

*This book enshrines
the original text and the English
translation of 35 important
Roman documents, covering up
a period of about five hundred years
(1500 to 2001), concerning the origin,
growth, hierarchical constitution
and present status of the Syro-Malabar Church
(the main heir of the ancient
Church of St Thomas Christians),
the Latin Church and the
Syro-Malankara Church,
which together form the Catholic communion
of Churches in India. The documents
presented in this book are essential
for the study of the historical,
ecclesiological and canonical aspects
of the Churches in India.*

*Dr. Paul Pallath, at present
an official of the Congregation for
Divine Worship
and the Discipline of the Sacraments
(Vatican City) and a visiting
Professor at the Pontifical
Oriental Institute in Rome,
has authored 9 books and published
about 50 articles in Indian and
foreign languages.*

IMPORTANT ROMAN DOCUMENTS CONCERNING THE CATHOLIC CHURCH IN INDIA

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Paul Pallath

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PAUL PALLATH



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Author : **Paul Pallath**

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PREFACE

The quest for truth and the willingness to assent to it once ascertained belong to human nature itself unless corrupted by blind self-interest or vitiated by false ideologies. The most important means to uncover historical truths is to consult authentic and original sources. Several documents concerning the Catholic Church in India, though available in the various libraries in Rome, do not seem to be accessible to the Christian faithful in India, especially in a language comprehensible to them. The author is confident that the publication of such documents together with their English translation will contribute to the study of the historical, canonical and ecclesiological aspects of the Catholic Church in India with more objectivity and in a manner better corresponding to the truth.

While raising my grateful heart to God Almighty, whose mercies are infinite and whose blessings are countless, I place on record my deep indebtedness to those who have helped me for the realization of this project. I remember with gratitude Fr. Anthony Ward SM, head of the department of Liturgy at the Congregation for Divine Worship and the Discipline of the Sacraments, who ensured the fidelity of some of the translations to the original Latin text. I remember with gratitude Rev. Sr. Helen McMahan F M M, who went through the manuscript and made valuable suggestions for improvement. I am very grateful to Rev. Bro. Mathew Alapattumedayil for his precious collaboration. I express my indebtedness to Rev. Dr. Thomas Mannoramparambil for accepting this work for publication in the series of the Oriental Institute of Religious Studies, India (OIRSI), Kottayam. I am thankful to the manager and staff of Wigi Offset Printers Manganam for the printing.

Paul Pallath

Rome,
6 January 2004.

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22. *Multorum fidelium*, Sacred Congregation for the Oriental Church, 25 April 1955, AAS 47 (1955) 784-785 (concerning the extension of the territory of the Syro-Malabar Church).
23. *Pro fidelibus*, Sacred Congregation for the Oriental Church, 25 April 1955, AAS 47 (1955) 786-787 (concerning the extension of the territory of the Syro-Malabar Church).
24. *Saepe fideles*, Sacred Congregation for the Oriental Church, 25 April 1955, AAS 47 (1955) 787-788 (concerning the extension of the territory of the Syro-Malabar Church).
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29. *Pro Christifidelibus*, John Paul II, 30 April 1988, AAS 80 (1988) 1381-1382 (eparchy of Kalyan for pastoral care).
30. Letter of the Secretary of State Cardinal Angelo Sodano to Cardinal Simon Ignatius Pimenta, archbishop of Bombay, 31 January 1991, not published in any of the official Vatican organs, but appeared in the *Directory of the Eparchy of Kalyan* 1995, 95-99.
31. *Quae maiori*, John Paul II, 16 December 1992, AAS 85 (1993) 398-399 (elevation of the Syro-Malabar Church to the rank of major archiepiscopal Church).
32. Indult of John Paul II to the Syro-Malabar Christian faithful of the eparchy of Kalyan to receive the sacraments in the Latin Church, 18 September 1993, English translation appeared in the *Directory of the Eparchy of Kalyan* 1995, 100.

33. *Ad augendum spirituale*, John Paul II, 18 May 1995, AAS 87 (1995) 984-985 (archdiocese and ecclesiastical province of Trichur).
34. *Spirituali bono*, John Paul II, 18 May 1995, AAS 87 (1995) 985-986 (archdiocese and ecclesiastical province of Tellicherry).
35. *Congregatio pro*, John Paul II, 13 March 2001, AAS 93 (2001) 423-424 (eparchy of Saint Thomas the Apostle of Chicago of the Syro-Malabarians for pastoral care).

GENERAL INTRODUCTION

The Catholic Church in India had its inception in the very first century itself due to the evangelising ministry of the Apostle Thomas who, according to tradition, reached south India in 52 AD and founded Christian communities there. In fact, until the sixteenth century only the “apostolic see” of St Thomas existed in India and the Catholic Church could have been identified with the Church of St Thomas Christians. The considerable organized missionary activity of the Latin Church initiated in India at the dawn of the sixteenth century under the Portuguese patronage, which was later continued under the direction of the Congregation of the Propaganda Fide and thus gave rise to the Latin Church. In protest at the forced westernisation, the curtailment of autonomy and the eradication of the Thomistic heritage, a group of St Thomas Christians happened to abandon the Catholic Church after the *Coonan Cross Oath* in 1653 and entered into communion with the Syrian (Jacobite) Orthodox patriarch of Antioch, gradually accepting the Orthodox faith and embracing the Antiochean liturgy and canon law. Since the reunion movement inaugurated by Archbishop Geevarghese Mar Ivanios in 1930 a section of those Orthodox St Thomas Christians came into full communion with the Catholic Church and thus originated the Syro-Malankara Catholic Church of Antiochean tradition. In brief, at present the Catholic Church in India is a communion of three Churches: the Syro-Malabar Church (the main heir of the ancient Church of St Thomas), the Latin Church and the Syro-Malankara Church.

The scope of this work is to present the important public papal documents concerning the origin, growth, constitution and present status of the three Churches of the Catholic communion in India. Hence, we do not consider the admonitions, declarations and instructions – most of which are in English and accessible to the Christian faithful – issued by the Roman Curia about liturgy, faith and morals, as well as other aspects of ecclesial life in India.

My original plan was to provide in the first chapter, as a background, a panoramic view of the Catholic Church in India until the arrival of the Portuguese missionaries on the threshold of the sixteenth century. But last year at the request of *Mar Thoma Yogam*, the St Thomas Christian Fellowship in Rome, I published a book in the English and Italian languages, with the title *The Catholic Church in India* (Rome 2003), in commemoration of the 1950th anniversary of the arrival of St Thomas in India, which contains a chapter entitled, “The Catholic Church in India until the Sixteenth Century: The Church of St Thomas Christians”. In order to avoid repetition, I have decided to modify the original scheme and to begin this work with the documents concerning the origin and hierarchical constitution of the Latin Church in India. Nevertheless, a reading of the aforementioned book, which enshrines a succinct exposition of the bimillenary history of the Catholic Church in India, would be greatly helpful for understanding the documents presented in this work.

In the first chapter we thus present four documents: the constitution of the diocese of Goa, the archdiocese and ecclesiastical province of Goa, as well as the dioceses of Cochin and Mylapore. The second chapter, “The Encounter between East and West: The Restriction and Delimitation of the Church of St Thomas Christians”, is devoted to the main events related to the Indian Eastern Church such as the suppression of its autonomous metropolitan status and its reduction to a simple suffragan of the archdiocese of Goa, the imposition of Portuguese patronage, the transfer of the see and residence from Angamaly to Cranganore as well as the restriction of the territory of this Church.

The third chapter treats of the jurisdictional conflicts in India between the Portuguese Padroado and the Roman Congregation of the Propaganda Fide which led to the suppression of the royal patronage and its subsequent reestablishment following the public and decisive rejection of the apostolic letter by the Portuguese ecclesiastical and political authorities, thus escalating and exacerbating the power struggle between the two missionary agencies. Chapter four is dedicated to the documents concerning the erection of the new Latin hierarchy in India in 1886 under the jurisdiction of Propaganda Fide and the gradual elimination of Portuguese patronage,

made possible by the intensive diplomatic efforts of the Holy See with the Portuguese government and the consequent bilateral agreements and concordats.

At the time of the erection of the Latin hierarchy in 1886 the see of St Thomas was suppressed and the Catholic St Thomas Christians were obliged to become members of the Latin archdiocese of Verapoly. Later, on 20 May 1887 the St Thomas Christians were separated from the Latin archdiocese of Verapoly and two vicariates apostolic were constituted exclusively for them, thus marking the rebirth of the Catholic section of the Church of St Thomas Christians as the Syro-Malabar Church. Chapters four and five are devoted respectively to the documents concerning the erection of vicariates and to those concerning the growth and progress of this Church such as the constitution of the hierarchy, the extension of its territory, the erection of different ecclesiastical provinces and the elevation of this Church to the rank of a major archiepiscopal Church.

In India the Latin Church, all the Orthodox Churches and the Protestant ecclesial communities have all India jurisdiction. Hence these Churches can conduct the ministry of evangelization and extend their pastoral care to their Christian faithful anywhere in India. But the Syro-Malabar and Syro-Malankara Churches do not enjoy such religious liberty, guaranteed by the Constitution of India, since their territorial boundaries are restricted and delimited. However, upon the earnest and constant supplication of the bishops of the Syro-Malabar Church, animated by the principles of the Second Vatican Council, some provisions have recently been made for the pastoral care of its Christian faithful at least in some regions. In chapter seven we offer some relevant documents concerning the question of the pastoral care of Eastern Catholics in India.

As we have indicated above, the Syro-Malankara Church encompasses those St Thomas Christians, who have come into full communion with the Roman Pontiff since 1930, from those Christians who had abandoned the Catholic Church after the oath against the Padroado Jesuits in 1653 and embraced the Orthodox faith and the Antiochian rite. In chapter eight we provide two important documents concerning the constitution and territorial extension of this Church.

The documents are given in the original language with an English translation. An attempt has been made to render even complicated Latin texts into readable English, although readers may find it difficult to understand some of the stereotyped formulas, devoid of any particular relevance to the central theme, but copiously employed in the earlier documents of the Roman Curia. The headings of some of the documents are liberally translated and adapted.

Since at the beginning of the sixteenth century the St Thomas Christians had no voice in Rome nor any possibility of exercising their "right of self defence", the defamatory thesis – widely propagated by the Western missionaries throughout the world, without any counterclaim – that the Indian Christians were heretics, schismatics and pagans before the Synod of Diamper in 1599, gained credence even in the Roman Curia and is reflected in some of the earlier documents. They are to be evaluated and interpreted in the light of modern studies and with due regard for the self-consciousness of the St Thomas Christians, whose forefathers received the Catholic faith directly from the Apostle Thomas and whose only preoccupation was to scrupulously hand on the same authentic faith without permitting any alteration or corruption to the future generations.

Chapter One

PORTUGUESE PATRONAGE AND THE ORIGIN OF THE LATIN CHURCH IN INDIA

Even though sporadic visits of some Western missionaries can be traced back to the thirteenth century, the origin and growth of the Latin Church in India is essentially connected with the Portuguese colonial expansion and the institute of Portuguese patronage (Padroado). The Portuguese enterprise began in India when Vasco da Gama, who discovered the sea route to India, landed in the harbour of Calicut on 21 May 1498. The first Portuguese missionaries reached India only on 30 August 1500 together with Pedro Alvarez Cabral who disembarked in Calicut on the same date.

The Portuguese patronage had its origin in the fifteenth century. Even though some allusions to patronage can be found in some of the papal documents from the beginning of the fifteenth century, it obtained a kind of solemn ecclesiastical confirmation only on 18 June 1452 when Pope Nicolas V (1447-1455) granted the king of Portugal and his successors full authority to invade, conquer, subdue and subject all the kingdoms and territories of the unbelievers and to reduce these peoples to perpetual subjection as a sign of the triumph of the Catholic faith. Subsequently different popes determined the ecclesiastical significance of patronage and defined the nature and scope of the jurisdiction of the Portuguese kings in countries under their dominion.

In fact the king of Portugal exercised such ecclesiastical jurisdiction as the Grand Master or Administrator of the Military Order of Christ, the seat of which was in the town of Tomar in Portugal. Since there was no Latin diocese, nor any Latin bishop in India in that epoch, on 7 June 1514 Pope Leo X (1513-1521) placed India under the jurisdiction of the vicar of Tomar and all churches and ecclesiastical benefices were reserved to the king of Portugal. But on 12 June 1514 with the apostolic letter *Pro excellenti* the same Pope

erected the diocese of Funchal on the island of Medeira (Portugal) as a suffragan see of the archdiocese of Lisbon and placed the whole of India under the jurisdiction of the bishop of Funchal. The territory of the diocese of Funchal comprised, in addition to India, all the other African and Asian territories under the Portuguese patronage. The jurisdiction of the vicariate of Tomar was extinguished in the aforementioned territories assigned to the new diocese and the vicar of Tomar, Don Diogo Pinheiro (1514-1526), was appointed the first bishop of Funchal.

On 31 January 1533 Pope Clement VII (1523-1534) raised the diocese of Funchal to the rank of archdiocese and decided on the erection of the diocese of Goa, the first Latin diocese in India, as a suffragan of Funchal. Since the Pope died before the publication of his decision, the apostolic letter *Aequum reputamus* constituting the diocese of Goa was promulgated only on 3 November 1534 by his successor Pope Paul III (1534-1549). However, as the Pope explicitly stated in *Aequum reputamus* the date of the erection of the diocese of Goa was to be considered as that of the decision, namely 31 January 1533. The territory of Goa stretched from the Cape of Good Hope in South Africa to China in East Asia. The archbishop of Funchal exercised metropolitan authority over the whole territory indicated above.

After the death of bishop John de Albuquerque (1537-1553), the see of Goa remained vacant for a long period of time. During this vacancy, on 4 February 1557 by the apostolic constitution *Etsi sancta et immaculata* Pope Paul IV (1555-1559) elevated Goa to the status of archdiocese and erected the dioceses of Cochin in India and Malacca in Malaysia as suffragan sees. The diocese of Cochin included the Malabar coast (excluding the territory of the St Thomas Christians), Coromandel Coast, the Madura Mission, the Karnatic Mission and even Ceylon (Sri Lanka). On 9 January 1606 Pope Paul V (1605-1621) bifurcated the diocese of Cochin and erected the diocese of Mylapore (Meliapore) consisting of Coromandel Coast, Orissa, Bengal and Pegu or Burma. Until 1 September 1886 there were only three Latin dioceses in India, the archdiocese of Goa and its two suffragans, Cochin and Mylapore, although some vicariates had been created

under Propaganda Fide from the second half of the seventeenth century.

Goa was the capital of the Portuguese political and ecclesiastical empire in the East. As we have seen above the territory and jurisdiction of the archdiocese of Goa extended to all the territories conquered by the Portuguese in Asia and Africa. In the course of time, in addition to the diocese of Malacca in Malaysia (1557), the sees of Macao (1576) in China, Funai in Japan (1588), the prelacy of Mozambique (1612) in East Africa and the diocese of Nankin and Peking in China (1690) were erected outside the Indies as suffragans of the archdiocese of Goa. We present in this part only four documents which deal directly with the Latin Church in India.

1. Pope Paul III, *Aequum reputamus*, 3 November 1534, the erection of the diocese of Goa, the first Latin diocese in India;
2. Pope Paul IV, *Etsi sancta et immaculata*, 4 February 1557, the elevation of the diocese of Goa to the rank of archdiocese and the creation of the ecclesiastical province of Goa;
3. Pope Paul IV, *Pro excellenti*, 4 February 1557, the erection of the diocese of Cochin as a suffragan of Goa;
4. Pope Paul V, the consistorial minute *Hodie Sanctissimus*, 9 January 1606, the erection of the diocese of Mylapore.

The documents erecting the dioceses of Goa, Cochin and Mylapore are important not only for studying the origin and growth of the Latin Church in India but also for understanding the nature and scope of the Portuguese patronage. In fact, on the basis of the above documents the rights, privileges and obligations of the royal patron and the extent of his ecclesiastical jurisdiction can be defined. Since it is very helpful for understanding the documents, we provide a succinct summary of the essential elements of patronage as follows:

1. The right of determining the utility and opportunity of erecting new dioceses and proposing the matter to the Roman Pontiff. The Pontiff could not have erected any diocese in the Portuguese territory without the consent of the king.

2. The right of presenting to the Roman Pontiff worthy candidates for appointment as bishops in the dioceses under Portuguese dominion,

at the time of their erection and whenever such sees remained vacant: the Pope could not have appointed any bishop in Portuguese territories except by such a presentation.

3. The right of presenting to the bishops thus appointed the deans, canons, honorary canons, dignitaries, beneficiaries, parish priests, chaplains, missionaries and all other ecclesiastical officials. This provision carried with it a Portuguese monopoly in India, since to such offices the king presented mainly Portuguese nationals or those who, he believed, would also safeguard the political and commercial interests of Portugal.

4. The obligation to erect, maintain and repair cathedrals, churches, monasteries, convents, oratories, schools, hospitals as well as all other charitable and ecclesiastical institutions.

5. The obligation to provide the cathedrals, churches and chapels with whatever was necessary for divine worship.

6. The obligation to maintain the bishops, canons, deans, parish priests, cantors, school masters and all other ecclesiastical officials, paying them a salary and allowances from the revenues pertaining to the king from the East Indies.

7. The Roman Pontiff could not have revoked or altered the *ius patronatus*, the ecclesiastical jurisdiction of the king of Portugal, without the explicit consent of the same king.

After these introductory remarks about the origin of the Latin Church in India and the content of *ius patronatus*, we now present the aforementioned four documents concerning the early Latin hierarchy.

**1. ERECTIO ET CONFIRMATIO EPISCOPATUS ET
CATHEDRALIS ECCLESIAE SANCTAE CATHARINAE DE
GOA IN INDIA ORIENTALI ET EJUS DISMEMBRATIO A
DIOECESI FUNCHALENSI**

PAULUS EPISCOPUS
Servus servorum Dei
Ad perpetuam rei memoriam

Aequum reputamus et rationi consonum, ut ea, quae de Romani Pontificis provisione processerunt, licet ejus superveniente obitu, litterae Apostolicae super illis confectae non fuerint, suum sortiantur effectum.

1. Dudum siquidem, postquam felicis recordationis Leo Papa X, praedecessor noster, procurante clarae memoriae Emmanuele, Portugalliae et Algarbiorum Rege, qui tunc in humanis agens multas terras, provintias et insulas a capitibus de *Bojador* usque ad Indos possidebat, in quibus nullus episcopus, qui ea, quae erant ordinis episcopalis, exerceret, habebatur, excepto vicario, pro tempore existente, oppidi de *Thomar*, nullius dioecesis, qui frater Militiae Jesu Christi Cisterciensis Ordinis existebat, et jurisdictionem episcopalem inter alia in dictis terris, provintiis et insulis, ex privilegio Apostolico olim sibi concesso, habebat, vicariam de *Thomar* hujusmodi, bonae memoriae Didaci Pinheiro, olim Episcopi Funchalensis, tunc in humanis agentis et dicti oppidi Vicarii, ad id tunc expresso accedente consensu, Apostolica auctoritate, suppresserat et extinxerat; ac tunc parochialem ecclesiam Beatae Mariae, per eundem Emmanuelem Regem in civitate de *Funchal* et insula de *Madeira*, in mari Oceano sita consistente, fundatam, in quibus vicarius frater dictae Militiae et nonnulli beneficiati praesbyteri saeculares, beneficia ecclesiastica, *portiones* nuncupata, obtinentes, existebant, in cathedralem Ecclesiam, cum sede, ac episcopali et capitulari mensis, aliisque cathedralibus insigniis; ac in ea decanatum majorem ac archidiaconatum, cantoriam, thesaurariam et scholastriam non majores post pontificalem dignitates,

**1. THE ERECTION AND CONFIRMATION OF THE
EPISCOPATE AND CATHEDRAL CHURCH OF ST
CATHERINE OF GOA IN EAST INDIA AND ITS
DISMEMBERMENT FROM THE DIOCESE OF FUNCHAL**

PAUL BISHOP
Servant of the servants of God
For perpetual memory

We consider it right and reasonable to render effective those provisions which proceeded from the foresight of the Roman Pontiff, although, on account of his unexpected death, an apostolic letter has not been written concerning them.

1. Indeed a short while ago, our predecessor Leo X of happy memory, under the procuration of Emmanuel of honourable memory, king of Portugal and the Algarves, who during his lifetime occupied many lands, provinces and islands from the promontories of Bojador as far as the Indies, since in those places there was no bishop exercising the ministries of episcopal order, except for a vicar of the town of Thomar (which was not a diocese), a brother of the Military of Jesus Christ of the Cistercian Order, who, on account of an apostolic privilege formerly granted to him, among other things, exercised episcopal jurisdiction in the aforesaid lands, provinces and islands, with apostolic authority, had suppressed and extinguished the vicariate of Thomar with the express consent of Diogo Pinheiro of good memory, former bishop of Funchal and at that time the vicar of the said town, and then he (Pope Leo X) had erected and established the parish church of the Blessed Mary, founded by the same king Emmanuel in the city of Funchal and in the island of Madeira, situated in the Ocean - in which the brother of the aforementioned Militia and some beneficed secular priests, obtaining ecclesiastical benefices designated *portiones*, existed - as a cathedral church with a see, episcopal and capitulary funds (*mensa*) together with the other insignias of a cathedral; and in that church he erected and set up a major deanery and non major infra-pontifical dignities such as an

necnon duodecim canonicatus et totidem praebendas erexerat et instituerat; illique pro ejus fructibus, redditibus et proventibus, quos vicarius de *Tomar*, pro tempore existens, ex jurisdictione et vicaria hujusmodi percipiebat, ac certos tunc expressos annuos redditus; necnon pro dignitatibus, ac canonicatum et praebendarum praedictorum dote certa tunc expressa bona perpetuo applicaverat et appropriaverat; ac civitatem de *Funchal* pro civitate, ejusque districtum seu territorium, cum praedicta de *Madeira* insula, ac omnibus aliis insulis, provinciis et locis quibuscumque, dicto vicario subjectis, pro dioecesi inter alia concesserat et assignaverat; necnon *jus patronatus*, et praesentandi Romano Pontifici, pro tempore existenti, personam idoneam ad eandem Ecclesiam Funchalensem, dum illam pro tempore vacaret contingeret, praefato Emmanueli, et pro tempore existenti Portugalliae et Algarbiorum Regi ad effectum, ut eidem Ecclesiae de persona per Regem nominanda hujusmodi et non alias, provideri deberet; ad dignitates vero ac canonicatus et praebendas hujusmodi, pro tempore existenti magistro dictae Militiae, ad quem *jus patronatus*, seu praesentandi ad dicta beneficia, dum pro tempore vacabant, pertinebat, institutionem autem eidem episcopo Funchalensi, pro tempore existenti, reservaverat; eidemque Ecclesiae Funchalensi, sic erectae ab ejus primaeva erectione, hujusmodi tunc vacanti, de persona praefati Didaci, dicta auctoritate, providerat, praeficiendo ipsum illi in episcopum et pastorem.

2. Cum dicto Didaco Episcopo, postmodum vita functo, pia memoriae Clemens Papa VII, etiam praedecessor noster, procurante charissimo in Christo filio nostro Joanne, moderno Portugalliae et Algarbiorum Rege illustri, praefati Emmanuelis nato et successore, dictam Ecclesiam Funchalensem in metropolitanam, ac *Indiarum* necnon omnium et singularum alias pro illius tunc, ut praemittitur, ex parochiali in cathedralem erectae dioecesi assignatarum, et caeterarum temporalis ditionis praefati Regis insularum et terrarum novarum eatenus repertarum, ac insularum reperiendarum primatiales, cum archiepiscopali et primatiali dignitate, praeceminentia, jurisdictione, superioritate, auctoritate et crucis delatione, ac aliis metropolitanis et primatialibus insigniis, de fratrum suorum, de quorum numero tunc

archidiaconate, a choir, a treasury, a school and offices and likewise twelve canonries and as many prebends. He (Leo X) had applied and allotted in perpetuity to him (to the bishop) as tithes, revenues and incomes what the vicar of Thomar for the time being was receiving from such jurisdiction and vicarage, as his sure and express annual income, and for the endowment of the dignitaries, canons and aforesaid prebendaries definite and precise goods. He (Leo X) had granted and assigned the city of Funchal as the city of the diocese and its district and territory together with the aforesaid island of Madeira and all the other islands, provinces and any other places subjected to the said vicar as its territory. Moreover he (Leo X) had reserved to the aforesaid Emmanuel, and to the king of Portugal and the Algarves for the time being, as to the effect of the matter, the right of patronage and of presenting a worthy person for the same Church of Funchal, to the Roman Pontiff for the time being, whenever the see would become vacant, so that provision be made to the same Church by appointing the person presented by the king and not in any other manner; but for the dignities, canonries and prebends, (he had reserved the right of presenting) to the Master for the time being of the said Militia, to whom formerly pertained the right of patronage or the right of presenting to the said benefices, whenever they became vacant, but the appointment to the same bishop of Funchal for the time being. He (Leo X) had made provision for this same Church of Funchal thus erected, vacant from the time of its erection, in the person of the aforesaid Diogo, appointing him as its bishop and pastor.

