to his commissary or to the inquisitor. If he acknowledges that he does not have such writings in his possession but

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<sup>5</sup> {org. 1} Here too are undoubtedly missing, for the same reason as on the preceding page, these words or their equivalent: *and what he condemned and condemns, this etc.*

knows them to be elsewhere, that he should swear to turn them over to his ordinary or to the others mentioned above within a certain term to be fixed for him.

**10.** Likewise, whether he knows of any person or persons possessing treatises, works, letters, or any other writings of the aforementioned [individuals], composed or translated in any language whatsoever, and if so, that he should expose or reveal that person or those persons, for the purification of the faith or the execution of justice.

**11.** Likewise, especially let the educated person be interrogated whether he believes that the judgment of the sacred Council of Constance concerning the forty-five articles of John Wycliffe and the thirty articles of John Huss described above is true and catholic, namely, that the aforementioned forty-five articles of John Wycliffe and thirty of John Huss are not catholic, but some of them are notoriously heretical, some erroneous, others rash and seditious, and others offensive to pious ears.

**12.** Likewise, whether he believes and asserts that in no case is it lawful to swear an oath.

**13.** Likewise, whether he believes that it is lawful to swear an oath of truth-telling at the command of a judge, or any other oath appropriate to a case, even for the purpose of clearing oneself of infamy.

**14.** Likewise, whether he believes that perjury knowingly committed, for whatever cause or occasion, for the preservation of one's own bodily life or another's, even in favor of the faith, is a mortal sin.

**15.** Likewise, whether he believes that one who deliberately and intentionally contemns the rite of the Church, the ceremonies of exorcism and catechism, and the consecration of baptismal water, commits a mortal sin.

**16.** Likewise, whether he believes that after the consecration by the priest in the Sacrament of the Altar, under the covering of bread and wine, there is no material bread and material wine, but in all respects the same Christ who suffered on the cross and sits at the right hand of the Father.

**17.** Likewise, whether he believes and asserts that, after the consecration by the priest, under the species of bread alone, and apart from the species of wine, there is the true flesh of Christ and His blood, and soul, and divinity, and the whole Christ, and absolutely the same body under each single one of those species individually.

**18.** Likewise, whether he believes that the custom of communicating lay persons under the species of bread alone, observed by the universal Church and approved by the sacred Council of Constance, is to be maintained, such that it is not permitted to reject it, or to change it arbitrarily without the authority of the Church. And that those who obstinately assert the opposite of the aforementioned should be restrained and punished as heretics or as those who savor of heresy.

- 19.** Likewise, whether he believes that a Christian who despises the reception of the sacraments of Confirmation or Extreme Unction or the solemnization of Matrimony sins mortally.
- 20.** Likewise, whether he believes that a Christian, beyond contrition of heart, having access to a suitable priest, is bound by necessity of salvation to confess to a priest alone, and not to a layman or laymen, however good and devout they may be.
- 21.** Likewise, whether one believes that a priest, in cases permitted to him, can absolve a penitent who has confessed and is contrite from sins, and impose penance upon him.
- 22.** Likewise, whether one believes that an unworthy priest, with the proper matter and form, and with the intention of doing what the Church does, truly consecrates, truly absolves, truly baptizes, and truly confers other sacraments.
- 23.** Likewise, whether one believes that Blessed Peter was the vicar of Christ, having the power of binding and loosing upon earth.
- 24.** Likewise, whether one believes that the Pope canonically elected, whoever he may be at the time, with his proper name expressed, is the successor of Blessed Peter having supreme authority in the Church of God.
- 25.** Likewise, whether one believes that the authority of jurisdiction of the Pope, archbishop, and bishop in loosing and binding is greater than the authority of a simple priest, even if the latter has the care of souls.
- 26.** Likewise, whether one believes that the Pope can grant indulgences for the remission of sins to all Christians who are truly contrite and have confessed, for a pious and just cause, especially to those visiting holy places and extending their helping hands to them. And whether one believes that by such a concession, those visiting these churches and extending helping hands to them can obtain such indulgences.
- 27.** Likewise, whether one believes that individual bishops can grant such indulgences to their subjects, according to the limitation of the sacred canons.
- 28.** Likewise, whether he believes and affirms that it is lawful for Christian faithful to venerate the relics and images of saints.
- 29.** Likewise, whether he believes that the Pope or another prelate, with the proper names of the Pope at that time being explicitly stated, or their vicars, can excommunicate their ecclesiastical or secular subjects for disobedience or contumacy, such that such a person is to be considered excommunicated.
- 30.** Likewise, whether he believes that, as the disobedience or contumacy of the excommunicated increases, prelates or their vicars in spiritual matters have the power to aggravate and re-aggravate sentences, to impose interdict, and to invoke the secular arm, and that these censures ought to be obeyed by those of inferior rank.

