

Pius IV, ep. Cum sicut nuper, 16 April 1561.

Cum sicut nuper, non sine animi nostri molestia, accepimus, diversos Sacerdotes in Regnis Hispaniarum, atque etiam in eorum Civitatibus, et Diocesibus curam animarum habentes, sive eam pro aliis exercentes, aut alias audiendis confessionibus poenitentium deputati, in tantam proruperint iniquitatem, ut Sacramento Poenitentiae in actu audiendi confessiones abutantur, nec illi, et qui id instituit Domino Deo, et Salvatori nostro Iesu Christo iniuriam facer vereantur: mulieres videlicet poenitentes ad actus inhonestos, dum earum audiunt confessiones alliciendo, et provocando, seu allicere, et provocare tentando, et procurando, ac loco earum per Sacramentum huiusmodi Creatori nostro reconciliationis, graviori peccatorum mole eas onerando, et in manibus Diaboli tradendo, in Divinae Maiestatis offensam, et animarum perniciem, et Christifidelium scandalum non modicum.

§ 1. Nos in animum inducere nequeneuntes, quod qui de Fide Catholica recte sentiunt, Sacramentis in Ecclesia Dei institutis abutantur, aut illis iniuriam faciant, fraternitati tuae, de cuius eximia pietate, cirtute, atque doctrina plurimum in Donimo confidimus, per praesentes committimus, et mandamus, quatenus per te, vel per alium, seu alios a te deputandum, seu deputandos contra omnes, et singulos Sacerdotes dictorum Regnorum, ac illarum Civitatum, et Dioecesum de praemissis quomodolibet diffamatos, tam saeculares, quam quorumvis etiam exemptorum, ac Sedi Apostolicae immediate subiectorum Ordinum Regulares, cuiuscumque dignitatis, status, gradus, ordinis, conditionis, et praecminentiae existant, tam super praemissis, quam super Fide Catholica, et quid de ea sentiant, diligenter inquiras, et iuxta facultatum tibi contra haereticos, aut de haeresi quovis modo suspectos a Sede Apostolica concessarum continentiam, et tenorem procedas, ac culpabiles repertos iuxta excessuum suorum qualitatem, prout iuris fuerit, punias, eos etiam si, et prout de iure fuerit faciendum, debita praecedente degradatione saecularis Iudicis arbitrio puniendos tradendo.

§ 2. Non obstantibus, etc.

[ Bull. Rom., tom. 4, II, p. 77 ]

Since recently, not without vexation of Our soul, We have heard that various priests in the Spanish Kingdoms, and also in their States, and in the Dioceses, who have care of souls, or exercise it for others, or are otherwise deputed to hear the confessions of penitents, have burst into such iniquity that they abuse the Sacrament of Penitence in the act of hearing confessions, nor do they fear to do injury to him who established it for Lord God, and Our Savior Jesus Christ: namely, by charming female penitents into dishonorable acts when they hear their confessions, and by provoking them or by trying to provoke them, and by procuring [sex] – and this in the penitents' place for a kind of reconciliation with their Creator – through burdening them with a weightier mass of sins, and delivering them into the hands of the Devil, into offense of the Divine Majesty, and perdition of souls, and an enormous scandal of all the Christian faithful.

§1. Since We are unable to even conceive that those who think rightly about the Catholic Faith could abuse the sacraments established in the Church of God, or to do injury to them, We entrust [through those present?] to your fraternity, about whose wondrous piety, virtue, and teaching in the Lord we have confidence, and We ask that as far as possible, either through yourself, or through another or others deputed by you against any and all Priests of the stated Kingdoms, States, or Dioceses who have been accused of the above, both *saeculares* and those who are exempt, and *Regulares* of Orders immediately subject to the Apostolic See, of whatever rank, status, grade, order, condition, or preeminence may exist, as much for the sake of the stated issues as for the Catholic Faith, that you inquire what they know about this, and that according to your powers against heretics, or against those who are suspect in heresy in any way *you maintain constancy and tenacity* [?], and that you punish those found guilty according to the quality of their excesses, as far as law allows, however that may be – once the necessary preceding demotion has occurred – by handing them [guilty priests] over to the judgment of a secular judge to be punished.

§2. *Non obstantibus, etc.* [formulaic ending]

[Bull. Rom., tom. 4, p. 77]

*Pius V, Const. Cum Primum, 1561  
Fontes, Vol. I*

(p. 200)

§ 11. If anyone should perpetrate an unspeakable crime against nature, on account of which the wrath of God comes upon his sons, let him be brought before the anxious care of the Curia Secularis for consideration, and if he be a cleric, let him be degraded from all ranks and subject to fitting punishment.