2. Whereas under the procuration of our most beloved son in Christ John, the present illustrious king of Portugal and the Algarves, the son and successor of the abovementioned Emmanuel, Pope Clement VII of blessed memory, also our predecessor, upon the advice of his brothers, among whom we were also present, shortly after the aforesaid bishop Diogo died, with apostolic authority erected the said Church of Funchal as the metropolitan Church and the primatial see of Indies as well as of all the churches assigned to it when it was erected as a diocese and of all the other islands and the new lands under the temporal power of the aforesaid King, up until that time discovered and of the islands yet to be discovered, with archiepiscopal and primatial dignity, pre-eminence, jurisdiction, superiority, authority

eramus, consilio, similiter Apostolica auctoritate erexisset; ac inter alias insulas eidem Ecclesiae Funchalensi pro ejus dioecesi assignatas, insula, de *Goa* nuncupata, in partibus *Indiae* et eodem mari Oceano sita, notabili et magno Christianorum populo referta et munita, ac in ea inter alias una insignis parochialis ecclesia, sub invocatione Sanctae Catharinae dicata, in qua unus rector frater dictae Militiae et nonnulli clerici saeculares ibidem perpetui beneficiati, *portionarii* nuncupati, fore noscebantur, existerent, et praefatus Joannes Rex in ipsa insula de *Goa* divinum cultum efflorere, et animarum salutem propagari pio affectu desideraret, praefatus Clemens praedecessor, sub data videlicet pridie kalendas Februarii, Pontificatus sui anno decimo, habita super his cum eisdem fratribus deliberatione matura, de illorum consilio, eadem auctoritate, praefato Joanne Rege, eidem Clementi praedecessori super eo humiliter supplicante, ad Omnipotentis Dei laudem et gloriam, ac ipsius Beatae Mariae Virginis, ejus gloriosae Genitricis, totiusque curiae coelestis honorem, locum seu pagum, in quo ipsa ecclesia Sanctae Catharinae consistebat, in civitatem, quae Goanensis nuncuparetur, ac ecclesiam ipsam Sanctae Catharinae in cathedralem Ecclesiam Goanensem nuncupandam, sub eadem invocatione, pro uno episcopo Goanensi nuncupando, qui eidem Ecclesiae Goanensi praesesset, ac in ea, illiusque civitate et dioecesi spiritualia, prout pro divini cultus augmento, et animarum salute expedire cognosceret, conferret et seminaret.

3. Necnon episcopalem jurisdictionem, auctoritatem et potestatem exerceret, ac omnia, alia et singula, quae alii episcopi regni et dominiorum Portugalliae in suis Ecclesiis, civitatibus et dioecesibus, de jure vel consuetudine, seu alias facere poterant et debebant, facere libere et licite posset et deberet. Ac pro tempore existenti archiepiscopo Funchalensi jure metropolitico et primatiali subesset, cum sede, ac episcopali et capitulari mensis, aliisque insigniis et jurisdictionibus episcopalibus, necnon privilegiis, immunitatibus, facultatibus et gratiis, quibus aliae cathedrales Ecclesiae et earum praesules, in eodem regno Portugalliae consistentes, similiter de jure vel consuetudine, aut alias quomodolibet utebantur, potiebantur et gaudebant, ac uti, potiri et gaudere possent quomodolibet in futurum, uti, potiri et gaudere posset et valeret.

and the right of carrying the cross as well as other metropolitan and primatial insignias; and whereas among the islands which were assigned to the same Church of Funchal as its diocese there was the island called Goa, situated in the Indies in the same Ocean, an island fortified and inhabited by a large and noteworthy Christian population and in which among other things there was an eminent parish church, dedicated to St. Catherine, in which a rector, a brother of the said Militia and some perpetually beneficed secular clerics, called *portionarii* lived; and whereas the aforesaid king John, desired to enhance divine worship in that island of Goa and to propagate with pious affection the salvation of souls, our predecessor Clement named above, on 31 January, in the tenth year of his Pontificate, after mature deliberation with his brothers, upon their advice, with the same authority, at the supplication made humbly by the aforesaid king John to the same predecessor Clement concerning this matter, for the praise and honour of Almighty God and his glorious Mother, the Blessed Virgin Mary and the honour of all the celestial court, constituted the place or the village as a city, to be called Goa, and the same church of St. Catherine as the cathedral church of Goa, under the same invocation, for one bishop to be called the bishop of Goa, who should preside over the Church of Goa, and in it and in the city and diocese should confer and disseminate those spiritual goods which he would know to be expedient for the enhancement of divine worship and the salvation of souls.

3. Moreover he could exercise episcopal jurisdiction, authority and power, and he could and should exercise freely and rightfully all and everything which other bishops in the kingdom and dominions of Portugal could and should do in their churches, cities and dioceses by law, custom or any other title whatsoever. And he should be subject to the metropolitan and primatial right of the archbishop of Funchal for the time being, with the see, episcopal and capitulary funds (*mensa*), other insignias and episcopal jurisdictions, as well as all privileges, immunities, faculties and favours which other cathedral churches and their prelates in the same kingdom of Portugal were using, possessing and enjoying by law, custom or by any other title whatsoever and could use, possess and enjoy in the future by any title.

4. Necnon in ea unum decanatum post pontificalem majorem pro uno decano, qui curam capituli haberet, et ad quem cura animarum parochianorum ipsius ecclesiae Sanctae Catharinae prout ad illius rectorem pertinebat, pertineret, et unum archidiaconatum pro uno archidiacono, ac unam cantoriam pro uno cantore, et unam thesaurariam pro uno thesaurario, necnon unam scholastriam pro uno scholastico, non majores post pontificalem inibi dignitates, ac duodecim canonicatus et totidem praebendas pro duodecim canonicis, qui simul cum decano, archidiacono, cantore, thesaurario et scholastico praedictis capitulum ipsius ecclesiae facerent et constituerent. Ita quod tunc rector, ipsius ecclesiae Sanctae Catharinae decanus, et unus archidiaconus, et alius cantor, necnon alius thesaurarius, et alius ex praedictis clericis, in eadem ecclesia Sanctae Catharinae perpetuis beneficiatis, *portionariis* nuncupatis, magis idoneis per primum futurum episcopum Goanensem ad id examinandis, scholasticus, et duodecim alii ex dictis beneficiatis, si tot forent, alioquin alii clerici saeculares per ipsum regem nominandi, canonici ejusdem erectae ecclesiae existerent; ac decanatum, archidiaconatum, cantoriam, thesaurariam et scholastriam, necnon canonicatus et praebendas erectos praedictos respective litterarum desuper conficiendarum vigore, absque alia provisione, de illis sibi facienda obtinerent, perpetuo erexit et instituit.

5. Necnon ex terris, insulis et provinciis dictae Ecclesiae Funchalensis, alias pro ejus dioecesi assignatis locum seu pagum sic in civitatem erectum, necnon ipsius districtum seu territorium, ac insulam de *Goa* hujusmodi, prout a fine dioecesis *Sancti Thomae* et capite de *Boa Speranca* usque ad *Indiam* inclusive, et ab *India* usque ad *Chinam* protenditur, cum omnibus et singulis illorum castris, villis, locis et districtibus, tam in terra firma quam in insulis ac terris repertis et reperiendis, quorum omnium denominationes dictus Clemens praedecessor haberi voluit pro expressis. Necnon clero, populo, personis ecclesiasticis, monasteriis, hospitalibus et aliis piis locis, ac beneficiis ecclesiasticis cum cura et sine cura saecularibus et quorumvis Ordinum regularibus a praedicta dioecesi Funchalensi, ipsius Joannis Regis ad id tunc accedente consensu, etiam perpetuo dismembravit et separavit. Necnon eidem Ecclesiae Goanensi locum

4. And he (Clement VII) perpetually erected and instituted in this diocese one major deanery short of pontificate for a dean, who should have the care of the chapter, and to whom should pertain the care of souls of the parishioners of the very church of St. Catherine just as it was pertaining to its rector, and non-major infra-pontifical dignities such as one archdeaconate for an archdeacon, one choir for a cantor, one treasury for a treasurer, one school for a school-master, and twelve canonries and as many prebends for twelve canons who, together with the aforesaid dean, archdeacon, cantor, treasurer and school-master would form and constitute the chapter of the same church. Therefore the canons of the new diocese would be the then rector, the dean of the same church of St. Catherine, and the archdeacon, cantor and treasurer, as well as one of the aforementioned clerics perpetually beneficed in the same church of St. Catherine, called *portionari*, the one most suitable in the judgement of the first future bishop of Goa, the master, and twelve others from the aforesaid beneficed clerics, if so many there would be, otherwise other secular clerics to be nominated by the king: and the deanery, archdeaconate, choir, treasury and school as well as canonries and prebends erected as mentioned above by force of the letter to be drawn up, without any other provision, should obtain their effect.

5. Moreover the said Clement our predecessor, wished that the denominations of all lands, islands and provinces assigned to the territory of the new diocese from those of the Church of Funchal, the place or village erected thus as a city, as well as its district or territory, and the island of Goa, - the territory stretching from the boundaries of the diocese of St. Thomas and from the promontory of the Cape of Good Hope as far as India inclusive, and from India to China together with all their forts, villages, places and districts, both in land and in islands as well as in lands already discovered and yet to be discovered - be held to be expressed. And with the consent of the same king John he dismembered and separated in perpetuity from the aforesaid diocese of Funchal the clergy, people, ecclesiastical persons, monasteries, hospitals and other religious places, as well as

seu pagum, sicut praefertur, in civitatem erectum pro civitate, necnon ipsius loci districtum seu territorium et insulam de *Goa*, ac partes terrae et maris, ac insulas dismembratas hujusmodi, cum omnibus juribus et pertinentiis suis pro illius districtu, dioecesi et territorio in spiritualibus et temporalibus, prout ad dictam Ecclesiam Funchalensem pertinebant, seu pertinere poterant, illarumque incolas et habitatores pro clero et populo concessit et assignavit; necnon clerum et populum civitatis et dioecesis Goanensi, hujusmodi curiae et jurisdictioni ipsius episcopi Goanensis, pro tempore existentis, quoad legem dioecesanam et jurisdictionem, perpetuo subjecit.

6. Ac eidem erectae Ecclesiae pro illius dote omnia et singula jura et emolumenta episcopalia, quae episcopus Funchalensis, in loco seu pago ac insula de *Goa* et terris separatis, hujusmodi percipiebat seu percipere poterat, valorem annuum centum et quinquaginta ducatorum auri de camera, communi existimatione annuatim non excedentia; necnon redditus annuos quingentorum ducatorum auri in auro largorum cruciatorum nuncupatorum, ad valorem ducentorum millium regalium monetae earum partium ascendentium ex annuis redditibus ad dictum Joannem Regem, ut dictae Militiae Jesu Christi perpetuum administratorem in spiritualibus et temporalibus per Sedem Apostolicam deputatum, in dicta insula Goanensi spectantibus, ipsius Joannis administratoris etiam ad id expresso accedente consensu; necnon decanatu omnes et singulos fructus, redditus et proventus ipsius ecclesiae Sanctae Catharinae, quos illius rector, pro tempore existens, antea percipiebat, valorem centum ducatorum auri de camera similium, communi existimatione annuatim non excedentes; necnon ex eisdem redditibus ad ipsum Joannem Regem et administratorem in eadem insula pertinentibus singulis annis quatuor dignitatibus quadraginta, qui sexdecim, singulis autem canonicatibus et praebendis hujusmodi similiter pro illarum dote triginta ducatorum auri de camera similium valorem constituebant, redditus annuos, computatis tamen et inclusis quoad alias quatuor dignitates ac canonicatus et praebendas hujusmodi proventibus, quos dicti beneficiati, ex eorum in dicta ecclesia beneficiis seu illorum ratione, percipiebant, illis videlicet, qui ex dictis redditibus ipsius Joannis Regis et administratoris

ecclesiastical benefices, both seculars and regulars of any Orders, with and without the cure of souls. Also he granted and assigned to the same Church of Goa, the village or place, erected as a city, as is related above, as its own city, as well as the district or territory of the place and the island of Goa, and parts of the land and sea and the islands thus dismembered, with all the rights and their belongings, as its own district, diocese and territory in spiritual and temporal affairs, just as they pertained or could have pertained to the aforesaid Church of Funchal, and the inhabitants and residents of those areas as its people and clergy. He also subjected the clergy and the people of the city and the diocese of Goa in perpetuity to the curia and jurisdiction of the bishop of Goa for the time being regarding the diocesan law and jurisdiction.

6. With the consent of the same John king and administrator, he (Clement VII) allotted and applied in perpetuity to this same church as erected for its endowment all and every episcopal right and emolument which the bishop of Funchal did receive or was able to receive from the place or village and the island of Goa and from the dismembered territories, the annual value, by common estimation, not exceeding hundred and fifty gold ducats of the camera; as well as an annual income of five hundred gold ducats of the kind called the great "cruzados" amounting to the value of two hundred thousand monetary coins from the annual revenues of those regions pertaining to the aforesaid king John, as the perpetual administrator in spiritual and temporal matters of the aforesaid Militia of Jesus Christ appointed by Apostolic See in the aforesaid island of Goa, and this too, with the express consent of the administrator John himself. Moreover he (Clement VII) allotted and applied in perpetuity to the deanery all interests, revenues and incomes of the church of St Catherine, which its rector for the time being had formerly received, not exceeding annually by common estimation the value of a hundred gold ducats of the camera. Furthermore from those same revenues pertaining to John king and administrator in the same island he (Clement VII) allotted and applied in perpetuity each year forty ducats to four dignities, and to each canonry and prebend likewise for their endowment the equivalent of thirty gold ducats of the camera, which however constituted sixteen annual incomes, after those revenues were reckoned up and included that were accruing to the other

persolvebantur dumtaxat, ejusdem Joannis Regis et administratoris ad id accedente consensu, perpetuo applicavit et appropriavit. Ita quod si contingeret fructus, quos dictae ecclesiae Sanctae Catharinae rector antea percipiebat ad praedictorum centum ducatorum summam non ascendere, tunc id, quod ex dicta summa centum ducatorum deesset, ex ipsius Joannis Regis et administratoris redditibus, in dicta insula integraliter compleri seu perfici deberet, et ipse Joannes Rex, et pro tempore existens administrator seu magister ad id teneretur et astrictus foret; ac quod fructus, redditus et proventus pro singularum dignitatum ac canonicatum et praebendarum dote hujusmodi applicati, et alii quos ratione eorundem dignitatum, canonicatum et praebendarum percipiebant, seu in futurum perciperent, in quotidianas distributiones ac inter praesentes et divinis interessentes, et non alias distribuerentur et dividerentur.

7. Et insuper dictus Clemens praedecessor *jus patronatus* et praesentandi infra annum, propter loci distantiam, eidem Clementi, et pro tempore existenti Romano Pontifici, personam idoneam ad ipsam Ecclesiam Goanensem, quoties illius vacatio, ea prima vice excepta, occurreret, per eundem Clementem praedecessorem, et pro tempore existentem Romanum Pontificem in ejusdem Ecclesiae Goanensis episcopum et pastorem ad praesentationem hujusmodi, et non alias praeficiendum, eidem Joanni, et pro tempore existenti Regi Portugalliae, cui antea *jus patronatus*, et praesentandi ad dictam Ecclesiam Funchalensem, dicta auctoritate, reservatum fuerat; necnon etiam *jus patronatus*, et praesentandi dicto episcopo Goanensi vel ejus vicario in spiritualibus generali, pro tempore existenti, de ipsius episcopi Goanensis speciali concessione, aut personae ad id ab eo deputandae, personas saeculares idoneas tam ad majorem post pontificalem, quam etiam ad alias quatuor dignitates, et duodecim canonicatus et praebendas praedictos, quoties illos similiter, ea prima vice excepta; necnon ad omnia et singula alia civitatis et dioecesis Goanensis hujusmodi beneficia quaecumque, quotcumque et qualiicumque, ad quae antea dictae Militiae administrator seu magister, pro tempore existens regulares personas praesentare consueverat, quoties illa ex tunc de caetero quibusvis modis, et ex quorumcumque personis, etiam apud sedem eandem vacare contingeret, per ipsum episcopum Goanensem seu ejus vicarium, aut

four dignities, canonries and prebends which the said beneficiaries received from their benefices in the aforesaid church or by reason of them, the same namely which were paid to them to that date from the abovementioned revenues of John king and administrator. Hence if it were to occur that the revenue which the rector of St Catherine's church received beforehand did not amount to the sum of the aforementioned hundred gold ducats, the sum lacking was in its entirety to be made up and supplied from the revenues of the same John king and administrator in the said island, and John king and administrator or master for the time being was to be bound and obliged to; and that the interests, revenues and incomes allotted for such endowment of the individual offices, canonries and prebends and other revenues which they received, or were in future to receive, in virtue of their dignities, canonries and prebends, should daily be distributed and divided among those who are present and assisting at the divine services and not otherwise be distributed or divided.

7. Moreover, the said Clement our predecessor reserved and granted in perpetuity to John, the king for the time being of Portugal, to whom the right of patronage and of presenting to the said Church of Funchal had formerly been reserved by the aforesaid authority, the right of patronage and of presenting a worthy person for the Church of Goa, to the same Clement and to the Roman Pontiff for the time being, before a year has elapsed, on account of the distance of the place, except for the first time, so often as the see would become vacant, to be appointed by the same Clement our predecessor, and the Roman Pontiff for the time being, as bishop and pastor of the Church of Goa, and upon such presentation and no other; as well as the right of patronage and of presenting to the aforesaid bishop of Goa or to his vicar general for the time being in spiritual matters by the special concession of the bishop of Goa himself, or to a person to be delegated by him for this task, worthy secular priests both for the major office short of the pontificate and for the other four offices, twelve canonries and for the aforesaid prebends, except for the first time, as often as these offices would become vacant; as well as for all other such benefices of the city and diocese of Goa, no matter of whatever kind, and however many, to which formerly the administrator or Master of the said Militia for the time being had been accustomed

personam deputandam hujusmodi ad praesentationem eandem instituendas. Sic quod episcopus seu vicarius, aut persona deputanda hujusmodi praesentationes praedictas etiam extra dictam dioecesim Goanensem constitutus, seu constituta admittere, et ad illas instituere posset; et ad dictum decanatum praesentatas et in eo institutas pro tempore infra annum, a die illius assecutionis computandum, novam provisionem a dicta sede impetrare et jura camerae Apostolicae ratione illius vacationis debita persolvere teneretur, alioquin, lapso dicto anno, praesentatio et institutio hujusmodi nullius essent roboris vel momenti, ipseque decanatus vacare censeretur eo ipso. Ac idem Joannes, et pro tempore existens Portugalliae et Algarbiorum Rex, ex tunc de caetero perpetuis futuris temporibus, ad eosdem decanatum et alias quatuor dignitates, necnon canonicatus et praebendas, omniaque et singula alia erecta, ad quae magister dictae Militiae regulares praesentare consueverat ac in posterum erigenda, ad quae praesentare debuerat, Ecclesiae civitatis et dioecesis Goanensis, hujusmodi beneficia ecclesiastica, cum cura et sine cura, saeculares omnino et nullatenus regulares personas praesentare deberet, similiter eidem Joanni, et pro tempore existenti Portugalliae Regi, perpetuo reservavit et concessit.

8. Et insuper voluit, statuit et ordinavit, ac decrevit quod ex tunc de caetero Joannes Rex, et pro tempore existens dictae Militiae administrator seu magister, ipsius Ecclesiae Goanensis aedificia ampliari, et ad formam cathedralis Ecclesiae in omnibus et per omnia reduci facere, illamque ac omnes et singulas alias ecclesias, capellas, templa, monasteria et pia loca earundem civitatis et dioecesis Goanensis in earum aedificiis manutenere et conservare, ac reparari facere; necnon mitra, baculo pastorali, vestimentis, paramentis, ornamentis, calicibus, patenis, thuribus, vasis, libris, luminaribus, organis, campanis et aliis tum Goanensi et illius praesuli, necnon dignitates obtinentibus et canonicis ac personis, quam aliis ecclesiis, capellis, templis, monasteriis et piis locis praedictis, ac illorum beneficiatis et ministris ad divinum cultum inibi necessariis, decenter fulcire; necnon pro tempore existenti dictae Ecclesiae Goanensis praesuli, dignitates obtinentibus et canonicis, de praemissis illis perpetuo concessis et assignatis dotibus ex ipsius Joannis Regis et

to present regulars, as often thereafter as those benefices in whatever manner would become vacant and because of whomsoever, even the same see happened to be vacant, in such a way that appointments should be made by the bishop of Goa or by his vicar or by a person to be chosen to the said benefices, by this kind of presentation and no other. Thus as the bishop or the vicar or a person to be delegated, constituted even outside the diocese of Goa could accept such presentations and appoint them (to the benefices); and to the said deanery, having been presented and instituted in it, he would be obliged to effect the new provision within a year by calculating from the day of its execution and to pay off the rights and debts of the apostolic camera by reason of its vacancy; otherwise after a year has elapsed, the presentation and the arrangement of this kind would carry no weight or strength and the deanery would be deemed vacant by this very fact. And the Pope reserved and granted in perpetuity to the same John, the king of Portugal and the Algarves for the time being, from then on for the future times in perpetuity to present for all such ecclesiastical benefices, of the Church of the city and diocese of Goa, with and without the cure of souls only secular priests and not regulars, namely to the deanery and other four dignities, as well as to the canonries and prebends and to all and every other office already erected, for which the master of the said Militia used to present regulars and in all and every office to be erected in the future, for which he would have presented.

8. Moreover he (Pope Clement) wished, decided, ordered and decreed John king and administrator and Master of the said Militia for the time being to enlarge the edifice of the church of Goa to render it conformed in every way to the structure of a cathedral; to maintain, preserve and to have repaired both that church and all other churches, chapels, temples, monasteries and holy places of the city and diocese of Goa; to provide decently with the mitre, pastoral staff, vestments, ornaments, chalices, patens, thuribles, vessels, books, lamps, organs, bells, and other items both the church of Goa, its bishop as well as other dignitaries, canons and personnel and other churches, chapels, temples, monasteries and holy places and their beneficed priests and ministers; to pay the usual appropriate income and annual salaries to the prelate of the aforementioned church of Goa for the

administratoribus in dicta insula redditibus; necnon in dicta Ecclesia Goanensi, ac per illius civitatem et dioecesim existentibus ecclesiarum parochialium, capellarum, templorum et piorum locorum hujusmodi rectoribus, vicariis, capellanis, officialibus, presbyteris, clericis et aliis personis illis in divinis deservientibus solita et congrua, redditus et salaria annua impendere; necnon alia nova parochiales ecclesias, capellas, templa et pia loca in civitate et dioecesi Goanensi praedictis, ubi et quoties juxta temporum et locorum qualitatem et exigentiam oporteret, et alias prout inter ipsos administratorem seu magistrum et episcopum conventum foret, construi et erigi facere; ac rectores, vicarios, capellanos, beneficiatos, officiales et personas in illis cultui divino, et animarum curae necessarios in congruo numero deputare ac debite sustentare, et necessaria eis ministrare, prout ratione dictae Militiae, de jure et consuetudine, seu alias tenebatur et obligabatur, penitus et omnino teneretur et constrictus existeret.

9. Quodque prioratus, praepositurae, parochiales ecclesiae, vicariae, capellae et aliae quaecumque, cum cura et sine cura, beneficia et officia ecclesiastica, quorum qualitates denominationes et invocationes dictus Clemens praedecessor pro expressis haberi voluit, in civitate et dioecesi Goanensi praedictis, procurante dicto Joanne Rege, ac illius praedecessoribus, administratoribus dictae Militiae, vel alias quomodolibet erecta, instituta et ordinata, ac illorum rectoribus, vicariis, capellanis, sacerdotibus, clericis, beneficiatis, officialibus vel personis in illis deservientibus deputata redditus et salaria; necnon donationes et concessionem quaecumque ecclesiis, vicariis, capellis et locis praedictis factae, et quae in futurum fierent, quas, et prout illas concernebant omnia et singula in instrumentis desuper forsan confectis contenta, dictus Clemens praedecessor quoad factas ex tunc, necnon quoad faciendas similiter ex tunc prout ex ea die et e contra, eadem auctoritate, approbavit et confirmavit; supplens omnes et singulos juris et facti defectus, siqui forsan intervenerunt in eisdem, nisi de ipsius Ecclesiae Goanensis episcopi, pro tempore existentis, permissione et assensu, ac alias prout de jure foret, nullatenus supprimi, cassari, immutari, revocari, extingui ac invalidari, seu numerus rectorum, vicariorum, capellanorum, presbyterorum,

time being, to the dignitaries and canons from the endowments conceded and assigned in perpetuity from the revenues of the island pertaining to king John and his administrators, as well as to the rectors, vicars, chaplains, officials, priests, clerics and other persons serving in divine worship in the church of Goa and in the parish churches, chapels, sanctuaries and holy places, existing throughout the city and the diocese; to erect and construct new parish churches, chapels, sanctuaries and holy places in the city and diocese of Goa, where and whenever the needs and the circumstances of time and places so require, and other buildings which the administrator or master and the bishop would agree upon, and to nominate and sustain in an appropriate manner a congruent number of rectors, vicars, chaplains, beneficiaries, officials and other persons in the aforesaid edifices necessary for divine worship and for the care of souls, and to provide them with the necessities of life; he (the king) should be in every way strictly obliged and bound to effect all these in the same way that the said Militia was bound and obliged by law, custom or under any other title.