**31.** Likewise, whether he believes that the Pope or other prelates and their vicars in spiritual matters have the power to excommunicate disobedient and contumacious priests and laypeople, and to suspend them from office, benefice, entrance to the Church, and the administration of ecclesiastical sacraments.

**32.** Likewise, whether he believes that it is lawful for ecclesiastical persons to possess temporal goods and worldly possessions without sin.

**33.** Likewise, whether he believes that it is not lawful for the laity to take these away from them by their own authority; indeed, that those who take away, remove, and invade these ecclesiastical goods are to be punished as sacrilegious persons, even if the ecclesiastical persons possessing such goods were to live sinfully.

**34.** Likewise, whether he believes that such seizure and invasion rashly or violently committed or inflicted upon any priest, even one living wickedly, constitutes sacrilege.

**35.** Likewise, whether he believes that it is permitted for lay people of either sex, that is, for men and women, to freely preach the word of God.

**36.** Likewise, whether he believes that individual priests may freely preach the word of God, wherever and whenever they please, even if they have not been sent.

**37.** Likewise, whether he believes that all mortal sins, and especially manifest ones, ought to be publicly corrected and extirpated.

*Concerning the Method of Proceeding Against Those Defamed or Suspected of Heresy.*

§ 15. We further will, establish, and decree that if anyone, through secret information received by you or otherwise, is found to be defamed or suspected of any kind of heresy, pestiferous sect, or pestilential doctrine of John Wycliffe, John Huss, and Jerome of Prague, the aforementioned heresiarchs, or of supporting, harboring, or defending the aforementioned condemned men while they lived among humans, or their perfidious followers and false disciples, or of believing in their errors, or of praying for them or any of them after their death, or of naming and defending them among Catholics, or of honoring, preaching, or adoring them as saints, or of acting suspiciously regarding them in other ways, he shall be summoned by you or one of you to appear personally before you or one of you, without procurator and advocate, to respond under oath—to be physically taken by him (as stated above)—to tell the full and pure truth concerning the aforementioned articles or each of them individually, or other appropriate matters, according to the requirements of the case and the circumstances that arise, at your discretion and as it shall seem expedient to you or one of you, or otherwise proceed canonically against each of them, as expressed in these presents or otherwise.

*Concerning this consultation to be published, and the excommunicated heretics of this kind to be denounced, etc. and those defending them etc.*

§ 16. You shall also, by our authority, solemnly publish and cause to be published these present letters, excluding the articles and interrogatories set forth above and omitted, in



cities, dioceses, lands, and other places where it may be done safely. You shall declare as excommunicated on each Sunday and feast day in the presence of the people, and cause others to declare as such, all and each of such heretics, as well as the followers of these heresies and errors of either sex, those protecting and even defending them, or those participating with these heretics in any way publicly or secretly in divine services or otherwise, even if they shine with patriarchal, archiepiscopal, episcopal, royal, queenly, ducal, or any other ecclesiastical or worldly dignity; as well as any advocates and procurators who might defend such heretics or their believers, followers, supporters, defenders, and receivers concerning the crime of heresy or belief, following, supporting, defending, and receiving of this kind.