9. The aforesaid Clement our predecessor wished that the qualities, denominations and invocations of priories, headquarters, parochial churches, vicariates, chapels and any other institutes with and without the cure of souls, as well as benefices and ecclesiastical offices, in the city and diocese of Goa, erected, instituted and organized under the care of king John and his predecessors, the administrators of the said Militia, or in whatever other manner, and the incomes and salaries allotted to their rectors, vicars, chaplains, priests, clerics, beneficiaries, officials and other persons serving in them, be held to be expressed. Clement also approved and confirmed with the same authority the donations and any concessions made to the churches, vicarages and places mentioned above and those which would be built in the future, according as all and everything, perhaps enshrined in the devices set up above, which had been done hitherto and which are similarly to be effected from then, just as from that day and vice versa, supplying all and every defect of law and fact; if perchance people were to interfere with the same, unless with the permission and consent of the bishop of Goa for the time being, the number of

clericorum, beneficiatorum, officialium et personarum hujusmodi pro tempore institutus, aut redditus et salaria hujusmodi ad minores summas quam erant ordinata, a quoquam etiam Apostolica, vel alia auctoritate fungente, deduci nullatenus possent, sed inconcussa, illaesa et intacta permanerent.

10. Quodque dignitates obtinentes, canonici, beneficiati, clerici, officiales et personae Ecclesiae civitatis et dioecesis Goanensis, pro tempore existentes, quoad correctiones, praecedentias ac reformationes, etiam personales, ceremonias, ritus, mores, consuetudines, ac divinorum officiorum recitationem, celebrationem, ac omina alia et singula dignitates obtinentibus, canonicis, beneficiatis, presbyteris, clericis, officialibus et personis dictae Ecclesiae et dioecesis Goanensis se conformare deberent, et ad id per praefatum metropolitanum et primatem, seu ejusdem Ecclesiae Goanensis praesulem, pro tempore existentem, cogi et compelli possent. Et nihilominus eidem archiepiscopo Funchalensi, pro tempore existenti, sub interdicti ingressus ecclesiae sententia, necnon mille ducatorum auri camerae praedictae applicandorum, eo ipso incurrendis districtius praecipiendo mandavit, quatenus praemissa omnia et singula et alia, quae dictae Militiae administratori seu magistro, ac quibusvis illorum officialibus et aliis personis ratione dictae Militiae, seu alias quomodolibet incumbabant per se vel alium, seu alios, irremissibiliter adimpleri facerent; ac eidem episcopo Goanensi ad omnia et singula praemissa, necnon contradictores quoslibet et rebelles per censuras ecclesiasticas, ac pecuniarias et alias formidabiliores eo ipso incurrendas poenas, sublatae appellationis et defugii obstaculo, compescendi, invocato etiam ad hoc, si opus foret, auxilio brachii saecularis, praeter ordinariam Apostolicam auctoritatem et facultatem; quodque idem episcopus Goanensis, pro tempore existens, praemissa omnia et singula, ut praemittitur, necnon quamcumque jurisdictionem ordinariam in dioecesanos suos exercere, ac per viam simplicis querellae adiri posset etiam extra dictam ejus dioecesim Goanensem, perinde, ac si in ea constitutus esset, concessit; decernens irritum et inane quicquid secus super iis a quoquam quavis auctoritate, scienter vel ignoranter, contingeret attentari.

rectors, vicars, chaplains, priests, clerics, beneficiaries, officials and persons of this kind, instituted for the time being could by no means whatsoever be suppressed, annulled, altered, revoked, extinguished and invalidated, or the fixed incomes and salaries could be reduced to minor sums by anyone, even by someone enjoying apostolic or any other authority, but all these should remain untouched, unimpaired and intact.

10. And that the ecclesiastical dignitaries, canons, beneficiaries, clerics, officials and personnel of the city and the diocese of Goa for the time being with regard to corrections, precedence and reforms (even personal), rites, morals, customs, the recitation of divine offices, celebration and all and every other matter should conform to the dignitaries, canons, beneficiaries, priests, clerics, officials and persons of the aforesaid church and diocese of Goa, and the said metropolitan and primate, or the prelate of the same Church of Goa for the time being, could compel and force them to do so. And moreover he gave strict orders prescribing the archbishop of Funchal for the time being, under the sentence to prohibition of entering the church and a fine of applying a thousand gold ducats of the said camera, incurred by the very fact itself, to what extent all and everything indicated above and other things, which were incumbent upon the said administrator or the Master or whomsoever of their officials and other persons on account of the said Military or any other reason, through himself, through another person or persons, should be irremissibly carried out; and prescribing the same bishop of Goa as regards all and everything above, to repress any opponents and rebels by ecclesiastical censures, pecuniary and other formidable penalties incurred by the fact itself, having removed the obstacle of appeal and if it were necessary, having invoked also the aid of the secular arm, in addition to the ordinary apostolic authority and power; he also granted that the bishop of Goa for the time being could do all and everything as mentioned above and exercise any ordinary jurisdiction over the members of his diocese and by way of simple complaint he could be approached even from outside the said diocese of Goa exactly as if he had been appointed therein. He decreed it null and void if anyone were to attempt to do otherwise by whatever authority, either knowingly or unknowingly.

11. Non obstantibus ipsius Clementis praedecessoris, per quam inter alia voluerat, quod semper in unionibus commissio fieret ad partes, vocatis quorum interesset, et aliis Apostolicis constitutionibus, ac dictae Ecclesiae Funchalensis, ac Militiae et Ordinis praedictorum juramento, confirmatione Apostolica, vel quavis firmitate alia, roboratis statutis et consuetudinibus necnon privilegiis et indultis Apostolicis eidem Militiae et Ordini, ac ipsius Militiae magistro seu administratori, necnon militibus et aliis fratribus ac officialibus, caeterisque personis in genere vel in specie, etiam super illorum exemptione ab ordinariis locorum, et alias sub quibuscumque tenoribus et formis, ac cum quibusvis etiam derogatoriis derogatoriis, aliisque efficacioribus et insolitis clausulis, irritantibusque et aliis decretis, etiam iteratis vicibus concessis, approbatis et innovatis, quibus omnibus, etiamsi de illis, eorumque totis tenoribus specialis, specifica, individua et expressa, ac de verbo ad verbum, non autem per clausulas generales idem importantes, mentio, seu quaevis alia expressio habenda, aut aliqua alia exquisita forma servanda foret, tenores hujusmodi pro sufficienter expressis habens, illis alias in suo robore permansuris, ea vice dumtaxat specialiter, et expresse derogavit, caeterisque contrariis quibuscumque.

12. Ne autem de erectione et institutione posterioribus, dismembratione, separatione, assignatione, subjectione, applicatione, appropriatione, reservatione, voluntate, statuto, ordinatione, approbatione, confirmatione, suppletionem, praecepto, mandato, concessionem, decreto, derogatione praedictis; pro eo quod super illis dicti Clementis praedecessoris, ejus superveniente obitu, litterae confectae non fuerunt, valeat quomodolibet haesitari; ipseque Joannes Rex, et pro tempore existens Portugalliae et Algarbiorum Rex, ac episcopus Goanensis illorum frustrentur effectu, volumus et similiter, auctoritate Apostolica, decernimus quod erectio, institutio, dismembratio, separatio, assignatio, subjectio, applicatio, appropriatio, reservatio, voluntas, statutum, ordinatio, approbatio, confirmatio, suppletio, praeceptum, mandatum, decretum et derogatio Clementis praedecessoris, hujusmodi perinde a dicta die, pridie kalendas Februarii, suum sortiantur effectum, ac si super illis ipsius Clementis praedecessoris litterae, sub ejusdem diei data, confectae fuissent,

11. Notwithstanding the prescription of our predecessor Clement himself, who had wished among other things that in unions a commission always be made, after those who have an interest had been summoned, nor other apostolic constitutions, oath and apostolic confirmation of the aforesaid Church of Funchal, and of the Military and the Order of preachers, consolidated statutes and customs, as well as privileges and apostolic indults granted to the same Military and Order, and to its Master or administrator himself, as well as to soldiers, other brothers and officials, and to any other persons generally or specifically, even concerning their exemption from the ordinaries of the places and other matters in whatever tenor and form, and even with any derogations of those benefiting from derogations, and other more efficacious and extraordinary clauses, nullifying and other decrees granted, approved and renewed several times; from all these matters as well as from those others and their special tenors, he derogated only in a specific and explicit manner, even if on what is said and on all other aspects - but not on general concepts however important, - specific, individual, clear and literal mention must be made, or any other expression be used or another elegant form be observed, provided that such aspects remain sufficiently expressed, in such a way that they maintain invariably their force, and whatsoever else to the contrary.

12. Lest there be any kind of uncertainty for future generations concerning the erection and institution, dismemberment, separation, assignation, subjection, application, appropriation, reservation, statute, arrangement, approval, confirmation, completion, precept, command, concession, decree or derogation, mentioned above, due to the fact that the apostolic letter was not written over those matters on account of the unexpected death of Clement our predecessor; and lest king John himself and the king of Portugal and the Algarves for the time being and the bishop of Goa may be disappointed in its effect, we wish and similarly with apostolic authority we decide that the erection, establishment, dismemberment, separation, assignation, subjection, application, appropriation, preservation, will, statute, arrangement,

prout superius enarratur. Quodque praesentes litterae ad probandum plene erectionem, institutionem, dismembrationem, separationem, assignationem, subjectionem, applicationem, appropriationem, reservationem, voluntatem, statutum, ordinationem, approbationem, confirmationem, suppletionem, praeceptum, mandatum, decretum et derogationem Clementis praedecessoris hujusmodi ubique sufficiant, nec ad id probationis alterius adminiculum requiratur.

13. Nulli ergo omnino hominum liceat hanc paginam nostrae, etc. Siquis autem hoc attentare praesumpserit, indignationem Omnipotentis Dei, ac Beatorum Petri et Pauli, Apostolorum ejus se noverit incursum.

Datum Romae apud Sanctum Petrum anno Incarnationis Dominicae MDXXXIV, tertio nonas Novembris, Pontificatus nostri anno primo.

approval, confirmation, completion, injunction, precept, decree and derogation of Clement our predecessor precisely from the said date, namely from 31 January, should become effective, as if the letter of our predecessor Clement on this matter had been written on the same date, as is stated above. And that the present letter shall be enough to prove fully the erection, establishment, dismemberment, separation, assignation, subjection, application, appropriation, preservation, will, statute, arrangement, approval, ratification, completion, command, decree and derogation of our predecessor Clement in any place whatever and shall not require any other evidence for proving it.

13. Let it be absolutely unlawful for anyone to infringe upon this document etc. If anyone should presume to do so, he shall know that he will incur the wrath of Almighty God and of his blessed Apostles Sts Peter and Paul.

Given in Rome, at St. Peter's, on 3 November, in the year of the Incarnation of Our Lord 1534, the first year of our Pontificate.

2. ERECTIO ARCHIEPISCOPATUS GOANENSIS

PAULUS EPISCOPUS
 Servus servorum Dei
 Ad perpetuam rei memoriam

Etsi sancta et immaculata, qua Pastor ille Coelestis, adveniente temporis plenitudine, Unigeniti sui sanguine fundari voluit militans Ecclesia, universos fideles, quos regeneravit in Christo, ac civitates et loca, quae incolantur, ignis charitatis ardore prosequitur, illos tamen, qui post longas ignorantiae tenebras, Spiritus Sancti cooperante gratia, ad verum Numen, qui est Christus, tandem conversi sanctissimi nominis ejus consortio aggregari meruerunt, ac eorum civitates et loca, et in eis fundatas Ecclesias, tamquam ad adolescentulas suas, eo propensius ignis ejusdem ardore similiter fovet, dignioribusque etiam praeogativis extollit, quo ex ipsa conversione conspicit fructum in dies copiosorem in eadem Ecclesia provenire: unde nos, qui ad regendum praefatae Ecclesiae firmamentum ejusdem Pastoris directione, quamquam immeriti, praepositi sumus, Ecclesias ipsas dignioribus interdum titulis efferimus, praesertim dum civitatum celebritas, civium et populorum suorum fervens devotio, necnon Catholicorum Regum vota id exposcunt, aliasque conspiciamus in Domino salubrius expedire.

1. Sane Ecclesia Goana, quae de *jure patronatus* charissimi in Christo filii nostri Sebastiani, Portugalliae et Algarbiorum Regis illustris, ex *fundatione*, vel *dotatione* seu *privilegio Apostolico*, cui non est hactenus in aliquo derogatum, *esse dignoscitur*; et cui bonae memoriae Joannes, Episcopus Goanensis, dum viveret, praesidebat, per obitum dicti Joannis Episcopi etc., pastoris solatio destituta; nos vacationis hujusmodi fide dignis relatibus intellecta, providi, vigilisque pastoris more considerantes, quod ex omnibus *Indiarum* orientalium locis, qui olim Portugalliae et Algarbiorum Reges ditioni suae temporali adjecerunt, civitas Goana, sita ad ora *Maris Indici* intra *Gangem*, ob illius amplitudinem etc., prima sit, et postquam Reges ipsi vastissima regna, provincias, insulas, civitates, oppida, portus et loca in illis partibus summis viribus, ac diuturnis et frequentibus bellis,

2. THE ERECTION OF THE ARCHDIOCESE OF GOA

PAUL BISHOP
 Servant of the servants of God
 For perpetual memory

Even though holy and immaculate, the Church militant, which the heavenly Shepherd, in the fullness of time willed to found by the blood of his only begotten Son, pursues with the ardent fire of charity all the faithful whom it has regenerated in Christ and the places and cities where they dwell, those, however, who after a long time in the darkness of ignorance were at last made worthy by the grace of the Holy Spirit, to be converted to the true Deity, who is Christ, and found worthy to be numbered in the company of his most holy name, as well as their cities, places and the Churches founded therein, as if her adolescent daughters, the Church all the more willingly fosters with the ardour of the same fire and exalts them with still greater prerogatives, given that from their very conversion it is clear that a daily ever more copious harvest abounds in the Church. Whence we who, albeit unworthy, have set in governance of the aforesaid Church under the guidance of the same Pastor, from time to time bestow upon these same Churches even more worthy titles, particularly when the celebrity of the cities, the fervent devotion of their citizens and peoples, as well as the petitions of Catholic kings call for it, and when we consider it in the Lord to be more salubrious and expedient.

1. Indeed the church of Goa, which is duly recognized as belonging to the right of patronage of our dearest son in Christ Sebastian, illustrious king of Portugal and the Algarves, by virtue of foundation, endowment or apostolic privilege and to date not repealed in any way, and over which John of good memory, the Bishop of Goa, presided, while he lived, after the death of the aforesaid remained deprived of the consolation of a pastor. We, having learned of such vacation of the same from trustworthy reports, as a provident and vigilant shepherd, considering that among all the places of the East Indies, which the kings of Portugal and the Algarves in times past

periculisque felicissime subegerant, eorumque populos divini humanique juris eatenus expertes, abactis inde tenebris Satanae, ad fidem Catholicam, citra quam nulla est salus, atque amabilissimum Sanctae Matris Ecclesiae gremium assiduis sanctorum virorum concionibus, praeceptis ac exemplis et monitis alliciendos studiosissime curaverant, et a fide ipsa abhorrentes, dum expediebat, vel salutaribus armis confuderant, vel procul arcuerant, peculiantes dictam civitatem tamquam regiam suam et Proregum suorum sedem, illiusque dioecesim sumptuosis Dei templis, monasteriis, et xenodochiis et sacris locis, necnon ministris ecclesiasticis illustraverant et ornaverant, et in dictis partibus, in quibus, ob rationes praefatas, religio Christiana sensim, longe lateque propagata est, quamvis longe et latissime protendantur, nulla metropolitana Ecclesia existit, ad quam illarum incolae pro singulis querellis etc., et appellationibus per gravatos interpositis recurrere possint, sed illi, aut ad curiam praefatam, aut in regno Portugalliae existentem metropolitanam, inde remotissimas, confugere, vel iura sua indefensa relinquere coguntur, quo fit, ut saepe numero quamplures ad illicita procliviores sint, excessusque et crimina eorum impunita remaneant, et qui hodie ex certis tunc expressis causis Malachanense et Cochinese olim oppida, cum terris, provinciis, insulis et locis Goanensis dioecesis, per venerabilem fratrem nostrum Archiepiscopum Ulixbonensem, cum consilio praefati Sebastiani Regis, specificandis, caeterisque limitibus distinguendis, necnon dilectos filios illorum clerum et populum a dicta dioecesi et provincia Ulixbonensi, cui etiam ipsa dioecesis metropolitico jure suberat, ita quod postea *tres inibi dioeceses existant*, de fratrum nostrorum consilio et assensu, ac de Apostolicae potestatis plenitudine, perpetuo separavimus; eademque oppida in civitates, ac Annunciationis Beatae Mariae Malacanensis, pro uno, et Sanctae Crucis Cochinesis parochiales ecclesias in cathedrales Ecclesias, pro uno alio episcopis, ereximus et instituimus; necnon Annunciationis Malacensis et Sanctae Crucis Cochinesis ecclesiis, sic in cathedrales Ecclesias erectis, civitates praefatas pro suis civitatibus, ac duas ex tribus distinguendis dioecesibus, cum provinciis, insulis et locis specificandis praedictis pro suis dioecesibus, ac illorum populum et clerum hujusmodi pro

added to their temporal territories, the city of Goa, situated on the shores of the Indian Ocean near the Ganges, is the first by reason of amplitude, and so forth, and considering that after the same kings had most happily subjugated by the greatest force and by daily, frequent wars and perils, those most vast realms, provinces, islands, cities, towns, ports and places in those regions they took great care to bring the peoples of the same, inasmuch as deprived of divine and human law, after the darkness of Satan has been scattered, to the Catholic faith, outside which there is no salvation, and to the most loving womb of Holy Mother Church by the frequent preaching, precepts, examples and admonitions of holy men, and for as long as it was expedient they had confounded with salutary arms or had kept at a distance those who balked at the faith, and they had by their donations embellished and decorated that same city and its royal palace and the seat of the viceroys and its diocese with expensive temples of God, monasteries, hospitals, sacred places and ecclesiastical ministers. Considering, too, that in those parts, for the aforesaid reasons the Christian religion gradually has spread far and wide, but that although this is so, no metropolitan church exists to which the inhabitants of those places can have recourse for their complaints and appeals, and they are forced either to apply to extremely distant aforesaid curia or to the metropolitan curia in the kingdom of Portugal, or to renounce the defence of their rights, and on account of this it often happens that very many become more inclined to commit illicit acts, their transgressions and crimes remain unpunished and so today, for sure and manifest reasons, upon the counsel and with the assent of our brethren, with the plenitude of our Apostolic power, we have permanently separated the cities of Malacca and Cochin, with their lands, provinces, islands and the localities of the diocese of Goa - to be specified by our venerable brother the archbishop of Lisbon with the counsel of the aforesaid king Sebastian, and with other boundaries to be defined - and moreover our beloved sons the clergy and the people of those places from the said diocese and province of Lisbon, to the metropolitan right of which that diocese was subjected in such a way that afterwards there will be three dioceses in that place. We have erected and established these same towns as cities and the parish churches of the Annunciation of the Blessed Virgin of Malacca for one bishop and the Holy Cross of Cochin for another bishop as

suo clero et populo concessimus et assignavimus, prout in diversis hujusmodi inde confectis litteris plenius continetur, matura super hoc, cum dictis fratribus, deliberatione praehabita; necnon praefato Sebastiano Rege instante et efficaciter postulante, dictam civitatem Goanensem archiepiscopali et metropolitana praelatione et titulo dignam judicantes, de consilio et assensu, ac potestatis plenitudine similibus, ad Omnipotentis Dei laudem et honorem, ac orthodoxae fidei exaltationem, necnon felicis militantis Ecclesiae praefatae gloriam, Ecclesiam Goanam, hactenus suffraganeam Ecclesiae Ulixbonensis, ac civitatem et dioecesim Goanam praefatas, ac dilectos filios earum clerum et populum a provincia praefata, cui etiam metropolitico jure subesse dignoscuntur, auctoritate Apostolica, perpetuo segregamus, dividimus et separamus; ac ab Archiepiscopi praefati dilectorum filiorum capituli ipsius Ecclesiae Ulixbonensis superioritate, jurisdictione, potestate, subjectione, visitatione et correctione prorsus eximimus; et liberamus.

2. Necnon dictam Ecclesiam Goanam, ut praefertur, vacantem in metropolitanam, ac sedem episcopalem Goanam in archiepiscopalem, et archiepiscopalis metropolitani praesidii provinciae sedem pro uno archiepiscopo, Goano nuncupando, cum pallii et crucis delatione, ac omnibus et singulis insigniis, etc.; *jure patronatus* eidem Sebastiano et successoribus suis, Portugalliae et Algarbiorum Regibus, pro tempore existentibus, qui *illud* deinceps *in perpetuum* ad eandem metropolitanam *habeant, ut prius*, sicut ad olim cathedralem Ecclesiam Goanam habebant, *salvo et illaeso remanente*, de simili consilio, dicta auctoritate, erigimus et instituimus, ac archiepiscopali et metropolitano nomine, titulo et honore decoramus.

3. Necnon praefata Ecclesia Goana, Malacensis et Cochinentem civitates, earumque dioeceses praefatas pro sua archiepiscopali et metropolitana provincia, ipsasque Malacensem et Cochinentem Ecclesias, ac pro tempore existentes illarum praesules, pro suis et pro tempore existentis archiepiscopi Goani suffraganeis, qui tamquam membra capiti eidem archiepiscopo, jure metropolitico, subsint; provinciae quoque Goanae praefatae clerum et populum universum pro earundem Ecclesiae, et civitatis Goanae provincialibus,

cathedral Churches and provided each one with a bishop. We have conceded and assigned to the churches of the Annunciation of Malacca and the Holy Cross of Cochin, erected as cathedral Churches, the aforesaid cities as their own cities, and two out of the three dioceses to be separated with the aforesaid provinces, islands and localities to be defined for their dioceses and the people and clergy of those places as their clergy and people, as it is set out in fuller detail in our various letters regarding this matter, which were prepared, after mature deliberation with our aforementioned brethren. Moreover, at the persistent and efficacious request of the aforesaid king Sebastian, we, judging the city of Goa worthy of the archiepiscopal and metropolitan rank and title, with counsel and assent, and plenitude of authority as heretofore, for the praise and honour of Almighty God, the exaltation of the orthodox faith, and the glory of the aforesaid happy and militant Church, perpetually sever, divide and separate the Church of Goa, until recently suffragan of the Church of Lisbon, and the aforementioned city and the diocese of Goa, its beloved sons the clergy and people from the aforesaid province, to whose metropolitan right it is recognized to be subjected, and we fully liberate and exonerate them from the overlordship, jurisdiction, power, subjection, visitation and correction of the aforementioned archbishop and of our beloved sons of the chapter of the Church of Lisbon.

2. Moreover, for the same reasons and with the same authority, we erect and constitute the said Church of Goa which, as referred, is vacant, as a metropolitan Church and the episcopal see of Goa as an archiepiscopal, and the seat of archiepiscopal metropolitan government of a province for one archbishop, to be named in future the archbishop of Goa, with the right of bearing of the pallium and cross, and all the various single insignia, and so forth, - with the rights of patronage guaranteed to the same Sebastian and his successors, kings of Portugal and the Algarves for the time being, safe and inviolate, who shall henceforth possess it in perpetuity over the same metropolitan Church, as they held it formerly over the cathedral church of Goa - and we adorn it with the archiepiscopal and metropolitan name and title.

3. Moreover, we constitute the aforementioned Church of Goa, the cities of Malacca and Cochin and their aforementioned dioceses

quorum singulorum causae ad dictum archiepiscopum Goanum, juxta sacrorum canonum statuta referentur, etiam perpetuo concedimus et assignamus, ac quoad archiepiscopalia, metropolitana et provincialia jura subijcimus.

4. Et insuper praefatum modernum, et pro tempore existentem archiepiscopum Ulixbonensem judicem super specificatione locorum et distinctione terminorum et similium, tam provinciae Goanae quam Malacensis et Cochinchensis dioecesium praefatarum, caeterisque similibus rebus pro tempore contingentibus, dummodo ita ardua non sint, quod propterea Sedes Apostolica praefata merito consulenda foret, de simili consilio, Apostolica auctoritate, constituimus et deputamus.

5. Non obstantibus constitutionibus et ordinationibus Apostolicis, caeterisque contrariis quibuscumque.

6. Nulli ergo omnino hominum liceat hanc paginam nostrae segregationis, divisionis, separationis, exemptionis, liberationis, erectionis, institutionis, decorationis, concessionis, assignationis, subjectionis, applicationis, appropriationis, decreti, constitutionis et deputationis infringere, vel ei ausu temerario contraire. Siquis autem hoc attentare praesumpserit, indignationem Omnipotentis Dei, ac Beatorum Petri et Pauli, Apostolorum ejus, se noverit incursum.

Datum Romae apud Sanctum Petrum, anno Incarnationis Dominicae millesimo quingentesimo quinquagesimo septimo, pridie nonas Februarii, Pontificatus nostri anno III.

as its archiepiscopal and metropolitan province and the same Churches of Malacca and Cochin and their prelates for the time being to be suffragans of the archbishop of Goa, who as members in relation to the head are subject to the same archbishop and his metropolitan rights. We assign and grant in perpetuity to the aforementioned province of Goa the entire clergy and people of the same Churches and the city of Goa as the provincial subjects, whose individual cases are to be referred according to the prescriptions of the sacred canons to the said Archbishop of Goa, and as regards the archiepiscopal, metropolitan and provincial jurisdiction we subject them to the same.