*Concerning the penalties against heretics, those who teach heresy, etc. On the manner of abjuration.*

§ 17. And nevertheless, by our authority, you should strive to diligently inquire against all and each of those of either sex who hold, approve, defend, teach such errors, and against their supporters, harbors, and defenders, whether exempt or non-exempt, and against any of them, of whatever dignity, state, preeminence, rank, order, or condition (as mentioned above) they may be. And those whom through such inquiry you shall find defamed, or through their confession, or through the evidence of fact, or otherwise tainted with the stain of such heresy and error, by the aforesaid authority, even through excommunication, suspension, and interdict, as well as through deprivation of dignities, benefices, and offices and other ecclesiastical benefices and fiefs, which they obtain from any Churches, monasteries, and other ecclesiastical places, and also through secular goods and dignities and degrees of sciences of whatever faculties, and through other penalties, sentences, and ecclesiastical censures and ways and means, which you shall see to be expedient or opportune for this purpose, even through the capture and incarceration of persons and other corporal punishments, by which heretics are punished or are ordered or accustomed to be punished according to canonical sanctions.

Similarly, you shall correct and punish the clerics themselves and ecclesiastical persons, even to the point of degradation, if their fault and pertinacity or rebellion should demand or require it, and you shall cause them to be diligently corrected and punished. And also against them and their goods, and those of the laity, according to canonical sanctions and legal edicts issued against heretics and their followers, to which we decree that the same sectarians or followers are subject, you shall rise up vigorously according to the manner and form described above.

And those who shall be defamed concerning the aforesaid heresies or articles or any of the aforementioned, shall be bound to purge themselves at your discretion. But others who shall be convicted through witnesses or their own confession or other legitimate proofs concerning the aforesaid heresies or articles or any of the aforementioned, shall be compelled to solemnly and publicly revoke and abjure the same articles and errors, and to undergo proportionate penance, even to the point of imprisonment (if the offense shall require it). And also they shall be bound to provide sufficient and suitable caution that they

will not foster such errors and heresies of whatever kind or species they may be considered, by word, sign, or deed in the future, nor induce others to believe them by word, deed, publicly or secretly, directly or indirectly, or by any other means whatsoever.

But if perchance they should refuse to solemnly and publicly revoke and abjure the same articles, and to undergo proportionate penance, even to perpetual or temporary imprisonment according to the judgment of your discretion without delay, and to provide sufficient caution that they will not hold nor foster these errors and heresies in the future, nor induce others to believe them by word or deed, publicly or secretly, directly or indirectly, or by any other pretense or color, or should refuse to do any of the aforementioned, then against them according to the quality of their errors and offenses, even (if it be expedient) as against heretics or those tainted with the heretical stain, by our authority, according to canonical and legal sanctions, summarily and simply and plainly without clamor and form of judgment and also ex officio, any appeal or appeals whatsoever notwithstanding, you shall proceed, and you shall punish them according to the same canonical traditions, even, if it be necessary, relinquishing them to the secular court, restraining opponents by ecclesiastical censure, appeal being set aside, invoking for this purpose (if it be necessary) the aid of the same secular arm.

*Notwithstanding anything to the contrary.*

§ 18. Notwithstanding the constitution of Pope Boniface VIII of happy memory, our predecessor, which cautions that no one should be summoned to judgment outside his city and diocese, except in certain exceptional cases, and in those cases not beyond one day's journey from the boundary of his diocese, or that judges appointed by the Apostolic See should not presume to proceed against anyone outside the city and diocese in which they were appointed, or to commit their authority to another or others, or to draw any persons beyond one day's journey from the boundary of their dioceses, and the constitution concerning the two days' journey in the General Council, as well as any other constitutions of the Roman Pontiffs, whether concerning delegated judges, or persons not to be summoned to judgment beyond a certain number, or other edicts, which might in any way impede your jurisdiction or power, or its free exercise in this matter, or if any persons collectively or individually have been granted an indult from the same See that they cannot be placed under interdict, suspended, or excommunicated, or summoned to judgment beyond or outside certain places through apostolic letters that do not make full and express mention, word for word, of such indult and of their persons, places, orders, and proper names, and any other general or special indulgence of the said See, of whatever tenor it may be, by which the exercise of your jurisdiction in this matter might be hindered in any way because it is not expressed or not entirely inserted in the present letters, and of which and of whose entire tenor word for word special mention must be made in our letters.

Given at Constance, on the eighth day before the calends of March [February 22], in the first year of our pontificate.

Given on the 22nd day of February 1448, in the first year of our pontificate.