4. Furthermore, by like counsel, with Apostolic authority we constitute and depute the present archbishop of Lisbon and the archbishop for the time being be judge as to the specification of the boundaries and definition of terms and the like of the province of Goa and the aforementioned dioceses of Malacca and Cochin and other contingent affairs for the time being, provided that they are not so difficult that in their regard the said Holy See should be consulted.

5. Notwithstanding apostolic constitutions and ordinances and whatsoever else to the contrary.

6. Let it be absolutely unlawful for anyone to infringe upon or dare temerarily to obstruct this document of segregation, division, separation, exemption, liberation, erection, institution, decoration, concession, assignment, subjection, application, appropriation, decree, constitution and deputation. For if anyone should presume to do so, he shall know that he will incur the wrath of Almighty God and of his blessed Apostles Peter and Paul.

Given at Rome, at St. Peter's, on 4 February, in the year of the Incarnation of the Lord 1557, the third year of our Pontificate.

3. ERECTIO EPISCOPATUS COCHINENSIS

PAULUS EPISCOPUS

Servus servorum Dei

Ad perpetuam rei memoriam

Pro excellenti praeeminentia Sedis Apostolicae, in qua post Beatum Petrum, Apostolorum Principem, meritis quamquam imparibus, pari tamen auctoritate, constituti sumus, dignum arbitramur in agro irriguo militantis Ecclesiae, ubi potissimum novi cultores, evulsis vepribus et spinis, agrum ipsum copioso semine fecundant, novas episcopales sedes et Ecclesias plantare, ut per hujusmodi novas plantationes popularis augeatur devotio, cultus divinus floreat et animarum salus proveniat, ac loca insignia, ea praesertim quorum incolae, benedicente Domino, multiplicari noscuntur, dignioribus titulis et condignis favoribus illustrentur, ut propagatione novae sedis, et honorati praesulis assistentia et regimine cum Apostolicae auctoritatis amplitudine, et orthodoxae fidei augmento, populi ipsi praepositum eis aeternae felicitatis praemium valeant facilius adipisci.

1. Sane cum oppidum Cochinese, Goanensis dioecesis, ad oram *Maris Indici* intra *Gangem*, et in regno Cochinese consistens ipsius regni caput, portuque et emporio insignibus ornatum ac celeberrimum, ubi mercatores Lusitanorum ac diversarum partium, pro conquirendis convehendisque mercibus, copiose affluunt, a civitate Goanensi usque adeo remotum, et Christianorum multitudo, per gratiam Sancti Spiritus, sic inibi coaluerit, ut episcopus Goanensis, pro tempore existens, ad illud ejusque fines citra periculum transmeare, ac singulorum vultus, ut episcopum decet, inspicere, aliasque partes boni Pastoris in universum exercere nequeat;

2. Et postquam Portugalliae et Algarbiorum Reges vastissima regna, provincias, insulas, civitates, oppida, portus et loca in illis partibus laboribus, ac diuturnis et frequentibus bellis felicissime subegerant, eorumque populos divini humanique juris eatenus expertes, ablatis inde tenebris Satanae, ad fidem Catholicam, extra quam nulla est salus, atque amabilissimum Sanctae Matris Ecclesiae

3. THE ERECTION OF THE DIOCESE OF COCHIN

PAUL BISHOP

Servant of the servants of God

For perpetual memory

In virtue of the excellent pre-eminence of the Apostolic See, in which, after the blessed Peter, the Prince of the Apostles, we, albeit unequal in merits but equal in authority, have been constituted, deem it rightful to plant in the irrigated field of the Militant Church - in which mainly the new labourers, after having eradicated the thorns and brambles, are rendering fertile that same earth with copious seed - new episcopal sees and churches so that through such new plantations popular devotion may increase, divine worship may flourish and the salvation of souls may result, and the distinguished places and especially their inhabitants who with God's blessing, are known to be increasing, may be rendered illustrious with worthier titles and precious favours, in such a way that with the erection of a new see and the assistance and governance of an esteemed prelate with ample apostolic authority and with an increase in the orthodox faith, the same peoples may more easily attain for themselves the propitious reward of everlasting felicity.

1. Indeed, whereas the well-known town of Cochin belonging to the diocese of Goa, situated on the shores of the Indian Ocean near the Ganges, the very capital of the kingdom of Cochin, equipped with a renowned port and emporium, where merchants of Portugal and diverse regions flock in great numbers to purchase and transport goods, is so far removed from the city of Goa and the multitude of Christians which by the grace of the Holy Spirit has so well flourished there, that the bishop of Goa cannot go there safely and visit each member of his flock, as is incumbent upon a bishop, and fulfil the other tasks of a good shepherd throughout the whole region:

2. And whereas the kings of Portugal and Algarves; after they had most happily subjugated by the greatest force and by daily, frequent wars and perils, those most vast kingdoms, provinces,

greminium, assiduis sanctorum virorum concionibus, praeceptis, exemplis et monitis alliciendos studiosissime curaverant, et a fide ipsa abhorrentes, dum expediebat, vel salutaribus armis confuderant, vel procul arcuerant, peculiariter dictam civitatem tamquam regiam suam et proregum suorum sedem, ac dictam dioecesim sumptuosis Dei templis, monasteriis, xenodochiis et sacris locis, necnon ministris ecclesiasticis locupletaverant et ornaverant; hisque rationibus religio Christiana eis in locis sic sensim longe, lateque propagata sit, ut ad illos adhuc debiles in fide confirmandos retinendosque novorum praesulum institutio omnino expediat; praeterea difficile reddatur per tam latam tamque diffusam dioecesim ad unum tantum pro justitia consequenda a personis ecclesiasticis et saecularibus recursum habere:

3. Nos qui hodie, ex certis tunc expressis causis, de fratrum nostrorum consilio et assensu, ac de Apostolicae potestatis plenitudine, Ecclesiam Goanensem eatenus suffraganeam Ecclesiae Ulixbonensis, ac dictas civitatem et dioecesim, necnon dilectos filios earum clerum et populum a provincia Ulixbonensi, cui tunc metropolitico jure suberant, ac oppidum Malachanense cum provinciis, insulis et locis olim dictae dioecesis, per venerabilem fratrem nostrum Archiepiscopum Ulixbonensem, cum consilio charissimi in Christo filii nostri Sebastiani, Portugalliae et Algarbiorum Regis illustris, specificandis et certis limitibus distinguendis ab eadem dioecesi Goanensi, ita quod post hac tres inibi dioeceses existerent, perpetuo divisimus et separavimus, illaque omnia ab Ulixbonensi; necnon quoad legem dioecesanam dictum oppidum Malachanense a Goanensium archiepiscoporum, pro tempore existentium; necnon dilectorum filiorum Ulixbonensis et Goanensis capitulorum ac praefatarum Ulixbonensis et Goanensis Ecclesiarum respective superioritate, jurisdictione, potestate, subjectione, visitatione et correctione prorsus eximimus et liberavimus, ac Ecclesiam Goanensem, certo tunc expresso modo pastoris solatio destitutam, in metropolitanam, et sedem episcopalem Goanensem in archiepiscopalem, archiepiscopalisque et metropolitanae praesidis provinciae sedem pro uno archiepiscopo, *Goanensi* nuncupando.

islands, cities, towns, ports and places in those regions they took great care to bring the peoples of the same, in as much as deprived of divine and human law, after the darkness of Satan had been scattered, to the Catholic faith, outside which there is no salvation, and to the most loving womb of Holy Mother Church by the frequent preaching, precepts, examples and admonitions of holy men and for as long as it was expedient they had confounded with salutary arms or had kept at a distance those who baulked at the faith, and had by their donations embellished and decorated that same city and its royal palace and the seat of the viceroys and the said diocese with expensive temples of God, monasteries, hospices, sacred places and ecclesiastical ministries, the Christian religion gradually has spread far and wide so much so that it becomes very expedient to appoint new prelates for confirming and strengthening those who are still weak in the faith; moreover in such a large and huge diocese it is difficult for ecclesiastical and secular persons to have recourse to only one person for obtaining justice:

3. For sure and manifest reasons, upon the counsel and with the assent of our brethren, with the fullness of our apostolic power, today we have permanently divided and separated in perpetuity the Church of Goa, which until then was the suffragan Church of Lisbon and the aforementioned city and diocese as well as their beloved sons the clergy and people from the province of Lisbon, to the metropolitan right of which they were until then subjected, and the town of Malacca with its provinces, islands and places (formerly part of the said diocese) - to be specified by our brother the archbishop of Lisbon in consultation with our most beloved son in Christ Sebastian, the illustrious king of Portugal and the Algarves and with precise boundaries to be defined - in such a way that afterwards there three dioceses would come into being from the diocese of Lisbon. Moreover we have exonerated and freed the town of Malacca from then onwards with regard to diocesan right from the superiority, jurisdiction, power, subjection, visitation and correction respectively of the archbishops of Goa, of our beloved sons of the chapters of Lisbon and Goa as well as of the Churches of Lisbon and Goa, and we have elevated the Church of Goa which had then been surely deprived of the consolation of a pastor, to the rank of a metropolitan Church and the episcopal see of Goa to an archiepiscopal see and the seat of archiepiscopal and metropolitan

4. Necnon oppidum Malachanense praefatum in civitatem, ac parochialem ecclesiam Annunciationis Beatae Mariae Virginis ejusdem oppidi Malachanensis in cathedralem Ecclesiam pro uno episcopo, qui archiepiscopo Goanensi, pro tempore existenti, metropolitico jure subesset, ereximus et instituimus; ac ecclesiae Annunciationis Beatae Mariae Virginis, hujusmodi sic in cathedralem Ecclesiam erectae, civitatem Malachanensem pro sua civitate, necnon unam ex dictis tribus distinguendis dioecesibus, cum provinciis, insulis et locis, ut praefertur, specificandis pro sua dioecesi, ac civitatis et dioecesis Malachanensis clerum et populum hujusmodi pro suis clero et populo concessimus et assignavimus, prout in diversis nostris inde confectis litteris plenius continetur.

5. Oppidum Cochinese praedictum episcopali et civili praelatione ac titulo dignum judicantes, matura super his cum dictis fratribus deliberatione praehabita; necnon praefato Sebastiano Rege instante et hoc efficaciter postulante, de consilio et assensu ac potestatis plenitudine similibus, oppidum Cochinese praefatum cum provinciis, insulis et locis praedictis, ut praemittitur, specificandis et distinguendis ab eadem dioecesi Goanensi, ita quod post hac tres inibi dioeceses existant, auctoritate Apostolica, perpetuo segregamus, dividimus et separamus, illaque omnia, a pro tempore existentis archiepiscopi et capituli ac Ecclesiae Goanensis praedictorum superioritate, jurisdictione, potestate, subjectione, visitatione et correctione similibus quoad dictam legem, dioecesanam prorsus eximimus et liberamus.

6. Necnon dictum oppidum Cochinese in civitatem, et parochialem ecclesiam Sanctae Crucis ejusdem oppidi per vicarium perpetuum loco illius rectoris hactenus regi solitam, in qua una perpetua vicaria pro dicto vicario et sex perpetua simplicia beneficia ecclesiastica, *portiones* nuncupata, de *jure patronatus* praefati Sebastiani Regis existentia pro sex clericis inibi perpetuis beneficiatis, *portionariis* nuncupatis, instituta sunt, vicariam cujus sexaginta, ac beneficia hujusmodi, quorum cujuslibet triginta ducatorum auri de camera fructus, redditus et proventus, secundum communem extimationem, valorem annum non excedunt, sine praejudicio illa obtinentium perpetuo supprimendo et extinguendo, in cathedralem

governance of the province for one archbishop to be named the archbishop of Goa.

4. Moreover, we have erected and established the town of Malacca as a city and the parish church of the Annunciation of the Blessed Virgin Mary of the same town of Malacca as a cathedral church for one bishop who would be subject to the metropolitan right of the archbishop of Goa. We have also granted and assigned, as is more amply contained in our other letter, to the church of Annunciation of the Blessed Virgin Mary, erected this way as a cathedral Church, the city of Malacca as its own city and one of the said three dioceses, to be separated together with the provinces, islands and localities to be defined, as mentioned above, for its diocese, and the clergy and people of the city and diocese of Malacca as its clergy and people.

5. We, judging the aforesaid town of Cochin to be worthy of episcopal and civil predilection and title, after mature deliberation about these matters with our aforesaid brothers, upon their counsel and with their consent, at the efficacious and insistent request of the aforesaid king Sebastian, with the fullness of power, as is related above, by apostolic authority separate, divide and disjoin in perpetuity the aforesaid town of Cochin with its provinces, islands and places - which are to be specified and distinguished from the same diocese of Goa in such a way that after this there would be three dioceses in that region - and we also exonerate and free all those from the supremacy, jurisdiction, power, subjection, visitation and correction of the aforesaid archbishop and the chapter of Goa, as regards the aforesaid diocesan right.

6. Moreover, we have erected the aforesaid town of Cochin to be a city and the parish church of the Holy Cross of the same town as a cathedral Church for one bishop, who must preside there, exercise each and everything proper to the Orders and jurisdiction and every other charge of the episcopal office, and he should be subject to the archbishop of Goa for the time being, as regards metropolitan rights, together with the episcopal seat, funds (*mensa*) and other cathedral insignia. Which parish church was used hitherto to be governed by a perpetual vicar in the stead of a rector and in it

Ecclesiam pro uno episcopo, qui inibi praesideat, omniaque et singula, quae ordinis et jurisdictionis ac cujuscumque alterius muneris episcopalis sunt, exerceat, et eidem archiepiscopo Goanensi, pro tempore existenti, jure metropolitico subsit, cum sede et mensa episcopalibus, aliisque cathedralibus insigniis.

7. Ac in eadem Ecclesia Cochiniensi unum decanatum post pontificalem majorem, et unum archidiaconatum, ac unam cantoriam, et unam scholasticam, ac unam thesaurariam inferiores dignitates, ac duodecim canonicatus, et duodecim praebendas pro uno decano, et uno archidiacono, ac uno cantore, et uno thesaurario, ac uno scholastico; necnon duodecim canonicos, qui insimul capitulum faciant, etiam cum mensa capitulari, archa, sigillo et aliis capitularibus insigniis, dicta auctoritate, erigimus et instituimus; ac oppidum civitatis et Ecclesiam Cochiniensem praefata cathedralis nomine, titulo et honore decoramus.

8. Necnon ipsi Ecclesiae Cochiniensi, sic in cathedralem Ecclesiam erectae, civitatem Cochiniensem pro sua civitate, ac unam ex praedictis tribus distinguendis dioecesibus, cum provinciis, insulis et locis, ut praefertur, specificandis pro sua dioecesi, et illorum clerum et populum hujusmodi pro suis clero et populo perpetuo concedimus et assignamus; ac mensae episcopali Cochiniensi unum quingentorum et decanatum alium centum, et unicuique ex caeteris dignitatibus alium septuaginta quinque, ac singulis canonicatibus et singulis praebendis praedictis pro eorum dote reliquum annuos redditus quinquaginta ducatorum similium ex dictae civitatis Cochiniensis redditibus, ad ipsum Sebastianum Regem spectantibus, comprehensis in eis redditibus vicariae et suppressorum beneficiorum hujusmodi, quos ipse Rex, ex proventibus hujusmodi vicario et beneficiatis praefatis, persolvebat, episcopo Cochiniensi; necnon decano, archidiacono, cantori, thesaurario, scholastico, singulisque canonicis, pro tempore existentibus, vel pro eis capitulari mensae praefatis, per eundem Sebastianum, et pro tempore existentem Regem, annis singulis integre persolvendos, similiter perpetuo applicamus et appropriamus.

9. Ac ipsi Sebastiano, et pro tempore existenti Regi, *jus patronatus*, et praesentandi personas idoneas ad Ecclesiam Cochiniensem Romano Pontifici, similiter pro tempore existenti, intra

one perpetual vicarage for the said vicar and six perpetual, simple ecclesiastical benefices called "portiones" for six clerics perpetually beneficed there, called "portionarii" were established in virtue of the patronage right of the aforesaid king Sebastian. These, whose fruits, incomes and revenues, according to common estimation do not exceed for the vicarage the annual value of sixty gold ducats of the camera and for each of the benefices thirty gold ducats of the camera, We, without prejudice to those obtaining the same, suppress and extinguish in perpetuity.

7. And by our authority we erect and institute in this same Church of Cochin one major deanery short of the pontificate, and inferior dignities such as one archdeaconate, one choir, one school and one treasury, as well as twelve canonries and twelve prebends, respectively for one dean, one archdeacon, one chorister, one treasurer and schoolmaster, as well as twelve canons, who must form together the chapter, also with capitulary table, exchequer, seal and other capitulary insignias. We also endow the town (of Cochin) with the name, title and honour of a city and the church of Cochin with those of a cathedral.

8. We grant and assign in perpetuity to the Church of Cochin, thus erected as a cathedral Church, the city of Cochin as its own city, and one of the three afore-mentioned dioceses to be separated together with the provinces, islands and localities to be specified, as mentioned beforehand, for its diocese and the clergy and people of those places as its clergy and people. In the same manner we assign and allot in perpetuity to the episcopal funds (*mensa*) of Cochin, for its endowment, one hundred and fifty ducats, to the deanery another hundred, to each one of the other dignities another seventy five ducats; to every single canonry and to every single aforesaid prebend, the revenue of fifty five ducats, all these to be provided by king Sebastian from the revenues of the city of Cochin pertaining to him, including in them the incomes of the vicarage and the suppressed benefices, which the king himself was paying from the revenues deriving from the said vicar and beneficed, all these to be provided integrally in each year by the same Sebastian, king for the time being to the bishop of Cochin and to the dean, archdeacon, cantor, treasurer, schoolmaster and to the canons or on their behalf to the capitulary fund (*mensa*).

annum, ob locorum distantiam, per eundem Pontificem in episcopum et pastorem, ad praesentationem hujusmodi praeficiendum; necnon ad decanatum, et alias dignitates, et singulos canonicatus, et singulas praebendas praedictos, etiam hac prima vice; necnon ad omnia et singula alia beneficia ecclesiastica, cum cura et sine cura, quae posthac in ipsa Ecclesia, civitate et dioecesi Cochinchinensi canonice erigi, et per ipsum Regem, pro tempore existentem, fundari et dotari contigerit, quoties illa perpetuis futuris temporibus simul vel successive, quibusvis modis et ex quorumcumque personis, vacaverint, eidem episcopo Cochinchinensi, pro tempore existenti, similiter per eum ad praesentationes hujusmodi instituendos, de simili consilio, dicta auctoritate, etiam perpetuo reservamus et concedimus; decernentes *jus patronatus* hujusmodi Sebastiano, et pro tempore existenti Regi praefato, ex meris fundatione et dotatione, competere, nec illi ullo unquam tempore quacumque derogari posse, et si ei quoquomodo derogeretur, derogationem hujusmodi cum inde secutis nullius roboris et efficaciae fore; necnon irritum et inane si secus super his a quoquam, quavis auctoritate, scienter vel ignoranter, contigerit attentari.

10. Non obstantibus constitutionibus et ordinationibus Apostolicis, caeterisque contrariis quibuscumque.

11. Nulli ergo omnino hominum liceat hanc paginam nostrae segregationis, divisionis, etc. Siquis autem hoc attentare praesumpserit, indignationem Omnipotentis Dei, ac Beatorum Petri et Pauli, Apostolorum ejus, se noverit incursum.

Datum Romae apud Sanctum Petrum, anno Incarnationis Dominicae MDLVII, pridie nonas Februarii, Pontificatus nostri anno tertio.

9. We also reserve and concede in perpetuity to Sebastian himself, and to the king for the time being, the right of patronage and of presenting worthy persons for the Church of Cochin to the Roman Pontiff for the time being, before a year has elapsed, on account of the distance of the places, to be appointed by the same Pontiff as bishop and pastor upon such presentation, as well as for the deanery, other dignities, canonries and prebends, also the first time, as for all other ecclesiastical benefices, with and without the cure of souls, which afterwards in the same Church, city and diocese of Cochin to be canonically erected, founded and endowed by the king himself, as often as they successively or simultaneously will become vacant in the future, in whatever manner and of whomsoever, to the bishop for the time being of Cochin, who should make appointments to the aforesaid offices only upon this kind of presentation. We decree that the right of patronage of this kind pertains to Sebastian, and to the aforesaid king for the time being, simply for reasons of foundation and endowment, which cannot be abrogated at any time by anyone for any reason whatsoever, and were it to happen that in any manner a derogation be made, that derogation and its effects would be without any force and efficacy; and if any one were to attempt to do otherwise by any authority, either knowingly or unknowingly, such would be null and void.

10. Notwithstanding apostolic constitutions and ordinances and whatsoever else to the contrary.

11. Let it be absolutely unlawful for anyone to infringe upon this document of segregation, division, etc. For if anyone should presume to do so he shall know that he will incur the wrath of Almighty God and of his blessed Apostles Peter and Paul.

Given in Rome, at St. Peter's, on 4 February, in the year of the incarnation of the Lord 1557, the third year of our Pontificate.

4. ERECTIO ECCLESIAE MELIAPORENSIS, CEDULA CONSISTORIALIS

Hodie Sanctissimus in Christo Pater et D. N., D. Paulus, Divina Providentia, Papa V, in suo consistorio secreto, ut moris est, ad relationem reverendissimi domini mei Odoardi, cardinalis Farnesii:

1. Cum aliàs serenissimus D. Philippus, Portugalliae et Algarbiorum rex catholicus, ex litteris R. in Christo patris Andreae de Sancta Maria, episcopi Cochinchensis, intellexisset multum interesse Indiarum orientalium erigi et institui cathedralem Ecclesiam in littoribus, seu oris maritimis, et portibus regnorum de Bengala, Choromandel, Oriza et Pegu, Cochinchensis dioecesis, ipsumque Andream episcopum, propter locorum distantiam, magna cum difficultate, illa visitare et illis subvenire posse, prout sibi ex pastoralis officii debito incumberebat; idem Philippus rex mandavit hoc negotium mature et diligenter examinari, et cum ex sententia suorum a consiliis, visa primum informatione, necessarium satis esse diceret, ad divini cultus augmentum et fidei catholicae propagationem, ecclesiam Sancti Thomae oppidi, civitatis nuncupatae Meliaporensis, aliàs de Sancto Thoma, in dicta dioecesi Cochinchensi consistentis, pro eo quod corpus ejusdem Sancti Thomae ibi requiesceret, ac una fratrum praedicatorum, et alia fratrum heremitarum Sancti Augustini ordinum, necnon reliqua religiosorum societatis Jesu domus fundatae existerent, in cathedralem erigi et institui, idque fieri pio affectu exoptaret, matura super his cum reverendissimis DD. meis S. R. E. cardinalibus deliberatione habita, et de illorum consilio et assensu, et apostolicae potestatis plenitudine, praedicto Philippo rege super hoc Sanctitati suae per suas litteras humiliter supplicante, ad omnipotentis Dei laudem et gloriosissimae ejus Genitricis Virginis Mariae ac ejusdem Sancti Thomae et totius triumphantis Ecclesiae gloriam, et ejusdem fidei exaltationem, oppidum de Meliapore hujusmodi civitatis nomine, titulo et honore decoravit, ac illud in civitatem Sancti Thomae, aliàs Meliaporensis, et dictam ecclesiam Sancti Thomae in cathedralem Ecclesiam, sub invocatione ejusdem Sancti Thomae, pro uno episcopo Sancti Thomae, aliàs Meliaporensis, nuncupando, qui illi praesit, et

4. THE ERECTION OF THE DIOCESE OF MYLAPORE (CONSISTORIAL MINUTE)

This day our most Holy Father and Lord in Christ, Paul V, by Divine Providence Pope, in secret consistory, as is customary, with regard to the presentation of my most reverend lord Odoardo, Cardinal Farnese:

1. Whereas on a given occasion the most serene Lord Philip, Catholic king of Portugal and the Algarves, learnt from the letters of the reverend Father in Christ Andrew of Holy Mary, bishop of Cochin, that it was greatly in the interest of the East Indies that a cathedral church be erected and founded on the shores or seacoasts and the ports of the kingdoms of Bengal, Coromandel, Orissa and Pegu (Burma) in the diocese of Cochin and that bishop Andrew himself, on account of the great distance between the places could with great difficulty visit and come to the assistance of those regions, as was incumbent upon him in virtue of the duty of his pastoral office, the same king Philip gave orders that this matter should be carefully and diligently examined, and since in the opinion of his counsellors, upon this initial examination of the report, it was quite necessary for the furtherance of divine worship and the propagation of the Catholic faith that the church of St Thomas in the town that is known as the city of Mylapore, alias Saint Thomas, situated in the said diocese of Cochin - for the reason that the body of the same Saint Thomas rests therein, and that there exists one house of the Order of Friars Preacher and another of the Order of Friars Hermit of Saint Augustine and for the rest a constituted house of the religious of the Society of Jesus - be erected and established as a cathedral Church and it is reported that [king Philip] desired with pious sentiment that this be done; after mature deliberation about these matters with my most reverend Lords, the Cardinals of Holy Roman Church, upon their advice and with their consent, with the fullness of apostolic power, at the supplication made humbly in writing by the aforesaid king Philip to His Holiness, for the praise of Almighty God and his most glorious Mother the Virgin Mary and for the glory of Saint Thomas and of the whole Church triumphant and likewise for the exaltation of the faith, [the Pope] endowed the town of Mylapore with the name, title and honour of a city, and erected it as the city of Saint Thomas, or otherwise Mylapore, and erected the aforesaid Church of Saint Thomas as a

ecclesiam ipsam seu illius structuras et aedificia ampliari, et ad formam cathedralis Ecclesiae redigi faciat.

2. Necnon in ea, et dicta civitate Meliaporensi et illius dioecesi tot dignitates, ac canonicatus, et praebendas aliaque beneficia ecclesiastica, cum cura et sine cura, quot inibi pro divino cultu et dictae Ecclesiae Sancti Thomae, alias Meliaporensis, servitiis ac illius cleri decore sibi videbuntur convenire, de dicti Philippi, et pro tempore existentis Portugalliae et Algarbiorum regis, consilio et assensu, ac praevia congrua dotatione, quamprimum fieri poterit, erigat; interim autem instituat tres personas ecclesiasticas, in sacris constitutas, ac provisorem seu vicarium, aut officialem generalem, quae dictae Ecclesiae Sancti Thomae, alias Meliaporensi, inserviant, et quibus etiam dictus rex de infrascriptis redditibus congruam sustentationem praebet, ac quarum opera et auxilio ipse episcopus Sancti Thomae, alias Meliaporensis, infideles et alias barbaras gentes ad cultum verae fidei Catholicae convertat, et conversos in eadem fide instruat ac confirmet, eisque baptismi gratiam impendat, ad tam illis sic conversis cum omnibus aliis Christi fidelibus, in civitate et dioecesi Sancti Thomae, aliàs Meliaporensi, pro tempore degentibus et ad eas declinantibus, sacramenta ecclesiastica ministrari faciat et procuret, ac alia spiritualia, prout ad divini cultus augmentum et animarum salutem expediens esse cognoverit, conferat et seminet.

3. Necnon episcopalem jurisdictionem, auctoritatem et potestatem exercere, omniaque et singula, quae alii episcopi, in Portugalliae et Algarbiorum regnis et dominiis constituti, in suis ecclesiis, civitatibus et dioecesibus, de jure vel consuetudine, aut alias quomodolibet facere possunt et debent, facere libere et licite possit et debeat, et pro tempore existenti archiepiscopo Goanensi, jure metropolitico subsit, cum sede, et mensa aliisque insigniis episcopalibus; necnon praeeminentiis, honoribus, privilegiis, immunitatibus et gratiis, quibus caeterae cathedrales Ecclesiae regnorum et dominiorum Portugalliae et Algarbiorum praedictorum similiter, de jure vel consuetudine aut aliàs quomodolibet, utuntur, potiuntur et gaudent, ac uti, potiri et gaudere poterunt quomodolibet in futurum apostolica auctoritate, perpetuo erexit et instituit.

Cathedral church, under the invocation of the same Saint Thomas, for one bishop to be called the bishop of Saint Thomas, or otherwise of Mylapore, to preside over it and have the church itself, that is to say its structures and buildings enlarged and made to resemble the form of a Cathedral church.

2. Moreover, in the said city and in the diocese of Mylapore [the Bishop] should as soon as possible establish as many dignities, canonries, prebends and other ecclesiastical benefices, with and without the cure of souls, as shall seem to be fitting for divine worship and the various service due to the Church of Saint Thomas, otherwise of Mylapore, for the decorum of that clergy, and this upon the advice of the aforesaid Philip, and of the king of Portugal and the Algarves for the time being, and at his appropriate prior endowment. In the meanwhile, however, [the bishop] should appoint three ecclesiastics, constituted in holy orders, as also a procurator or vicar or official general, who might serve the aforesaid Church of Saint Thomas, or of Mylapore, for all of whom the said king should also provide suitable sustenance from the revenues mentioned below, and by whose labour and assistance the bishop of Saint Thomas, otherwise of Mylapore, is to convert the infidels and other barbarian peoples to the worship of the true Catholic faith, and instruct and confirm in the same faith those converted and impart to them the grace of baptism, and to those who have been converted together with all other Christ's faithful currently living in the city and diocese of Saint Thomas, otherwise of Mylapore, and to those who repair thence, he should see to it that the sacraments of the Church be administered, and he should confer and disseminate other spiritual goods which he shall know to be expedient for the enhancement of divine worship and the salvation of souls.

3. Moreover, by apostolic authority [the Pope] erected and established in perpetuity that [the bishop of Saint Thomas] may and must exercise freely and rightfully episcopal jurisdiction, authority and power, and all and everything which other bishops who are appointed in the kingdoms and domains of Portugal and the Algarves may and must do in the churches, cities and dioceses, by law, custom or by any other title whatsoever, and that he should be subject to the metropolitan jurisdiction of the archbishop of Goa for the time being, and enjoy the see, funds (*mensa*) and other episcopal insignia; and that he may use, obtain and enjoy all rights of precedence, honours, privileges, rights of immunity and favours which other Cathedral

4. Ac eidem sic erectae et institutae dictam civitatem Meliaporensem, in eadem dioecesi Cochinchinensi, ut praefertur, consistentem, pro civitate, ac id quod est, et intrat in littora, seu oras maritimas, ac portus dictorum regnorum de Bengala, Choromandel, ubi dicta civitas de Meliapor consistit, Oriza et Pegu, hujusmodi per ipsum Philippum regem, seu personam aut personas ad id ab eo specialiter nominandas et deputandas, specificandum et stabiliendum pro dioecesi Sancti Thomae, aliàs Meliaporensi, et Ecclesiae pro clero ac saeculares personas in civitate et dioecesi Meliaporensi hujusmodi pro tempore degentes pro populo, de consilio, potestate et auctoritate similibus, etiam perpetuo concessit et assignavit; necnon civitatem, dioecesim, clerum et populum hujusmodi episcopo Sancti Thomae, alias Meliaporensi, quoad episcopalem, et archiepiscopo Goanensi, pro tempore existentibus, quoad metropolitanam ordinariam jurisdictionem et superioritatem, eisdem consilio et auctoritate, similiter perpetuo subiecit.

5. Ac mensae episcopali Sancti Thomae, aliàs Meliaporensi, pro ejus dote, redditus annuos ducentorum millium regalium monetae Portugalliae, quadringentos ducatos auri de camera; necnon cuilibet dictarum trium personarum ecclesiasticarum portionem annuam quadraginta millium regalium, octoginta ducatos similes conficientium; ac provisorio, seu vicario, aut officiali hujusmodi portionem annuam nonaginta millium regalium similibus, centum octoginta ducatos similes constituentium, per ipsum Philippum regem ex redditibus annuis ad eum, etiam uti perpetuum administratorem militiae Jesu Christi, sub regula cisterciensi, in spiritualibus et temporalibus a Sede Apostolica deputatum in dictis littoribus, seu oris maritimis, et portibus spectantibus assignandis, seu forsitan aliis status Indiarum orientalium ex tunc, prout ex ea die et e contra postquam assignati fuerint, dicta auctoritate, etiam perpetuo applicavit et appropriavit.

6. Necnon Philippo, et pro tempore existenti Portugalliae et Algarbiorum Regi praedicto, jus patronatus, et praesentandi personas idoneas ad dictam Ecclesiam Sancti Thomae, alias Meliaporensi, eidem Sanctitati suae, et pro tempore existenti Romano Pontifici, infra biennium, ob locorum distantiam, tam hac prima vice, quam quoties illam deinceps quovis modo, etiam apud sedem praedictam vacare

churches in the Kingdoms and domains of Portugal and the Algarves by law, custom or by any other title whatsoever, use, obtain and enjoy and shall in the future by any title use, obtain and enjoy.

4. And by similar counsel, power and authority [the Pope] also conceded and assigned in perpetuity to the same diocese thus erected and established, the aforesaid city of Mylapore, situated, as is related above, in the diocese of Cochin, as its own city, along with what is in and may enter the coastlands, seashores and ports of the aforesaid Kingdoms of Bengal, Coromandel (where the city of Mylapore is situated), Orissa and Pegu (Burma), which by the same king Philip or by a person or persons to be specially nominated and destined by him to this purpose, shall be specified and established in favour of the diocese and Church of Saint Thomas, otherwise of Mylapore, and in favour of the clergy and secular persons dwelling for the time being in this city and diocese of Mylapore; moreover, [the Pope] subjected in perpetuity the same city, diocese, clergy and people to the bishop of Saint Thomas, otherwise of Mylapore, for the time being as regards the ordinary episcopal jurisdiction and authority and to the archbishop of Goa for the time being as regards the ordinary metropolitan jurisdiction and authority.

5. And by the same authority [the Pope] applied and allotted in perpetuity to the episcopal funds [*mensa*] of the bishop of Saint Thomas, or of Mylapore, for its endowment, an annual income of two hundred thousand sovereigns of Portuguese coin, equal to four hundred gold ducats of the camera, and moreover to each of the three abovementioned ecclesiastics an annual portion of forty thousand sovereigns, equivalent to eighty ducats; and to the procurator, vicar, or official an annual portion of ninety thousand sovereigns, equivalent to one hundred and eighty ducats, all these to be provided by the said king Philip from the annual revenues pertaining to him, even as perpetual administrator in spiritual and in temporal matters of the Militia of Jesus Christ under the Cistercian Rule as appointed by the Apostolic See, on the aforesaid shores, seacoasts and ports, and perchance other states of the East Indies from now, as if from that day and vice versa, afterwards they were assigned.

6. Moreover, [the Pope] conceded and reserved in perpetuity to Philip, and to the aforesaid king for the time being of Portugal and the Algarves, the right of patronage and of presenting worthy persons for the aforesaid Church of Saint Thomas, otherwise Mylapore, to

contigerit, per eandem Sanctitatem suam, et pro tempore existentem Romanum Pontificem, in ejusdem Ecclesiae Sancti Thomae, alias Meliaporensis, episcopum et pastorem, ad praesentationem hujusmodi, et non aliàs, praeficiendum, et tam ad majorem post pontificalem, quam principales et alias dignitates, canonicatus et praebendas, ac beneficia erigenda hujusmodi, et per ipsum regem dotanda, tam ab eorum primaeva erectione, postquam erecta fuerint, quam ex tunc deinceps, et quoties illa quibusvis modis et ex quorumcumque personis, etiam apud sedem eandem pro tempore vacare contigerit, episcopo Sancti Thomae, aliàs Meliaporensi, pro tempore existenti praedicto, similiter per eum ad praesentationem hujusmodi in ipsis dignitatibus, canonicatibus et praebendis ac beneficiis instituendas, eadem auctoritate, perpetuo reservavit et concessit; ac jus patronatus, et praesentandi hujusmodi Philippo, et pro tempore existenti regi praedicto, ex meris fundatione et dotatione competere, illique etiam per sedem eandem, quacumque ratione, derogari non posse, nec derogatum censi, nisi prius Philippi, et pro tempore existentis praedicti regis, expressus ad id accedat assensus, et si alias quomodocumque derogetur, derogationes hujusmodi, cum inde sequutis, nullius roboris, efficaciae et momenti fore; sicque per quoscumque iudices, etc., etiam palatii apostolici causarum auditores, ac S. R. E. cardinales, sublata, etc., judicari debere, irritum quoque, etc., decrevit.

7. Et insuper eadem Sanctitas sua Ecclesiae Sancti Thomae, alias Meliaporensi, sic ab ejus primaeva erectione vacanti, de persona religiosi viri D. Sebastiani de Sancto Petro, dicti ordinis fratrum heremitarum Sancti Augustini provinciae Portugalliae, de legitimo matrimonio procreati, et in presbyteratus ordine constituti, quem dictus Philippus rex eidem Sanctitati suae ad hoc per alias suas litteras praesentavit, quique fidem catholicam juxta articulos dudum ab eadem sede proposito expresse professus est, de pari consilio, dicta auctoritate, providit, ipsumque illi in episcopum praefecit et pastorem, curam et administrationem ipsius Ecclesiae Sancti Thomae, aliàs Meliaporensis, sibi in spiritualibus et temporalibus plenarie committendo.

His Holiness and to the Roman Pontiff for the time being, before two years have elapsed, on account of the distance of these regions, both the first time and then so often as thereafter the see shall in whatever manner become vacant, to be appointed by his Holiness or the Roman Pontiff for the time being as bishop and pastor of the same Church of Saint Thomas, otherwise of Mylapore, and upon such presentation and no other; and both for major office short of the pontificate, as for leading and otherwise important dignities, canonries, prebends and benefices to be established and endowed by the king himself, both at the time of their original erection, after they have been erected, and then so often as thereafter they shall in whatever manner become vacant and because of whomsoever, even in case of the vacancy of the same see, to the bishop for the time being of Saint Thomas, otherwise of Mylapore, for appointment to the aforesaid offices, canonries, prebends and benefices similarly upon such presentation and no other. Moreover, [the Pope] decreed that the right of patronage and this kind of presentation pertain to Philip, and to the aforesaid king for the time being, simply for reasons of foundation and endowment and that such cannot be derogated from, nor considered derogated from even by the same Holy See, for any reason whatsoever, unless Philip or the king for the time being has first given his explicit assent, and were it to happen that otherwise in any manner whatsoever a derogation be made, that derogation and its effects would be without any force, efficacy and relevance; thus by any judges whatever, etc., even auditors for causes of the apostolic palace, and the cardinals of the Holy Roman Church, with any power, etc. must be judged, without effect and, etc.

7. And moreover His Holiness, for the same purpose, and by his aforesaid authority, made provision for the Church of Saint Thomas, or Mylapore, vacant from its original erection, in the person of the religious, Messer Sebastian of San Pedro of the Portuguese province of the aforementioned Order of Friars Hermit of Saint Augustine, of legitimate birth, ordained a priest, whom the said king Philip presented for this office in another letter of his to His Holiness and who has expressly made a profession of the Catholic faith according to the articles put forth some time ago by the same Holy See, setting the same over the same Church as bishop and pastor and entrusting to him the care and administration of the same Church of Saint Thomas, or of Mylapore, in matters both spiritual and temporal.

8. Non obstantibus Lateranensis Concilii, novissime celebrati, uniones perpetuas, nisi in casibus a jure permissis fieri prohibentis et de unionibus committendis ad partes, vocatis, etc., ac valore exprimentis quatenus opus esset, aliis constitutionibus et ordinationibus apostolicis, necnon statutis, etiam Ecclesiae Cochinchinensis, ac dictae militiae juramento, etc., roboratis privilegiisque, indultis et litteris apostolicis Ecclesiae Cochinchinensi, ac militiae praedictis illiusque magistro et administratori, ac militibus, fratribus et aliis quibusvis personis, sub quibuscumque tenoribus et formis, ac cum quibusvis etiam derogationibus derogatoriis, aliisque efficacioribus et insolitis clausulis; necnon irritantibus et aliis decretis, etc., etiam ad imperatoris, regum, ducum et quorumcumque principum instantiam, seu etiam motu proprio, et ex certa scientia, ac consistorialiter in genere vel specie, ac aliis quomodolibet concessis, etc., quibus omnibus, etiam si de illis, etc., illorum tenores, etc., specialiter et expresse derogavit, caeterisque contrariis quibuscumque.

9. Voluitque et concessit eadem Sanctitas sua insularum, littorum, orarum maritimarum et portuum hujusmodi situationes, latitudines, longitudes, amplitudines, invocationes, nuncupationes et denominationes pro expressis haberi, seu in toto vel parte exprimi posse in litteris simul, vel ad partem etiam cum majore et veriore praemissorum omnium, et singulorum, ac aliorum necessariorum specificatione, expressione et declaratione, simul vel separatim, etiam in forma, perinde valere, expediri posse; absolvendo eundem Sebastianum electum a censuris ad effectum, etc.

In quorum fidem, praesentes fieri, et per secretarium infrascriptum subscribi, et mei parvi soliti sigilli impressione muniri jussi et feci, eisque manu propria subscripsi.

Datum Romae in aedibus meae solitae residentiae, sub anno a nativitate Domini 1606, die vero 9 mensis Januarii, pontificatus ejusdem Sanctissimi anno 1.

8. This notwithstanding, in so far as necessary, the dispositions of the recent Lateran Council forbidding the establishment of perpetual unions except in cases permitted by law and on so-called unions of entrustment to parties, etc., and those for the exaction of the valour, nor other apostolic constitutions, ordinances and statutes, even the oath of the Church of Cochin, and of the aforesaid Militia etc., and consolidated privileges, indults and apostolic letters granted to the Church of Cochin and to the Master and administrator of the said Militia, and to knights, brethren, and whatsoever other persons, in whatsoever tenor or form, and even with any derogations of those benefiting from derogations, or any other extraordinary clauses, even of more incisive nature, and in a particular and express manner derogated from invalidating decrees and other decrees etc. even granted at the instance of the Emperor, of kings, of dukes or of any prince, even "motu proprio" and with sure knowledge, granted in general or special consistory or in any manner whatsoever, etc. and all other things to the contrary.

9. His Holiness wished and granted that such locations, latitudes, longitudes, dimensions, invocations, titles and denominations of the islands, shores, seacoasts and ports be held to be expressed, that is to say that they are capable of being entirely or partly described in writing, in some instances by greater and more accurate specification, expression and statement of all and everything described above and other necessary matters, togetherwith or separately, to be capable of being valid and efficacious in form; absolving the same Sebastian bishop elect from censures for this purpose, etc.

In confirmation of which, I have commanded and caused this document to be drawn up and signed by the undersigned secretary, and sealed with my common small seal, and I have with my own hand signed it.

Given in Rome, from my usual residence, on 9 January, in the year of the Incarnation of the Lord 1606, the first year of the Pontificate of His Holiness.

A., Vice-chancellor.
Martino Capelleto, secretary.

Chapter Two

THE ENCOUNTER BETWEEN EAST AND WEST: RESTRICTION AND DELIMITATION OF THE CHURCH OF ST THOMAS CHRISTIANS

At the time of the arrival of the Portuguese missionaries in the sixteenth century, the Church of St Thomas Christians was an autonomous metropolitan Church, headed by a metropolitan of all India, appointed by the Chaldean Catholic patriarch and governed by an indigenous archdeacon of all India, assisted by the general church assembly consisting of the representatives of the clergy and the laity. At that epoch only the Church of St Thomas Christians existed in India and therefore there was not even any question of a territorial limitation of this Church.

Ever since the erection of the diocese of Goa on 31 January 1533 and especially after its elevation to the rank of archdiocese on 4 February 1557 the Portuguese religious and political authorities orchestrated projects to sever the hierarchical relationship of the Church of St Thomas Christians with the Chaldean Catholic Church, suppress the autonomous metropolitan status of the see of the St Thomas Christians and reduce it to a simple suffragan diocese of the archdiocese of Goa, thus constituting one single ecclesiastical province and forming one Church and jurisdiction under the Portuguese patronage. After the death of Mar Abraham, the last Chaldean metropolitan of the St Thomas Christians in January 1597 Alexis de Menezes, the archbishop of Goa (1595-1610) went to Malabar and convoked the Synod of Diamper from 20 to 26 June 1599, which paved the way for the materialisation of the Portuguese project.

Following the Synod of Diamper, on 5 November 1599 Pope Clement VIII (1592-1605) appointed Francis Ros SJ (the first Latin bishop of the St Thomas Christians) as successor to metropolitan Mar Abraham in the archdiocese of Angamaly. Acquiescing to the Portuguese demand, on 20 December 1599 Pope Clement VIII suppressed the metropolitan status of the archdiocese of Angamaly

and reduced it to a simple suffragan see of the archdiocese of Goa. On 4 August 1600 with the brief *In supremo militantis* the same Pope also extended the patronage of the king of Portugal over the diocese of Angamaly.

The suppression of the metropolitan status of the see of Angamaly and its incorporation into the ecclesiastical province of Goa as its suffragan under Portuguese patronage naturally provoked great consternation and scandal among the St Thomas Christians. Several petitions were sent to the Holy See expressing deep sorrow and bewilderment over such a drastic act and pleading for the restoration of the autonomous metropolitan status. Consequently on 22 December 1608, Pope Paul V (1605-1621) with the apostolic letter *Romanus Pontifex* liberated the see of St Thomas Christians from the metropolitan right of the archdiocese of Goa and re-established its metropolitan status with all rights and privileges as if it had not been suppressed. However, he did not free the archdiocese of Angamaly from the *ius patronatus* of the king of Portugal. It is worth noting that although the metropolitan status of Angamaly was restored in principle, the Portuguese religious and political authorities considered it simply as a titular archbishopric and treated it practically as a suffragan of Goa.

At the time of the arrival of the Portuguese in the beginning of the sixteenth century the residence of the metropolitan of the St Thomas Christians was in Cranganore. When the Portuguese military had erected a fortress in Cranganore, the St Thomas Christians left the city for fear of the Portuguese, who prohibited those Christians from observing their own rite and the "law of Thomas". Subsequently in 1565, according to the request of Mar Abraham, complying with the directive of Pope Pius IV (1559-1565), the Chaldean patriarch Mar Abdiso fixed the residence of the principal metropolitan of the St Thomas Christians in Angamaly. The city and parish of Cranganore then gradually became part of the Latin diocese of Cochin.

In 1605 bishop Francis Ros and the Jesuit missionaries convinced king Philip of Portugal and Pope Paul V (1605-1621) to transfer again the seat and the residence of the bishop from Angamaly to Cranganore, which, being a Portuguese fortress, was considered a safer residence and a more propitious centre of operation for the

bishop. Since Cranganore was at that time under the authority of the bishop of Cochin, the transfer provoked a violent and scandalous jurisdictional conflict between the Jesuit bishop Francis Ros and the Franciscan bishop Andrew of Saint Mary of Cochin (1588-1615), involving the members of the respective religious Orders as well. By the apostolic letter *Cum sicut dolenter* of 3 December 1609 the Pope definitively confirmed and ratified the transfer of the seat and residence of the archdiocese of Angamaly to Cranganore. Because of the said transfer, later the see of St Thomas Christians came to be known as the archdiocese of Cranganore.

As indicated above, until the sixteenth century only the "apostolic see" of St Thomas existed in India, which had jurisdiction over the St Thomas Christians in *tota India*. After the appointment of the Latin bishop Francis Ros SJ and the imposition of Portuguese patronage over the see of St Thomas Christians it began to be considered as one of the Latin dioceses in India. In order to put a definite end to the aforementioned jurisdictional controversy, by the apostolic letter *Cum nobis* of 3 December 1609 Pope Paul V communicated his decision to set definite limits and boundaries for the archdiocese of Angamaly (Cranganore) with respect to the dioceses of Cochin, Mylapore and Goa and mandated Alexis de Menezes, the Metropolitan archbishop of Goa to determine the territory. In accordance with the papal mandate, with the decree *Omnibus notum* of 22 December 1610 Menezes decided the territorial boundaries of the archdiocese of Angamaly (Cranganore) and the confines of the dioceses of Cochin and Mylapore. With the apostolic letter *Alias postquam* of 6 February 1616, addressed to the archbishop of Goa, Pope Paul V approved and confirmed the delimitation of the territory of the archdiocese of Angamaly (Cranganore) and the boundaries of the dioceses of Cochin and Mylapore effected by archbishop Menezes and ordered the then archbishop of Goa, Christopher, to execute the decision. Thus the Church of St Thomas Christians lost its all India jurisdiction.

In this section we present the following documents:

1. Pope Clement VIII, apostolic letter *In supremo militantis*, 4 August 1600, the imposition of Portuguese patronage over the diocese of Angamaly after its reduction to a simple suffragan of the archdiocese of Goa;
2. Pope Paul V, apostolic letter *Romanus Pontifex*, 22 December 1608, the liberation of the diocese of Angamaly from the metropolitan rights of the archdiocese of Goa and the restitution of its metropolitan title;
3. Pope Paul V, apostolic letter *Alias pro parte*, 3 December 1609, the definite confirmation and ratification of the transfer of the seat and residence of the bishop of the St Thomas Christians from Angamaly to Cranganore;
4. Pope Paul V, apostolic letter *Cum nobis*, 3 December 1609, the mandate given to Alexis de Menezes, archbishop of Goa, for determining the definite and precise territory for the archdiocese of Angamaly;
5. Alexis de Menezes, decree *Omnibus notum*, 22 December 1610, sentence of Menezes concerning the territory of the archdiocese of Angamaly with respect to the dioceses of Cochin, Mylapore and Goa.
6. Pope Paul V, apostolic letter *Alias postquam*, 6 February 1616, ratification and confirmation of the sentence of Menezes concerning the territory of the archdiocese of the St Thomas Christians.

1. RESERVATUR PORTUGALLIAE ET ALGARBIORUM REGIBUS RATIONE DOTIS ANGAMALENSIS ECCLESIAE PATRONATUS

CLEMENS PAPA VIII
Ad perpetuam rei memoriam

In supremo militantis Ecclesiae solio et Apostolicae potestatis plenitudine, summa Redemptoris nostri benignitate, constituti, circa prosperum statum Ecclesiarum in quarumlibet propensis studiis intendimus et ne Ecclesiae ipsae rerum temporalium defectu in temporalibus detrimenta sustineant, earumque praesulum auctoritas vilescat, opportuna remedia adhiberi curamus, ac Catholicorum Regum in sublevandis Ecclesiarum et praesulum hujusmodi necessitatibus opem et operam liberaliter conferentium vota condignis favoribus et gratis benigne prosequimur, prout locorum, rerum et personarum qualitatibus debite pensatis, conspicimus in Domino salubriter expedire.

1. Cum itaque nos nuper in Ecclesia Angamalensi, quae in partibus *Indiarum* orientalium sub dominio Regis gentilis, videlicet *Cochinii*, consistit, ac dote caret, per obitum bonae memoriae Mar Abraham, olim Archiepiscopi Angamalensis, extra Romanam Curiam defuncti, pastoris solatio destituta, nomen et titulum archiepiscopi ac metropolitanae Ecclesiae, necnon sedem, dignitatem, superioritatem et praeeminentiam archiepiscopales, universumque jus metropolitanicum, de fratrum nostrorum consilio, per alias nostras litteras perpetuo suppresserimus et extinxerimus, ipsamque Ecclesiam ad statum simplicis cathedralis Ecclesiae pro uno episcopo, futuro suffraganeo archiepiscopi Goanensis, pro tempore existentis, reduxerimus, ac Ecclesiae Goanensi metropolitico jure subjecerimus, prout in dictis litteris plenius continetur.

2. Et sicut charissimus in Christo filius noster Philippus, Portugalliae et Algarbiorum Rex Catholicus, nobis nuper significari fecit, ipse praedecessorum suorum, Portugalliae et Algarbiorum

1. BY REASON OF ENDOWMENT THE PATRONAGE OF THE CHURCH OF ANGAMALY IS RESERVED TO THE KING OF PORTUGAL AND THE ALGARVES

POPE CLEMENT VIII
For perpetual memory

Having been appointed to the supreme see of the militant Church with the fullness of apostolic power by the greatest benevolence of our Redeemer, we willingly devote our attention to the prosperous state of any of the Churches and lest those same Churches suffer any damage in temporal matters by lack of material resources and the authority of their prelates be diminished, we are also intent that suitable remedies be adopted and we treat benevolently with correspondingly worthy favours and graces the intention of the Catholic kings to dedicate generously their assistance and efforts for relieving the needs of suchlike Churches and prelates, just as, after due consideration of the characteristics of places, circumstances and persons, we consider in the Lord to be profitable and conducive to salvation.

1. Since in the Church of Angamaly, which is situated in the East Indies under the rule of a gentile king, namely the one of Cochin, and which lacks any endowment, on account of the death of Mar Abraham, of blessed memory, the former archbishop of Angamaly, who died outside the Roman Curia, which Church has been deprived of the consolation of a pastor, upon the advice of our brothers, by means of another letter of ours, we have recently suppressed and extinguished in perpetuity the name and title of archbishop and metropolitan Church, as well as the archiepiscopal seat, dignity, superiority, pre-eminence and the metropolitan right in its entirety, and have reduced that same Church to the status of a simple cathedral Church of one bishop, to be, in the future, suffragan of the archbishop for the time being of Goa, and have subjected it to the metropolitan authority of the Church of Goa, as is more amply contained in the above mentioned letter.

2. As our most beloved son in Christ, Philip, Catholic king of Portugal and the Algarves has recently had notification sent to us that

Regum, qui pro summa eorum pietate in praedictis partibus diversas cathedrales Ecclesias, ad Catholicae religionis propagationem, erigi et institui curarunt, ac de propriis suis facultatibus dotarunt, exemplo adductus, mensae episcopali dictae Ecclesiae Angamalensis, ad hoc ut illius praesul, pro tempore existens, statum suum, juxta pontificalis dignitatis exigentiam, decentius tenere, et onera sibi incumbentia commodius perferre valeat, redditum annum quingentorum cruciatorum monetae in regno Portugalliae cursum babentis, summam trecentorum septuaginta quinque ducatorum auri de Camera vel circa constituentium, ex *Indiarum* hujusmodi proventibus, ad eundem Philippum, ac pro tempore existentem Portugalliae et Algarbiorum Regem, spectantibus et pertinentibus, episcopo Angamalensi, pro tempore existenti, vel procuratori suo legitimo, per eundem Philippum Regem ac successores suos, Portugalliae et Algarbiorum Reges, pro tempore existentes, annis singulis, donec eidem Ecclesiae Angamalensi, de alia competenti et equivalenti dote per Philippum Regem, aut aliquem ex successoribus suis, hujusmodi realiter et cum effectu provisum fuerit, integre persolvendum assignare intendat, et jam forsitan assignaverit.

3. Nos aequum et conveniens esse censentes, ut tam pium ac propensum ipsius Philippi Regis erga episcopum et Ecclesiam Angamalensem hujusmodi affectum specialis gratiae favore confoveamus et prosequamur, ejusdem Philippi Regis supplicationibus in hac parte inclinati, eidem mensae redditum annum proventuum ex nunc, si sit, alioquin ex nunc prout ex tunc et e contra, postquam assignatus fuerit, ut praemittitur, Apostolica auctoritate, tenore praesentium, applicamus et appropriamus.

4. Ac Philippo Regi ejusque successoribus praesentis ratione et intuitu assignationis hujusmodi *jus patronatus* et praesentandi nobis et Romano Pontifici, pro tempore existenti, personam idoneam ad dictam Ecclesiam Angamalensem, quavis illius deinceps quandocumque et ubicumque, etiam apud Sedem Apostolicam, occurrente vacatione, per nos et pro tempore existentem Romanum Pontificem, in ejusdem Ecclesiae Angamalensis episcopum et pastorem, ad praesentationem hujusmodi et non alias praeficiendum, auctoritate et tenore praesentis, perpetuo reservamus, concedimus et assignamus.

he himself, prompted by the example of his predecessors, the Kings of Portugal and the Algarves, who on account of their very great piety, saw to the erection and constitution of different cathedral Churches in those aforementioned regions with a view to the propagation of the Catholic religion and endowed these from their own resources, intends in the future to assign, or perhaps now has already assigned, to the episcopal table of the said Church of Angamaly, in order that the prelate of the same for the time being may maintain his state in a more befitting manner according to the requirements of the pontifical dignity, and carry out more adequately the obligations incumbent upon him, an annual income of five hundred gold cruzados of Portuguese currency, which amount to about three hundred and seventy-five gold ducats of the camera [apostolica], due and belonging to the same Philip, king for the time being of Portugal and the Algarves, from the Indies, payable in its entirety to the bishop for the time being of Angamaly, or to his legitimate procurator, by the same king Philip and his successors, the Kings for the time being of Portugal and the Algarves, for each single year, until such time as for the same Church of Angamaly real and effective provision has been made by means of another adequate and equivalent endowment by king Philip or by any one of his successors.

3. We, considering it right and expedient to foster and treat with especial grace and favour this so pious and generous benefaction of king Philip towards the bishop and the Church of Angamaly, swayed in this regard by the petitions of the same king Philip, with this present letter by apostolic authority bestow and assign to the same [episcopal] table, the income from the annual revenues as aforementioned, as of the present moment, should this be the case, or otherwise from now as if then, and vice versa, from whatever date when it will have been assigned.

4. Moreover to king Philip and his successors, in virtue of the present letter and in view of this endowment, we reserve, grant and attribute in perpetuity the right of patronage and of presenting to us and to the Roman Pontiff for the time being, a person suitable for the aforesaid Church of Angamaly, on the occasion of a vacancy henceforth, whenever and wherever it should occur, even at the Apostolic See, such person to be set over the Church of Angamaly

5. *Decernentes jus patronatus* et presentandi hujusmodi Philippo Regi ejusque successoribus praedictis, ex vera, mera et reali ipsius Ecclesiae Angamalensis dotatione competere, illique per Sedem praedictam quacumque ratione nisi de ipsius Philippi, et pro tempore existentis Regis hujusmodi, expresso consensu, derogari non posse, nec derogatum censi; et si aliter quovis modo derogari contingat, derogationem hujusmodi cum inde sequutis nullius roboris et momenti fore.

6. Non obstantibus constitutionibus et ordinationibus Apostolicis, ac dictae Ecclesiae Angamalensis, etiam juramento, confirmatione Apostolica vel quavis firmitate alia roboratis, statutis et consuetudinibus, caeterisque contrariis quibuscumque.

7. Valumus autem, ac eisdem auctoritate et tenore declaramus, quod in defectum assignationis vel solutionis dicti redditus annui, ut praemittitur, faciendae, reservatio et concessio *juris patronatus* hujusmodi nullius roboris vel momenti sint, ac esse censeantur, nec Philippo, et pro tempore existenti Regi praedicto, amplius suffragentur.

Datum Romae apud Sanctum Petrum, sub annulo Piscatoris, die IV Augusti anno MDC, Pontificatus nostri anno nono.

as its bishop and pastor by ourselves and by the Roman Pontiff for the time being, upon such presentation and no other.

5. We decree that the “*ius patronatus*” and the right of presentation in this way pertain to king Philip and to his aforementioned successors in virtue of the true, mere and real endowment of the same Church of Angamaly, and that such cannot be abrogated, nor declared abrogated by the said [Apostolic] See for any reason whatsoever except by explicit consent of Philip or the king for the time being, and were it to happen that it be abrogated in any other way, that abrogation and its effects would be null and void.

6. Notwithstanding constitutions and ordinances of the Apostolic See, and those of the aforesaid Church of Angamaly, even under oath, whether enforced by confirmation of the Apostolic See or of any other authority, or by statutes, customs or any other measure whatsoever to the contrary.

7. It is, however, our will and we declare such by the same authority and in the same terms, that in the absence of the endowment or annual payment due as related above, the reservation and concession of this “*ius patronatus*” be null and void, and be considered such, and no longer favourable either to Philip or to the aforementioned king for the time being.

Given in Rome at St Peter’s, under the ring of the Fisherman, on 4 August 1600, in the ninth year of our Pontificate.

2. ANGAMALENSIS ECCLESIAE IN ARCHIEPISCOPATUS RESTITUITUR

PAULUS EPISCOPUS
Servus servorum Dei
Ad perpetuam rei memoriam

Romanus Pontifex, aequi bonique supremus assertor, ea quae per alios Romanos Pontifices, praedecessores suos, circa certarum civitatum et Ecclesiarum statum provide disposita et ordinata credebantur, ut civitatum tranquillitati, necnon Ecclesiarum ipsarum honori et decori consulatur, ac scandalorum animarumque periculis occurratur, successu temporis, in pristinum statum reponere, et ex potestate, sibi divinitus tradita desuper, opportune providere consuevit, prout personarum, temporum et locorum qualitatibus, debite pensatis, conspicit in Domino salubriter expedire.

1. Alias siquidem fael. record. Clemens Papa VIII, praedecessor noster, certis tunc causis, adductus in Ecclesia Angamalen., quae in remotis, et inter gentiles, et schismaticos et alios errorum sectatores existit, et cui ven. frater noster Franciscus, episcopus Angamalen., ad praesens praesesse dignoscitur, sufraganeis tunc carente, et certo modo pastoris solatio destituta, nomen et titulum archiepiscopi, ac metropolitanae Ecclesiae, necnon sedem, dignitatem, superioritatem, praeeminentiam archiepiscopales, universumque jus metropoliticum, per quasdam suas litteras, perpetuo suppressit et extinxit, ipsamque Ecclesiam ad statum simplicis cathedralis Ecclesiae, pro uno episcopo futuro suffraganeo, pro tempore existenti archiepiscopo Goano, metropolitico jure, etiam perpetuo subiecit, prout in dictis litteris plenius continetur.

2. Cum autem, sicut accepimus, suppressio, extinctio, reductio et subjectio hujusmodi perturbationem in dilectis filiis clero et populo civitatis Angamalensis introduxerint; nos, ne earumdem suppressionis, extinctionis, reductionis et subiectionis praetextu, dicta Ecclesia Angamalensis aliqua in spiritualibus et temporalibus dispendia

2. THE RESTORATION OF THE METROPOLITAN STATUS OF THE CHURCH OF ANGAMALY

PAUL BISHOP
Servant of the servants of God
For perpetual memory

The Roman Pontiff, supreme promoter of equity and good, has been wont to restore after the passage of time to the original state, and by means of the power divinely conferred on him from on high, those measures considered by other Roman Pontiffs, his predecessors, to have been appropriately decided and ordained concerning the status of certain states and Churches, and this in order that the tranquillity of the states as well as the honour and dignity of the Churches may be furthered and the dangers of scandal to souls may be avoided, just as, after due consideration of the characteristics of persons, times and places, he considers in the Lord to be profitable and conducive to salvation.

1. On a previous occasion our predecessor Pope Clement VIII of happy memory, prompted by certain causes existing at that time in the Church of Angamaly, situated in distant regions among pagans, schismatics and other followers of errors, and over which Church our venerable brother Francis, bishop of Angamaly is known to preside at present, which Church lacking at that time any suffragan and certainly deprived of the consolation of a pastor, by means of a certain letter of his, suppressed and extinguished in perpetuity the name and title of archbishop and metropolitan Church, as well as the archiepiscopal seat, dignity, superiority, pre-eminence and the metropolitan right in its entirety, and reduced that same Church to the status of a simple cathedral Church of one bishop, to be, in the future, suffragan of the archbishop for the time being of Goa, and subjected it to the metropolitan authority of the Church of Goa, as is more amply contained in the above mentioned letter.

2. Since, however, as we have learnt, this suppression, extinction, reduction and subiection have caused distress among our beloved

patiat, pro nostro pastoralis officii debito providere volentes, motu proprio, non ad praedicti Francisci episcopi, vel alterius pro eo, nobis oblatae petitionis instantiam, sed de nostra mera deliberatione, in dicta Ecclesia Angamalen, nomen et titulum archiepiscopi et metropolitanae Ecclesiae, necnon sedem, dignitatem et praeeminentiam archiepiscopales, universumque jus metropolitanicum, de voto venerabilium fratrum nostrorum S. R. E. cardinalium, negotiis et rebus consistorialibus praefectorum, apostolica auctoritate, tenore praesentium, perpetuo restituimus, ac ipsam Ecclesiam Angamalen. adversus suppressionem, extinctionem, et litteras Clementis praedecessoris hujusmodi, ac omnia et singula in eis contenta, et alias in integrum, ac pristinum ac eundemmet statum, in quo ante suppressionem et litteras praedictas reperiebatur, ita quod ex nunc deinceps perpetuis futuris temporibus, tam illa, quam Franciscus episcopus et illius in dicta Ecclesia Angamalen. successores, nomine et titulo metropolitanae Ecclesiae, ac archiepiscopi, necnon sede, dignitate, superioritate et praeeminentia archiepiscopalibus, universoque jure metropolitico uti et gaudere possint et debeant in omnibus et per omnia, perinde ac si suppressio et litterae praedictae nunquam emanassent, auctoritate et tenore praemissis, similiter perpetuo restituimus, reponimus et plenarie reintegramus, ipsamque Ecclesiam Angamalen. ad statum et essentiam archiepiscopalis et metropolitanae Ecclesiae, prout antea erat, reducimus, et ab omni suffraganeatus, superioritate et metropolitico jure Ecclesiae Goan. illiusque archiepiscopi eisdem auctoritate et tenore etiam perpetuo eximimus et liberamus.

3. Decernentes Ecclesiam Angamalen. hujusmodi adversus suppressionem et litteras praedictas perpetuo restitutam, reductam, exemptam et liberam, necnon easdem praesentes litteras, nullo unquam tempore, ex quavis causa, de subreptionis aut nullitatis vitio, seu intentionis nostrae, vel quopiam alio defectu notari, impugnari vel retractari posse, sed semper et perpetuo validas et efficaces fore et esse, suosque plenarios et integros effectus sortiri et obtinere; sicque et non aliter, per quoscumque iudices, etiam commissarios, quavis auctoritate fungentes, etiam causarum palatii apostolici auditores, sublata eis et eorum cuilibet quavis aliter iudicandi et interpretandi

sons, the clergy and the people of the city of Angamaly, lest the Church of Angamaly should suffer any loss in temporal and spiritual matters on the pretext of this suppression, extinction, reduction and subjection, we, desiring to provide in right manner for the duties of our pastoral office, by our own initiative (*motu proprio*), and not at the petition of the said bishop Francis or presented to us by any other person on his behalf, but of our own deliberation alone, by our own apostolic authority, by the advice of our venerable brethren the Cardinals of the Holy Roman Church of the Consistorial Congregation, by this present letter, in the aforesaid Church of Angamaly restore in perpetuity the name and title of archbishop and metropolitan Church, as well as the archiepiscopal seat, dignity and pre-eminence and the metropolitan right in its entirety, and further likewise with the aforementioned authority and in the aforementioned terms in perpetuity we restore, reinstate, and fully reintegrate the same Church of Angamaly, contrary to its suppression, extinction and the letter of our predecessor Clement, and each and everything contained in it and elsewhere, to the full and original selfsame status it had before the aforesaid suppression and letter, in such a way that from henceforth and for all future times bishop Francis and his successors in the said Church of Angamaly can and must use and enjoy perpetually the name and title of metropolitan Church, and archbishop, as well as the archiepiscopal seat, dignity, superiority and pre-eminence and the metropolitan right in its entirety, in each and every particular, just as if the suppression and the aforesaid letter had never been issued. We also restore the Church of Angamaly to the status and existence of an archiepiscopal and metropolitan Church as it was beforehand and by the same authority and in the same terms, we also exempt and liberate it perpetually from the suffragan status and from the superiority and metropolitan right of the Church of Goa and its archbishop.

3. We decree that the Church of Angamaly is restored, reinstated, exempt and free in perpetuity, contrary to its suppression and the aforesaid letter, and that the present letter cannot at any time or for any reason, by defect of subreption, nullifying defect, or defect of our intention or of any other fault whatsoever, be censured, impugned or revoked, but that it is and shall always and in perpetuity remain valid and effective and will obtain full and integral effect; thus and

facultate et auctoritate, judicari et definiri debere, ac irritum et inane quidquid secus super his a quoquam, quavis auctoritate, scienter vel ignoranter, contigerit attentari.

4. Non obstantibus suppressione ac prioribus litteris aliisque praemissis, necnon quibusvis constitutionibus et ordinationibus Apostolicis, caeterisque contrariis quibuscumque.

5. Nulli ergo omnino hominum liceat hanc paginam nostrae restitutionis, repositionis, reintegrationis, reductionis, exemptionis, liberationis et decreti infringere, vel ei ausu temerario contraire. Siquis autem hoc attentare praesumpserit, indignationem omnipotentis Dei ac Beatorum Petri et Pauli, apostolorum ejus, se noverit incursurum.

Datum Romae apud Sanctum Petrum, anno incarnationis Dominicae millesimo sexcentesimo octavo, undecimo kalendas januarii, pontificatus nostri anno IV.

not otherwise shall be judged by any judges whatsoever, even commissioners enjoying any authority whatsoever, even auditors for the causes of the apostolic palace, with all faculty or authority of judging or interpreting otherwise, and if anyone were to attempt to do so by any authority, either knowingly or unknowingly, such would be null and void.

4. Notwithstanding the suppression, the previous letter and other acts, as well as any constitutions and ordinances of the Apostolic See and whatsoever else to the contrary.

5. Let it be absolutely unlawful for anyone to infringe upon or dare temerarily to contradict this document, our restitution, restoration, reintegration, reduction, exemption, liberation and decree. If anyone should presume to attempt such a thing, he shall know that he will incur the wrath of Almighty God and of his blessed Apostles Peter and Paul.

Given in Rome, at St Peter's, on 22 December, in the year of the Incarnation of Our Lord 1608, the fourth year of our Pontificate.

3. CONFIRMATIO DISMEMBRATIONIS ET TRANSLATIONIS ECCLESIAE ANGAMALENSIS AD OPPIDUM CRANGANOR

PAULUS PAPA V
Ad perpetuam rei memoriam

1. Alias pro parte charissimi in Christo filii nostri Philippi, Portugalliae et Algarbiorum regis catholici, tam suo quam venerabilis fratris episcopi Angamalensis nominibus, nobis exposito, quod pro servitio omnipotentis Dei, Ecclesiam Angamalen., quae in terris, ethnicis occupatis; consistebat, ad ecclesiam castrum de Cranganor, Cochinen. dioecesis, in qua multi lusitani habitabant, transferri, quippe, quod dictus episcopus Angamalen., majore cum vitae suae securitate et quiete, in dicto castro vivere, ac liberius officium suum pastorale exercere posset; et perturbationes ac alia incommoda, quae patiebatur, vivendo inter gentem, diversis ethnicis, assidue bellum inter se gerentibus, subjectam, evitaret: nos, dicti Philippi Regis supplicationibus, nobis tunc humiliter porrectis, inclinati, per alias nostras sub plumbo expeditas litteras, dictum castrum Cranganor, et dilectos filios illius incolas et habitatores, necnon dictum clerum et populum a dicta dioecesi Cochinen., apostolica auctoritate, perpetuo dismembravimus et separavimus, ac ad illud sic separatum et dismembratum, illiusque Ecclesiam sedem episcopalem Angamalen., cum dilectis filiis capitulo Ecclesiae Angamalen., ac omnibus et singulis eorum juribus, fructibus, bonis, reliquiis et ornamentis ac paramentis ecclesiasticis, sacraque suppellectili et aliis ad id pertin., et in quibusvis rebus consisten., etiam perpetuo transtulimus, ipsamque Ecclesiam dicti castrum, cum suis rebus, bonis et pertinentiis, in locum dictae Ecclesiae Angamalen., etiam quoad privilegia, praerogativas, immunitates, exemptiones, antelationes, indulgentias, indulta, favores et gratias illi, tam praedicta apostolica, quam regia auctoritatibus, concessa, necnon quoad fructus, legata, donationes, aliaque bona mobilia et immobilia, obligationes et onera universa similiter perpetuo substituimus et subrogavimus. Praeterea episcopo

3. CONFIRMATION OF THE DISMEMBERMENT AND TRANSFER OF THE CHURCH OF ANGAMALY TO THE TOWN OF CRANGANORE

POPE PAUL V
For perpetual memory

1. On a previous occasion our dearest son in Christ Philip, the Catholic king of Portugal and the Algarves, in his name and on behalf of our venerable brother the bishop of Angamaly, expounded to us that for the service of Almighty God, the Church of Angamaly, which was situated in the lands occupied by pagans was to be transferred to the church in the fortress of Cranganore, in the diocese of Cochin where many Portuguese dwelt, because certainly the aforesaid bishop of Angamaly could live in greater safety and peace in the said fortress and exercise quite freely his episcopal office; and he could avoid the perturbations and other inconveniences which he endured during his stay among people who were subject to different pagan tribes, constantly waging war among themselves. Induced by the supplications humbly presented to us by king Philip at that time, by means of our other letter given under the seal, with our apostolic authority, we dismembered and separated in perpetuity the aforesaid fortress of Cranganore and our beloved sons, its residents and inhabitants, as well as the clergy and people, from the aforesaid diocese of Cochin, and to it (the fortress of Cranganore) and to its church thus separated and dismembered we transferred in perpetuity the episcopal seat of Angamaly, together with the beloved sons of the chapter of Angamaly, with all its rights, incomes, goods, reliquaries, ecclesiastical ornaments and vestments, as well as sacred vessels and all other items belonging to it and consisting in whatever kind. And we substituted and replaced permanently the church of the fortress, together with its possessions, goods and belongings, with the place of the church of Angamaly, even with regard to privileges, prerogatives, immunities, exemptions, indulgences, indults, favours and graces, granted to it by the aforesaid apostolic and royal authorities, as well as the incomes, legacies, donations and all other movable and immovable goods,

Angamalen. et capitulo praedictis, ut una cum omnibus et singulis dictae Ecclesiae Angamalen. fructibus et bonis, ac sacra communique supplicetili, aliisque praedictis, ad Ecclesiam dicti castri transire, et personaliter apud eam residere, ac inibi missam et alia divina officia diurna et nocturna, aliaque omnia, quae ipsi in dicta Ecclesia Angamalen. celebrabant et faciebant, celebrare et facere, ac quaecumque bona dictae Ecclesiae Angamalen., illiusque mensae episcopalis et capitularis ad dignitatum, personatum, administrationum officiorum, canonicatum et praebendarum, caeterorumque beneficiorum ecclesiasticorum, ut prius, administrare illaque obtinere, necnon ipse episcopus Angamalen., tam quae ordinis, quam quae jurisdictionis sunt, ac suum pastorale officium inibi exercere, eisdem prorsus modo et forma, quibus apud eandem Ecclesiam Angamalen. personaliter residendo exercebat, et exercere poterat, si inibi vere et personaliter resideret; quodque Ecclesia dicti castri ac episcopus Angamalen. et capitulum hujusmodi illis omnibus et singulis privilegiis, praerogativis, exemptionibus, favoribus et gratiis, quibus Ecclesia Angamalen., ac capitulum hujusmodi et Ecclesia dicti castri, de jure, usu et consuetudine ac alias quomodolibet, utebantur, fruebantur et gaudebant, uti, frui, potiri et gaudere pariformiter, et aequae principaliter libere et licite possent in omnibus et per omnia, perinde ac si apud dictam Ecclesiam Angamalen. vere et personaliter residerent, indulgimus, prout in dictis litteris plenius continetur.

2. Cum autem, sicut, non sine animi nostri moerore, accepimus, venerabilis frater episcopus Cochinen. dismembrationem et translationem aliaque praemissa de facto impedire tentaverit, et inter ipsum, seu ejus officialem, ac praedictum episcopum Angamalen. variae controversiae exortae, ac quod deterius est, hinc inde censurae ecclesiasticae, non sine christifidelium ac etiam ethnicorum ibidem degentium scandalo promulgatae, at ab Ecclesia dicti castri ornamenta et paramenta ecclesiastica, ac alia ad cultum divinum spectantia, ablata fuerit.

3. Nos, pro nostri pastoralis officii debito, in praemissis auctoritatis nostrae apostolicae partes interponere volentes, et solum omnipotentis Dei cultus augmentum, et religionis catholicae propagationem prae oculis habentes, supplicationibus dicti Philippi

obligations and all other onuses. Moreover we conceded the aforesaid bishop of Angamaly and the chapter to transfer to the church of the said fortress together with all the incomes and goods of the church of Angamaly, and all the sacred and common objects and all other aforesaid items, and reside personally there and celebrate and perform the mass and other divine offices day and night, and all other things, which they were wont to celebrate and do in the same church of Angamaly, to obtain and administer, as before, all incomes (goods) of said church of Angamaly, and of its episcopal and capitulary funds (*mensa*) destined for dignitaries, personages, administrators, officials, canons, prebendaries and other ecclesiastical beneficiaries. We allowed the selfsame bishop of Angamaly to exercise there (in Cranganore), both the powers of order and jurisdiction as well as his pastoral office, in the same manner and form in which he exercised them when he personally resided in the church of Angamaly and could have been able to exercise, if he had personally and truly resided there; and the church of this fortress and the bishop of Angamaly and its chapter could use, possess and enjoy in everything and in every respect, in the same way and freely, equally and lawfully all the privileges, prerogatives, exemptions, favours and graces, which the church of Angamaly, the chapter, and the church of this fortress were using, possessing and enjoying, by law, practice and custom or by any other title whatsoever, as if they really and personally resided in the church of Angamaly, as is more amply related in the aforesaid letter.

2. Since, as we have learnt, and not without grief, our venerable brother the bishop of Cochin tried “de facto” to prevent the dismemberment, transfer and the aforementioned other matters, between him or his official and the aforementioned bishop of Angamaly numerous controversies arose, and what is worse, ecclesiastical censures were promulgated, provoking scandal among the Christian faithful and even among the pagan peoples dwelling in those regions; moreover ornaments, ecclesiastical vestments and other items which pertained to divine worship were removed from the church of the said fortress:

3. We, in accordance with the obligation of our pastoral office, wishing to place the parties under our apostolic authority with respect to the aforesaid matters, desiring only the increase of the

Regis, nobis humiliter porrectis, inclinati, dismembrationem, separationem, translationem, substitutionem, subrogationem, indultum ac litteras praedictas, et in eis contenta quaecumque, quorum tenorem praesentibus haberi volumus pro expresso, apostolica auctoritate, tenore praesentium, perpetuo approbamus et confirmamus, illisque perpetuae et inviolabilis firmitatis robur adjicimus, ac omnes et quoscumque, tam juris, quam facti, etiam substantiales, si qui in praemissis intervenerint, necnon interesse habentium, si qui sint, et praedicti episcopi Cochinen. ad praemissa non praestiti consensus, defectus, supplemus.

4. Et insuper quaecumque ornamenta et paramenta, ac alia divino cultui destinata, quae a dicta Ecclesia praedicti castri de Cranganor a quovis pretextu ablata fuerunt, eidem Ecclesiae, ad quam spectant, sub indignationis nostrae poena, restitui praecipimus et mandamus.

5. Denique, ne christifidelium salus propterea periclitetur, omnes et quoscumque christifideles, qui rigore seu praetextu sententiarum seu mandatorum ab Angamalen. et Cochinen. episcopis praedictis seu eorum officialibus, seu ministris, hinc inde relaxatorum, excommunicationem incurrerunt, seu incurrisse dici, vel censi aut praetendi possint, ab eadem excommunicationis sententia, auctoritate et tenore praedictis, sine cujusquam praejudicio, absolvimus.

6. Decernentes praesentes nostras litteras, etiam ex eo quod episcopus Cochinen., seu quicumque alii in praemissis interesse forsitan habentes, seu habere praetendentes, vocati nec auditi fuerint, seu alio quocumque praetextu, de subreptionis vel obreptionis aut nullitatis vitio, seu intentionis nostrae vel alio quocumque defectu, notari, impugnari, redargui aut revocari, annullari, in jus vel controversiam vocari, aut adversus illas quodcumque gratiae vel justitiae remedium impetrari minime posse aut debere; sicque et non aliter ab omnibus et singulis censi, et ita per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores, ac Sanctae Romanae Ecclesiae cardinales, sublata eis, et eorum cuilibet, quavis aliter judicandi et interpretandi facultate et auctoritate, judicari et definiri debere, ac irritum, et inane, quidquid secus super his a quoquam, quavis auctoritate, scienter vel ignoranter, contigerit attentari.

worship of Almighty God and having before our eyes only the propagation of the Catholic religion, having been induced by the supplications of the said king Philip, humbly presented to us, with our apostolic authority and by the tenor of this letter, approve and confirm in perpetuity, the dismemberment, separation, transfer, substitution, replacement, indult and the above said letter and its contents whatsoever, the tenor of which we wish to be held expressed by the present letter; we bestow upon it the force of perpetual and inviolable strength and we supply for all and whatever defects, even substantial ones both of law and fact, which if they did occur in the aforesaid letter and for the lack of consent for the aforesaid matters on the part of those who have an interest, if there are any and of the said bishop of Cochin.

4. Moreover we command and order that whatsoever ornaments and vestments and all other items destined for divine worship which were removed from the church of the fortress of Cranganore on whatever pretext, under pain of our wrath, be restored to that same church to which they belong.

5. Finally lest the salvation of the faithful be imperilled, by the authority and tenor of this letter, without any prejudice, we absolve all the Christian faithful - who, on account of the rigour or the pretext of the sentences or orders of the aforesaid bishops of Angamaly and Cochin or their officials or ministers, incurred in the excommunication of those who have lapsed (from the faith), or may be said, considered or alleged to have done so - from the same sentence of excommunication.

6. We decree that this letter of ours, even if the bishop of Cochin or any other persons who perhaps have or pretend to have an interest in the above said matters, were neither summoned nor heard or under any other pretext whatsoever, on the defect of subreption, deception or nullity, or on the defect of intention on our part or any other defect whatsoever, cannot and must not be censured, impugned, confuted, revoked, annulled, be summoned in law or controversy or be procured any remedy of grace or justice against it. And thus not otherwise let it be considered by all persons, and thus before any judges, ordinary or delegated, even the auditors for the cases of sacred palace, Cardinals of Holy Roman Church, let it be defined and adjudged; from these persons we remove all power of defining and adjudging in any other

7. Quocirca venerabili fratri archiepiscopo Goano, ac dilectis filiis vicariis provincialibus ordinum fratrum Sancti Dominici et fratrum eremitarum Sancti Augustini, committimus et mandamus, quatenus ipsi, vel duo aut unus eorum, per se, vel alium seu alios, praesentes litteras, et in eis contenta quaecumque, ubi et quando fuerit, et quoties pro parte dicti, et pro tempore existentis episcopi Angamalen., fuerint requisita, solemniter publicantes, eisque in praemissis efficacis defensionis praesidio assistentes, faciant, auctoritate nostra, illos praemissorum effectu pacifice frui et gaudere, non permittentes eos desuper a quoquam, quavis auctoritate, quomodolibet indebite molestari; contradictores quoscumque, per censuras et poenas ecclesiasticas aliaque opportuna juris et facti remedia, appellatione postposita, compescendo, invocato etiam ad hoc, si opus fuerit, auxilio brachii saecularis.

8. Non obstantibus praemissis, et quatenus opus sit, regula nostra de jure quaesito non tollendo, ac constitutionibus et ordinationibus apostolicis, necnon Angamalen. et Cochinen. Ecclesiarum, etiam juramento, confirmatione apostolica vel quavis firmitate alia roboratis, statutis et consuetudinibus, privilegiis quoque, indultis et litteris apostolicis, illisque illarumque superioribus, capitulo et personis, sub quibuscumque tenoribus et formis, ac cum quibusvis etiam derogatoriis derogatoriis, aliisque efficacioribus et insolitis clausulis, necnon irritantibus, et aliis decretis, in contrarium praemissorum quomodolibet concessis, confirmatis et approbatis; quibus omnibus, etiamsi pro illorum sufficienti derogatione de illis eorumque totis tenoribus, specialis, specifica, expressa et individua mentio habenda foret, eorum tenores, praesentibus pro sufficienter expressis et ad verbum insertis habentes, illis aliàs in suo robore permansuris, hac vice dumtaxat, harum serie specialiter et expresse derogamus, caeterisque contrariis quibuscumque.

Datum Romae apud Sanctum Petrum, sub annulo piscatoris, die tertia decembris MDCIX, pontificatus nostri anno quinto.

way and we pronounce to be void, invalid and null whatever they may have in any other manner judged and determined on this matter with whatever authority, whether they acted knowingly or unknowingly.

7. Wherefore we commission and command our venerable brother the archbishop of Goa and our beloved sons the vicars provincial of the Order of St Dominic and the Order of the Hermits of St Augustine, as far as possible they, either two or one of them, personally or through another person or persons to make those peoples with our authority benefit and enjoy serenely the effect of the said provisions, publishing solemnly this letter and its contents, wherever and whenever, and as often as it is considered necessary by the said persons and the bishop of Angamaly for the time being, supporting the effective defence of the provisions contained in the present letter, and moreover not permitting them to be unduly molested by anyone of whatever authority in any manner; restraining the opponents, whoever they may be, by censures and ecclesiastical punishments and by other opportune remedies of law and fact, heedless of any appeal and having been invoked for this, even the help of the secular arm, if it were necessary.

8. Notwithstanding the things aforementioned, and as far as is necessary, our non-derogative regulation on the acquired right, and apostolic constitutions and ordinances, as well as those of the churches of Angamaly and Cochin, strengthened by oath, apostolic confirmation or by whatsoever other authority; notwithstanding likewise statutes, customs, privileges, indults and apostolic letters, confirmed, approved and conceded to them and to the superiors of those churches, the chapter and the persons, under whatever tenor and form, with any derogatory, efficacious and unusual clauses, as well as whatever invalidating and other decrees, which might in any way thwart the above; from all these, even if for the sufficient derogation of them and all their tenors, special, specific, express and individual mention is to be made, by the present we derogate in a specific and explicit manner, what is sufficiently and literally expressed in such a way that all others maintain invariably their force, and whatsoever else to the contrary.

Given in Rome, at St. Peter's, under the ring of the Fisherman, on 3 December 1609, the fifth year of our Pontificate.

4. ARCHIEPISCOPO GOANO ASSIGNATIONEM TERRITORII DIOECESIS ANGAMALENSIS COMMITTIT

PAULUS EPISCOPUS

Servus servorum Dei

Ad perpetuam rei memoriam

Cum nobis notum esset, non sine magno dolore, venerabilem fratrem episcopum Cochinese una cum Angamalensis sedis nonnullis oeconomis obsistere intentasse litteris nostris apostolicis sub plumbo, quibus inter alia Cranganorensis arcem et parochialem illius ecclesiam, cum omnibus et quibuscumque redditibus a Cochinesi dioecesi ad Angamalensem olim episcopatum, nunc vero archiepiscopatum, transferebamus, quam avulsionem et transmutationem ad aliam dioecesim venerabilis frater Cochinese episcopus impedire tentavit, sub aliquo praetextu; unde quamplurimae inter utrumque episcopum discordiae et controversiae exortae sunt ex utraque parte excommunicationibus et ecclesiasticis censuris, non sine magno subjecti populi scandalo promulgatis.

1. Nos, qui hac eadem die alio hujus apostolicae sedis diplomate eandem translationem et avulsionem confirmavimus, intentantes huic scandalo opportune occurrere, et in posterum providere, ne similia aliquando jurgia exoriantur, cupientesque archiepiscopo Angamalensi et successoribus certam dioecesim designare ac diffinire, praedicti diplomatis nostri tenorem pro expresso habentes praesentis virtute, committimus, injungimus, et jubemus venerabili fratri Goensi archiepiscopo, et illius defectu dilecto filio, vel cuicumque qui Goanensem Ecclesiam gubernaverit, et si hic legitime impediatur, dilectis filiis vicariis provincialibus ordinum fratrum Divi Dominici et eremitarum Divi Augustini, ut venerabilis frater archiepiscopus Goensis, vel ecclesiastica persona substituta, vel in dicto casu junctis vicariis provincialibus, diligenter inquirant de hisce rebus, et si forte dissenserint, ad consilium adhibeant maximum natu ex haereticae pravitatis inquisitoribus, qui auctoritate apostolica in posterum assignent certam dioecesim et territorium

4. THE ARCHBISHOP OF GOA IS ENTRUSTED WITH THE TASK OF DETERMINING THE TERRITORY OF THE DIOCESE OF ANGAMALY

PAUL BISHOP

Servant of the servants of God

For perpetual memory

Whereas it has become known to us, and not without great sorrow, that our venerable brother the bishop of Cochin together with certain stewards of the see of Angamaly have made bold to resist our apostolic letter given under the seal, by which, among other matters, we transferred the citadel of Cranganore and its parish church together with all its income from the diocese of Cochin to the former bishopric of Angamaly, now archbishopric, a detachment and transfer to another diocese which our venerable brother, the bishop of Cochin, has tried on some pretext to prevent, whereby numerous disputes and controversies have arisen between the two bishops and on both sides acts of excommunication and ecclesiastical censures have been promulgated, causing no little scandal among the people:

1. We, who, on this very same day, by another document of this Apostolic See have confirmed this same transfer and detachment, striving to obviate the scandal in an appropriate way and to take measures for the future lest similar disputes should ever arise, and desirous of designating and defining a sure diocese for the archbishop of Angamaly and his successors, considering plain the tenor of our aforesaid document, in virtue of this present letter we commission, enjoin and command our venerable brother the archbishop of Goa and in the case of his absence, our beloved son or whosoever who governs the Church of Goa, and if this latter were to be legitimately impeded, our beloved sons the vicars provincial of the Order of St Dominic and the Order of the Hermits of St Augustine, that our venerable brother the archbishop of Goa, or the ecclesiastical person substituting for him, or in the aforesaid case, the vicars provincial acting conjointly, enquire diligently into these matters and if

distinctum Angamalensi archiepiscopo; quibus, si visum fuerit, dividant, avellant, adjungant et transferant quaecumque loca, ad Meliaporensem dioecesim vel Cochinensem pertinentia, quamvis inter earum fines contineatur; quae loca, ita divisa et avulsa, cum incolis et parochialibus, addicant et subjiciant in perpetuum Angamalensi dioecesi, et quidquid statuerint et decreverint, publicis tabulis confirment, ne super hoc aliquando iterum jurgium exoriatur.

2. Quamobrem nos praesentis diplomatis tenore, eadem apostolica auctoritate, Goensi archiepiscopo, vel personae id munus obtinenti, vel praedictis vicariis provincialibus, vel inquisitori, facimus potestatem, ut supradicta et reliqua, quae ad id opportuna judicaverint, exequantur, et decernant, et ut cogant, ecclesiasticis impositis censuris et aliis poenis, a se decreta servare.

3. Ne tamen illarum regionum incolae Christi fideles controversiarum causa rebus ad salutem necessariis fraudentur, praecipimus et statuimus, ut Angamalensis, Cochinensis et Meliaporensis episcopus illos, quos vel olim vel nuper Christi gregi associati fuerint, ex quibuscumque nationibus, curent ac regant, nihil aliud respicientes quam territoria, quae vel antea incolebant et quae sibi hactenus erant assignata, vel praesentis diplomatis vigore fuerint, assignanda, ac proinde praecipimus, ut eisdem Christi fidelibus idoneos sacerdotes et parochos attribuant. Et praecipimus etiam, ut praesentes nostrae litterae in omnibus semper vim obtineant, nec possint aliquando impugnari, redargui, revocari, in judicio, vel extra judicium aut controversiam, ad juris formam reduci, subreptionis vitio, nullitatis vel nostrae intentionis defectu, vel cujuscumque alterius, etiam personatum, quae in praedictis rebus commodum suum intentassent, vel quocumque alio modo et ratione intendant habere, quae licet ad id neque vocatae neque audita sint; praecipimus tamen, ut hoc nostrum diploma immotum semper, stabile ac validum permaneat, plenariosque et integros effectus obtineat. Et ita apud quoscumque iudices commissarios, etiam sacri palatii auditores, S. R. E. cardinales legatos a latere, vel apud quoscumque alios, qui, apostolica auctoritate, utantur, ita diffiniatur et judicetur; quibus omnem potestatem aliter diffiniendi et judicandi adimimus, et quicquid

perchance they are not in agreement, that they seek advice from the eldest by birth of the inquisitors into the wickedness of heresy. Let these, by apostolic authority, assign for the future a sure diocese and a distinct territory to the archbishop of Angamaly, to or from which diocese and territory, should it seem opportune, they may divide, detach, annexe and transfer whatsoever place belonging to the dioceses of Mylapore or Cochin, even though they be situated within the boundaries of these latter, which places thus divided and detached, together with their inhabitants and parishioners, let them annexe and subject in perpetuity to the diocese of Angamaly; and whatever they may decide or decree they should place on public record, lest hereafter any dispute should arise once more concerning this matter.

2. For this reason, by the tenor of the present document, in virtue of the same apostolic authority we empower the archbishop of Goa, or the person holding that office, or the aforesaid vicars provincial or inquisitor, to accomplish and decide upon the aforesaid acts and whatever else they judge opportune in relation to the same, and to constrain by the imposition of ecclesiastical censures and other punishments the observation of what they themselves have decreed.

3. Lest, however, the Christian faithful who inhabit those regions be deprived because of the controversies of what is necessary for their salvation, we command and decree that the bishops of Angamaly, Cochin and Mylapore take care of and govern those of whatever nation, who formerly or lately became members of Christ's flock, having regard for nothing but the territories which these persons either previously inhabited and which had been assigned to the bishops hitherto or which are now to be assigned to them in virtue of this present document, and hence we order them to assign worthy priests and pastors to such faithful. And we also command that this letter of Ours be forever respected, in such a way that it may not be impugned, refuted or revoked either by judicial or extrajudicial means or contestation, be reduced to the form of common law on the excuse of some defect of subreption, its nullity or some defect of intention on our part or on that of anyone else, including personages who in the aforesaid matters shall have sought their private advantage, or seek such in whatever other manner or for whatever reason, even though such persons have neither been summoned or admitted on the matter.

super hac re aliter judicaverint et statuerint, irritum, invalidum ac nullum pronuntiamus, vel id fecerint scienter vel ignoranter.

4. Non obstantibus supradictis, nec nostra lege de jure quaesito non tollendo, et aliis constitutionibus et apostolicis statutis, nec aliis moribus aut statutis Angamalensis, Cochinensis et Meliaporensis Ecclesiae, juramento vel quacumque auctoritate etiam sedis apostolicae firmatis et sancitis; nec obstantibus moribus, privilegiis, indultis, exceptionibus, immunitatibus, litteris apostolicis, cujuscumque tenoris et formae, quibuslibet clausulis et exceptionibus confirmatis et concessis, quae quomodocumque supradictis obstant (quarum tenorem pro sufficienter expressum haberi volumus, et earum vim quoad alia omnia stabilem ac ratam esse jubemus) ad hoc tamen derogamus, et irritam facimus, si forte praesenti diplomati contradicat.

Datum Romae apud Sanctum Petrum, sub annulo piscatoris, 3 decembris anno 1609, pontificatus nostri anno quinto.

On the contrary we command that this our document remains forever unaltered, stable and valid and should obtain full and integral effect. And thus before any judge-commissaries, even the auditors of sacred palace, Cardinals of Holy Roman Church who are legates *a latere*, or any other persons whatsoever who enjoy apostolic authority, let it be so defined and adjudged; from these persons we remove all power of defining and adjudging in any other way and we pronounce to be void, invalid and null whatever they may have in any other manner judged and determined on this matter, whether they acted knowingly or unknowingly.

4. Notwithstanding the things aforementioned, nor our law on acquired right that cannot be abrogated, and those things established by other constitutions and apostolic statutes, nor other usages or statutes of the Churches of Angamaly, Cochin or Mylapore, confirmed and sanctioned by oath or by any authority whatsoever even that of the Apostolic See; notwithstanding likewise customs, privileges, indults, grants of exception or immunity, apostolic letters of whatever content and form and confirmed and conceded by whatever clauses and exceptions, which might in any way thwart the above (We will that its tenor be considered expressed in an adequate manner and we order that its force be considered stable and ratified with respect to all other matters), for this our purpose we derogate from these same and render them null, if by chance they contradict this present document.

Given in Rome, at St. Peter's, under the ring of the Fisherman, on 3 December 1609, the fifth year of our Pontificate.

5. DIVISIO ET ASSIGNATIO DIOECESIUM ANGAMALENSIS ET COCHINENSIS NECNON EPISCOPATUS MELIAPORENSIS

D. FR. ALEXIUS DE MENESES, metropolitanus Goensis
archiepiscopus, Indiae orientalis primas, a regiis consiliis

Omnibus, qui hanc publicam limitationis tabulam Angamalensis
archiepiscopatus, assignationis et divisionis suorum finium cum finibus
Cochinensis et Meliaporensis episcopatus viderint,
salutem in Domino sempiternam

Omnibus notum facimus nobis a serenissimo Portugalliae rege
Philippo II missum fuisse apostolicum sanctissimi domini nostri PP.
Pauli V diploma, quo nobis imperabatur ut quamprimum commode
per tempus liceret, certum ac distinctum Angamalensis dioecesis
territorium assignaremus, et si ita videretur ex re esse, quaecumque
loca vel parochias, pertinentes ad Cochinentem vel Meliaporemsem
episcopatum, avelleremus, ac Angamalensi episcopo in posterum
subjiceremus, ut latius ex apostolici diplomatis sequenti transumptu
patebit:

1-5. (*Sequitur tenor litterarum Pauli V: Cum nobis (1609)*)

6. Cumque hae apostolicae litterae, pergaminio exaratae, omni
vitio ac suspicione vacuae, ad nos perferrentur, cumque domini nostri
Pauli PP. V jussa exequi, et in omnibus imperata facere cuperemus,
moribus et experientia expectatissimos totius Indiae viros, vel per
epistolas, vel etiam coram, de hac re consulimus, qui vel longo harum
regionum usu edocti, vel eas provincias viderant et peragraverant,
noverantque oppida et parochias praedictarum dioecesium
Angamalensis, scilicet Cochinentis et Meliaporensis, praeter id, quod
nosmet videramus et lustraveramus, cum Deo auspice, ad apostolicae
sedis obedientiam Angamalensis dioecesis christianos, qui ab illa antea
dissenserant, deduximus. Quin etiam ab eisdem episcopis per epistolas
contendimus, ut si forte aliquod subesset incommodum super hac
territorii assignatione, nos prius admonerent, quam de summa rei
sententiam proferremus.

5. DIVISION AND ASSIGNMENT OF THE DIOCESES OF ANGAMALY, COCHIN AND MYLAPORE

FRIAR ALEXIS DE MENEZES, Lord Metropolitan
Archbishop of Goa, Primate of the East Indies, royal counsellor,

To all those who shall see this public record of the delimitation of
the archbishopric of Angamaly, and of the assignment and division of its
boundaries with respect to those of the dioceses of Cochin and Mylapore,
eternal salvation in the Lord.

We make known to all that an apostolic document of our most
holy Lord Pope Paul V has been sent to us by the most serene Philip
II, king of Portugal, by which we are commanded in as short a time
as possible, to assign a sure and distinct territory to the diocese of
Angamaly, and should it seem appropriate in the concrete
circumstance, to separate whatsoever places or parishes that belong
to the bishopric of Cochin or that of Mylapore and to subject them
henceforth to the bishop of Angamaly, as clearly transpires from the
following summary of the apostolic document.

1-5. [The essential contents of the Paul V's letter "Cum nobis"
(1609), then follow.]

6. Whereas, then, this apostolic letter, written on parchment
and free from any defect or suspicion, has been delivered to us, and
whereas we desire to carry out the commands of our Lord Pope Paul
V and to enact these orders in every possible way, we have consulted
on this matter either by letter or in person those men who in the whole
of India are most respected on account of their way of life and
experience, who, informed by long familiarity with these regions, or
have seen and travelled through those provinces and had knowledge
of the towns and parishes of the aforesaid dioceses, that is to say of
Angamaly, Cochin and Mylapore, besides what we ourselves saw
and traversed when, by God's favour, we led back to the obedience
of the Apostolic See the Christians of the diocese of Angamaly, who
had previously been in dissidence in its regard. Rather, we also
earnestly solicited by letter from the bishops themselves, that if
perchance there be any disadvantage concerning this assignment of
territory, to inform us before we pronounced sentence concerning
the whole matter.

7. Itaque sententiae, quae magis ex christiana re et ex divino obsequio visa fuit, conventiorque episcoporum administrationi et jurgiis tollendis, quae praeteritis annis inter episcopos de jurisdictione aliquorum locorum exorta sunt, inhaerentes, hac praesenti auctoritate, nobis a Sanctissimo PP. Paulo V praesenti diplomate concessa, Angamalensi sedi (quae nunc ab eodem Sanctissimo Papa ad Cranganorensem urbem translata fuit) pro distincto, certo ac proprio territorio sequentes regiones attribuimus, Minoris Vaipim insulam, quae ab ostii veteris parte in Majorem Vaipim vergit, in qua sitae sunt parochiae Dignarica primum, quae semper Angamalensi sedi subjecta fuit; Paliportensis recens condita, de qua praeteritis annis jurgium intervenit; et ex hac Minori Vaipim Angamalensis jurisdictio excurrendo a septentrionali parti ad parvam usque insulam Termapatam nomine, quae tribus fere leucis a Cananorensi urbe, in qua Goensis dioecesis limitatur, distat; quarum regionum non littora tantum et vicina littoribus oppida Angamalensi praesuli subjacebunt, sed mediterranea etiam, in quibus nonnullae parochiae visuntur, quae semper Angamalensi sedi obedientiam praestitere. Ibi etiam sita est Cranganorensis arx, quam Sanctissimus Paulus PP.V Angamalensis archiepiscopatus caput esse jussit; in eisdem etiam mediterraneis Angamalensis ditionis Calecutana et Tanorensis parochiae numerantur. Ex Australi parte insula Joannis Pereyra exclusive limes erit Angamalensis dioecesis; ex qua ad partem Anchemalicae ejus ditionis excurret per mediterranea loca, in quibus regionibus peninsula Cochinchinensis tantum cum omnibus parochiis, in ea sitis, vel extractis vel aliquando extruendis, Cochinchinensi episcopo subjacebunt, una cum Mantecherensi et Palurtensi parochiis, quae hactenus Angamalensis ditionis fuerant, in Cochinchinensi amplius dioecesi numerabuntur.

8. Ostrearum insulae et reliquae regiones usque ad Caidaval, quae ad mediterranea vergunt, cum omnibus littoribus et fluviis ejusdem regionis, in qua plures numerantur parochiae Angamalensis ditionis; omnis autem regio ex fluviis ad mare usque et littus Cochinchinensis dioecesis erit, exceptis iis parochiis, quae hodie Angamalensis sunt ditionis in eadem regione cum media leuca in circuitu a loco, ubi sitae sunt. Littus Cochinchinense erit cum Ecclesia Porcaa, quae hactenus dioecesi Angamalensi includebatur, et omne

7. Thus in conformity with that sentence, which was deemed appropriate on the grounds of Christian values and divine service and befitting for the administration by the bishops and for the setting aside of the disputes that have in latter years arisen among the bishops concerning jurisdiction over some places, and by the authority conferred on us by His Holiness Paul V in the present document, we attribute to the see of Angamaly (which has now been transferred by the most holy Pope to the city of Cranganore) as its distinct, certain, definite and proper territory the following areas: the island of lesser Vaipin, which extends from the location of the old gate towards greater Vaipin, where the parishes, first of all, of Njarackal which was always subject to see of Angamaly; Palliport, a recent foundation and in past years the subject of dispute; the jurisdiction of Angamaly extends from this smaller Vaipin, from the northern part as far as the small island named "Termopatam", which lies at a distance of some three leagues from the city of "Cannanore", where the diocese of Goa ends; not only the shores of these regions and the nearby coastal towns will be subject to the prelate of Angamaly but also the inland regions, too, in which some parishes are to be seen which have always rendered obedience to the see of Angamaly. There, too, is sited the citadel of Cranganore, which his Holiness Pope Paul V ordered to be the capital of the archbishopric of Angamaly. Similarly in these central regions the parishes of "Calecutta" and "Tanoor" are ascribed to the territory of Angamaly. In the southern part the island of "Juan Pereyra" will be the sole boundary of the diocese of Angamaly: whence its authority will extend through the central regions as far as the area around "Anchemalical"; in these regions, only the peninsula of Cochin with all parishes situated therein, either those which have already been erected or are at some time to be erected, will be subject to the bishop of Cochin, along with the parishes of Mattancherry and Palluruthy, which until now have been under the authority of Angamaly, will be attributed henceforth to the diocese of Cochin.

8. The islands of the "oysters" and the remaining regions as far as Caidaval which are situated towards the central territories with all the coastlands and rivers of the same region, where several parishes are under the authority of Angamaly. However, as regards all the areas which extend from the rivers as far as the sea and its shores, they will belong to the diocese of Cochin, except for those parishes

quod fuerit versus mediterranea loca distans a mari, in qua plurimae sunt parochiae, usque adhuc Cochinesi episcopo subjectae, eandem subjectionem retinebunt praedicto Cochinesi praesuli, dummodo ejus ditio non plusquam per leucam a mari recedat, quae fere utriusque dioecesis limes erit, in quo tractu etiam nonnullae visuntur Angamalensis dioecesis parochiae, quas et omnem Travancorensem oram, cum ecclesiis in ea sitis, Cochinesi sedi subjicimus, exceptis tamen Travancorensi et Cotensi Ecclesiis et reliquis, quae archiepiscopatu Angamalsi illac pertinent, et excepta etiam Coulanensi Ecclesia superiori, quae antiquam subjectionem Angamalsi praesuli retinebit, cum propter continua fere bella inter lusitanos et indigenas reges non facile adiri, nec administrari possit a paracho Coulanensi episcopo subjecto.

9. Angamalensis ditionis erunt omnia mediterranea, quae decem lusitanis leucis a mari distent, ultra Comorinense promontorium, quae decem leucae subjacebunt praesuli Cochinesi, cum omnibus parochiis, vel jam extractis vel in posterum extruendis, in hac omni Piscariae ora, quod debet intelligi ad eas usque regiones, ubi Meliaporensis dioecesis incipit; ita extra has decem leucas Angamalsi subjacebunt mediterranea omnia, cum regionibus Naique et Maduré, excurretque ejus ditio ad fines usque inter se Meliaporensis et Cochinesi dioecesis. Et hanc nostram divisionem, assignationem inter Angamalensem et Cochinensem dioecesim jubemus integre et perfecte servari, ut in hac nostra praesenti tabula continetur, cum nobis in Domino ea divisio et limitatio opportunior et convenientior visa fuerit, et optimo praesuli utriusque regiminis accommodatior.

10. Quapropter, auctoritate apostolica et ex pontificii diplomatis vi nobis concessa facultate, ut censuris et ecclesiasticis poenis impositis, nostrum in hac re decretum exequi cogere, praecipimus reverendissimis dominis archiepiscopo Angamalsi et Cochinesi praesuli, sub poena ingressus Ecclesiae, et quatuor mille aureorum apostolicae sedi addictorum, quibus unumquemque damnatum ex hoc pronuntiamus, si forte huic divisioni et assignationi obstiterit, neque in omnibus a me decreta et diffinita in hac publica divisionis

in the same region which today are under the authority of Angamaly, along with half a league's territory around the place where they lie. The coast of Cochin will be part of the church of Porakkad, which until now has been included in the diocese of Angamaly, and every place towards the central regions which is far from the see, and where there are several parishes which until now have been subject to the bishop of Cochin, will continue to be subject to the aforesaid prelate of Cochin, provided that the territory not to extend inland more than a league from the sea, which will practically be the boundary of the two dioceses, in which tract there are also to be seen some parishes of the diocese of Angamaly and these we subject, together with the whole coast of Travancore and the churches situated there to the see of Cochin, except for the churches of Travancore and "Coten" and the rest which belong to the archbishopric of Angamaly, excepting however the upper church of "Kolei" which will maintain its former subjection to the bishop of Angamaly since on account of the almost continuous warfare between the Portuguese and the native kings it cannot easily be approached or administrated by the parish priest of "Kolei" subject to the bishop.

9. All the central regions which lie at a distance of ten Portuguese leagues from the sea, beyond the Comoron promontory, will be under the authority of Angamaly; those over ten leagues will be subject to the prelate of Cochin, together with all the parish churches, whether already erected or to be erected in future, along the entire Fishery coast, to be understood as extending as far as those regions where the diocese of Mylapore begins. Thus to Angamaly will be subject all the central territories outside these ten leagues together with the regions of "Naique" and "Maduré" and its sway will extend to the boundaries running between the dioceses of Mylapore and of Cochin. And we command that this division and assignment between the dioceses of Angamaly and Cochin be integrally and perfectly observed, just as it is contained in this document, since this division and delimitation have seemed to us in the Lord to be the one more opportune and convenient and the more suited to the most excellent prelate of each administration.

10. Wherefore, by apostolic authority and by the faculty granted to us in virtue of the pontifical document that, by specified censures and ecclesiastical penalties, we might enforce our decree concerning this matter, we order the most reverend Lords the archbishop of

tabula observaverit, quam in archivo metropolitanae sedis Goanae, ne unquam hujus rei memoria aboleatur, eadem auctoritate apostolica, asservari praecipimus, nec minus in archivis Angamalensis et Cochinesis sedis jubemus ejusdem tabulae transumptus recondi.

Datum Goae, sub communi nostro et cancellariae signo, 22 decembris anno 1610.

D. frater Alexius Menesius,
archiepiscopus primas.

Quarto januarii anno 1611, in illustrissimi episcopi Salentini palatio, qui huic Goensi sedi praesidebat pro illustrissimo et reverendissimo domino Alexio Menesio archiepiscopo, qui in Lusitaniam regis accitu solverat, et illius jussu, ego Joannes Antonius Antica, apostolicus notarius illustrissimi Goensis archiepiscopi, decretum de divisione et limitatione dioecesium Angamalensis et Cochinesis in publicum retuli, coram patre fr. Mathia a Rosario, ordinis minorum, episcopi Cochinesis et capituli procurator, et coram patre Stephano Brito, e societate Jesu, Angamalensis archiepiscopi procuratore, et coram utriusque sociis, scilicet patre fr. Petro de Sancta Maria et patre Alexandro Leni, quibus auditis et praesentibus, decretum retuli, signum et sigillum illustrissimi domini archiepiscopi primatis recognovi.

Ad cujus rei confirmationem, hoc publicum testimonium mea manu feci, signavique rogatus et requisitus, eodem die, mense et anno. = *Joannes Antonius Antica.*

Angamaly and the prelate of Cochin, under pain of a fine amounting to the income of the see plus an additional four thousand gold coins payable to the Apostolic See, to which we condemn anyone who perchance resists this division and assignment or fails to observe in every single detail what has been decreed and defined by me in this public record of the division, which by the same apostolic authority we order to be kept in the archives of the metropolitan see of Goa so that its memory may not be lost and we command likewise that the summary of this same document be deposited in the archives of the see of Angamaly and Cochin.

Given at Goa, under our common seal and that of the chancellor's office, the twenty-second day of December 1610.

Friar Alexis de Menezes
Lord Archbishop Primate.

On the fourth of January in the year 1611, in the palace of the illustrious bishop Salentin who presided over the see of Goa on behalf of the most illustrious and most reverend Alexis de Menezes, Lord Archbishop, who had responded to a summons to Portugal by the king, I, Juan Antonio Antica, notary apostolic of the most illustrious archbishop of Goa have made public the decree concerning the division and delimitation of the dioceses of Angamaly and Cochin, in the presence of Father Matia of the Rosary, of the Order of Minors, procurator to the bishop and chapter of Cochin, and in the presence of Father Stefano Brito of the Society of Jesus, procurator to the archbishop of Angamaly, and before the companions of both, namely Father Pedro de Santa Maria and Father Alexandro Leni, and after having heard them and in their presence, I consigned to the former the decree and authenticated the signature and the seal of the most illustrious Lord Archbishop Primate.

In confirmation of which, I have drawn up this public instrument by my own hand, signed it as requested and required, the same day, month and year. Juan Antonio Antica.

**6. COMMITTITUR ARCHIEPISCOPO GOANENSI UT
FACTAM DIVISIONEM DIOECESIS CRANGANORENSIS ET
COCHINENSIS EXECUTIONI MANDET**

PAULUS PAPA V
Venerabilis frater,
salutem et apostolicam benedictionem

Aliàs postquam per nostras, sub plumbo expeditas, litteras, inter alia castrum de Cranganor, olim Cochinesis dioecesis, a dicta dioecesi Cochinesis dismembraveramus, ac in illud sic dismembratum Ecclesiam, sedem tunc episcopalem, nunc archiepiscopalem Angamalensem, dilectis filiis capitulo Ecclesiae Angamalensis, ac omnibus et singulis eorum juribus, bonis et ornamentis transtuleramus, per nos acceptis, qui tunc existens, episcopus Cochinesis, sub quibusvis praetextibus, dismembrationem et translationem hujusmodi impedire tentabat, et propterea et forsitan aliis de causis inter eum et archiepiscopum Angamalensem variae dissentiones et controversiae, cum censurarum ecclesiasticarum hinc inde promulgatione, non sine magno populi scandalo, exortae erant.

1. Nos praemissis obviare praedicto et pro tempore existenti archiepiscopo Angamalensi certam dioecesim assignare volentes, venerabili fratri Alexio, tunc Goanensi, nunc Bracharensi archiepiscopo, et in ejus defectu, personae ecclesiasticae, regimini Ecclesiae Goanensis interim praepositae, ac illo legitime impedito, dilectis filiis vicariis provincialibus ordinum fratrum praedicatorum et fratrum eremitarum S. Augustini, per nostras etiam in simili forma brevis expeditas litteras, commisimus et mandavimus, quatenus ipse archiepiscopus Goanensis, seu persona ecclesiastica, aut in eventum praedictum, dicti vicarii, conjunctim procedentes, de praemissis se diligenter informarent, et adscito, si discordes fuissent, haereticae pravitatis inquisitore in officio hujusmodi antiquiore, vel si ille abesset, alio similiter inquisitore antiquiore in tempore immediate sequenti, certam dioecesim, districtum et territorium praedictae Ecclesiae Angamalensi, auctoritate nostra, assignarent, et si ita eis expedire

**6. THE ARCHBISHOP OF GOA IS GRANTED FACULTY TO
EXECUTE THE DIVISION OF THE DIOCESES OF
CRANGANORE AND COCHIN**

POPE PAUL V
Venerable brother, health and apostolic benediction

By means of another of our letters, given under seal, among other matters, after we had dismembered the fortress of Cranganore, at that time part of the diocese of Cochin from the said diocese of Cochin and we transferred to the said fortress thus dismembered, the Church of Angamaly – then an episcopal see, now archiepiscopal – together with our beloved sons of the chapter of the church of Angamaly, with all its rights, goods and ornaments, as we know, the bishop of Cochin (of that time), tried on some pretexts to prevent this dismemberment and transfer, and because of this and perhaps because of some other reasons numerous disputes and controversies arose between him and the archbishop of Angamaly which led to the promulgation of ecclesiastical censures, causing no little scandal among the people.

1. We, wishing to obviate the aforementioned problem and to assign a sure diocese for the archbishop of Angamaly of the time being, by means of our letter sent in similar *forma brevis*, commissioned and ordered our venerable brother Alexis, then archbishop of Goa, now archbishop of Braga and in the case of his absence, the ecclesiastical person appointed for the interim governance of the Church of Goa, and if this latter were to be legitimately impeded, our beloved sons the vicars provincial of the Order of the Preachers and the Order of the hermits of St. Augustine, so that the archbishop of Goa or the ecclesiastical person (substituting for him) or in the aforesaid case, the said vicars proceeding jointly, might enquire diligently into the abovementioned matters, and if perchance they were not in agreement, together with the eldest inquisitor into the wickedness of heresy in office, or if he were to be absent, with another inquisitor immediately preceding him, to assign, with our authority,

videretur, quaecumque loca ad dioecesim Cochinchinensem et Meliaporensis spectantia, etiam intus regiones ipsas existentia, ab eisdem dioecesibus perpetuo dismembrarent et separarent, illaque sic dismembrata et separata, cum incolis et habitatoribus eorundem, praedictae Ecclesiae Angamalensi, pro ejus dioecesi, etiam perpetuo assignarent, necessariasque scripturas et declarationes desuper facerent.

2. Ac propterea archiepiscopo Goanensi, seu personae ecclesiasticae, aut vicariis et inquisitoribus praedictis, praemissa et quaecumque alia circa ea necessaria et opportuna faciendi, dicendi, gerendi et exercendi, ac quae fecissent, dixissent, gessissent et exercuissent, sub censuris ecclesiasticis et aliis poenis, eorum arbitrio imponendis et applicandis, executioni demandari et observari faciendi licentiam et facultatem, dicta auctoritate, concessimus et impartimus, prout in aliis nostris litteris, in forma brevis sub die tertia decembris 1609 desuper expeditis, quarum tenor praesentibus pro expresso haberi volumus, plenius continetur.

3. Cum autem, sicut charissimi in Christo filii nostri Philippi, Hispaniarum regis catholici, nomine nobis nuper expositum fuit, dictus Alexius archiepiscopus, ad executionem litterarum in forma brevis deveniens, maturis, et gravibus diversisque tractatibus et deliberatione praehabitis, ac vocatis vocandis, suam definitivam sententiam, desuper latam sub die 22 decembris 1610, quae, ob non interpositam seu intra legitima tempora non prosecutam appellationem, transivit in rem judicatam, certam dioecesim et districtum ac territorium praedictae Ecclesiae Angamalensis assignaverit, dismembraverit et separaverit, prout in dicta sententia, cujus tenor praesentibus haberi volumus pro sufficienter expresso, plenius dicitur contineri.

4. Cumque parum sit sententias ferre, nisi sit qui illas debitae executioni demandet; idcirco nos, justis ipsius Philippi regis supplicationibus desuper, nobis humiliter porrectis, inclinati, fraternitati tuae per praesentes committimus et mandamus, ut ad executionem dictae sententiae, juxta illius continentiam et tenorem, dicta auctoritate, procedas; contradictores quoslibet et rebelles per sententias, censuras et poenas ecclesiasticas, aliaque opportuna juris

a definite diocese, district and territory to the aforesaid Church of Angamaly. If it were to seem expedient to them they were to dismember and separate in perpetuity some places belonging to the diocese of Cochin and Mylapore, even though they be within the boundaries of these latter, which places thus dismembered and separated together with their inhabitants and residents they might assign in perpetuity to the Church of Angamaly for its diocese and moreover they might draw up the necessary records and declarations.

2. And besides we conceded and imparted, by the said authority - as is more amply contained in our other letter which was dispatched in *forma brevis* on 3 December 1609, the content of which we wish to be rendered public - to the archbishop of Goa or the ecclesiastical person (substituting for him) or the aforesaid vicars and inquisitors, the permission and faculty of accomplishing, declaring, ordering and decreeing the aforementioned business and any other necessary and opportune affairs concerning them, and of constraining to execute and observe whatever they had done, declared, decreed and decided under ecclesiastical censures and other punishments to be imposed and applied at their judgement.

3. As recently exposed to us in the name of our most beloved son in Christ, Philip, the Catholic king of Spain, the said archbishop Alexis, in the act of executing the letter, after having made mature, serious and various handlings and deliberations, and after having summoned the persons concerned, passed his definitive sentence on 22 December 1610, which assigned, dismembered and separated a definitive diocese, district and territory for the aforesaid Church of Angamaly, which sentence, since no appeal was lodged or the legitimate period of time for appeal elapsed, became adjudged matter (*res iudicata*) as determined in the said sentence, the tenor of which by the present letter, we wish to render public in an adequate fashion, where the facts are more amply related.

4. Since it is useless to emanate sentences, unless there is someone, who will duly execute them, we too, swayed by the rightful supplications humbly presented to us by king Philip, entrust and command you our brother by means of this letter, to proceed to the execution of the said sentence according to its contents and tenor, by the same authority; repressing any opponents and rebels by sentences,

et facti remedia compescendo, invocato etiam ad hoc, si opus fuerit, auxilio brachii saecularis.

5. Non obstantibus, quatenus opus sit; felicis recordationis Bonifacii Papae VIII, praedecessoris nostri, de una; et in Concilio Generali edita de duabus, dummodo ultra tres dietas aliquis, auctoritate praesentium, ad iudicium non trahatur ac omnibus illis, quae in nostris in forma brevis expeditis litteris praedictis volumus non obstare, caeterisque contrariis quibuscumque.

Datum Romae apud Sanctam Mariam Majorem, sub annulo piscatoris, die 6 februarii 1616, pontificatus nostri anno 11.

censures and ecclesiastical punishments and by any other opportune remedies of law and fact and having been invoked for this, even the help of the secular arm, if necessary.

5. Notwithstanding, as far as is necessary, (the law) of our predecessor Pope Boniface VIII of happy memory concerning one sentence; and (the decree) issued in the General Council concerning two sentences, as no one is summoned to judgement more than thrice and all those matters contained in our aforesaid letter sent in *forma brevis*, we do not wish to thwart, and whatever else to the contrary.

Published in Rome at St. Mary Major, under the ring of the Fisherman, on 6 February 1616, the eleventh year of our Pontificate.

Chapter Three

THE INTERVENTION OF THE CONGREGATION OF PROPAGANDA FIDE IN INDIA, THE SUPPRESSION AND REESTABLISHMENT OF PORTUGUESE PATRONAGE

The *ius patronatus* carried with it a religious monopoly of Portugal in Asia and Africa with the grave consequence of forbidding the entrance of any missionary in those territories who was not sent by Portugal. In fact, already in 12 December 1600 by the bull *Onerosa* Pope Clement VIII granted to Portugal the exclusive privilege to send missionaries to Africa and Asia. Later the missionaries had even to take an oath to safeguard the commercial, religious and political interests of Portugal before their departure for the missions. It was the exclusive right of the Portuguese Crown to present to the bishop for appointment the deans, canons, prebendaries, dignitaries, beneficiaries, parish priests, chaplains, missionaries and all other ecclesiastical officials.

The Popes conferred the *ius patronatus* upon the king of Portugal when the Holy See had no organization to conduct missionary activities in the “newly discovered lands”. On 22 June 1622 Pope Gregory XV erected the Congregation for the Propagation of the Faith (*Congregatio de propaganda fide*) by the constitution *Inscrutabili divinae* for directing and supervising all matters concerning missionary activity in the whole world, including the selection and appointment of missionaries. Since 1622 Propaganda Fide permitted all Orders and Congregations to work in India without the prior permission of Portuguese government or Goan ecclesiastical and political authorities. In 1633 by the brief *Ex debito pastoralis* Pope Urban VIII formally abolished the religious monopoly of Portugal and granted complete freedom to the heralds of the Gospel to go to the missions, and anyone who prevented them was threatened with excommunication.

At that epoch the whole territory of the East Indies was divided among the four Portuguese Padroado dioceses: the metropolitan archdiocese of Goa and the dioceses of Cochin, Cranganore (St Thomas Christian) and Mylapore. These four Portuguese dioceses covered canonically the whole of the East Indies, even though only a few centres were effectively occupied and controlled by the Portuguese ecclesiastical and civil authorities. According to the principles of *ius patronatus* it was the exclusive right of the Portuguese king to decide on the erection of dioceses under his dominion and to present to the Holy See worthy persons for the appointment of bishops in the dioceses thus erected and whenever they remained vacant. Since the whole of the East Indies was covered by the four Portuguese dioceses the Holy See could not have erected dioceses or appointed bishops in India without the consent of the Portuguese Crown and the knowledge of the metropolitan of Goa.

In these circumstances without revoking the *ius patronatus* of the Portuguese Crown the Holy See adopted the provisional and administrative measure of erecting vicariates apostolic and appointing vicars apostolic depending directly on the Pope. The vicars apostolic were titular bishops receiving jurisdiction directly from the Holy See, to work in certain districts assigned to them within the existing Padroado dioceses. Thus in India and South Asia the vicars apostolic directly appointed by Rome took full charge of the pastoral and missionary work in the regions, which, at that time, were juridically under the authority of the Padroado. Propaganda Fide erected the first vicariate apostolic of Bijapur or Idalcan in 1637, extended later to Golconda and Pegu (1669) and to the whole of the great Moghul Empire (1696). Then in 1700 the vicariate apostolic of Malabar (later Verapoly) was created, especially for the St Thomas Christians. The intervention of Propaganda Fide in India and especially the erection of vicariates prepared the ground for a long jurisdictional battle between the missionaries and vicars apostolic of Propaganda Fide and the missionaries and bishops of the Portuguese Padroado, who accused the Holy See of unilaterally and unjustly infringing upon the rights of the Portuguese Crown, recognized and confirmed by many Roman Pontiffs.

From the second half of the seventeenth century Portuguese power in India began to decline as other European colonial powers like the Dutch, English, French and Danish seized the main centres in India. Portugal could not have exercised their patronage rights in territories under other colonizers. At the beginning of the nineteenth century the Portuguese political power was reduced to very limited areas like Goa, Damão and Diu, owing to the establishment of English supremacy in India centring on Calcutta, Bombay and Madras. The decline of political power and the lack of financial resources prevented Portugal from carrying on the evangelization of vast regions like the Indies and adequately maintaining the Church and its institutions. Owing to the growing anti-religious political situation, Portugal broke her diplomatic relations with the Holy See in 1833 and suppressed the religious Orders throughout the Portuguese Empire on 30 May 1833. Consequently the missionary activities of Portugal came to a halt and the Crown failed to fulfil the obligations of patronage even with regard to the four Portuguese dioceses in India, which remained vacant for a long period of time.

The Church in India was in a desolate and deplorable situation and it was generally believed that Indian Catholicism itself would become extinct if the Holy See did not intervene. Therefore other vicariates apostolic were created in different parts of India in spite of the strong protest of the Portuguese government and ecclesiastical authorities. Obviously all these vicariates apostolic were superimposed on the pre-existing Padroado dioceses without explicitly derogating from the Padroado jurisdiction.

The disastrous and scandalous jurisdictional conflict between the vicars apostolic directly appointed by the Holy See and the Portuguese ecclesiastical and civil authorities adversely affected the progress of the Catholic Church in India. Finally, after many discussions, but without consulting the Portuguese Crown, as there was no diplomatic relationship between the Holy See and Portugal, with the apostolic letter *Multa praeclare* of 24 April 1838 Pope Gregory XVI suppressed the *Padroado* jurisdiction in India except in the archdiocese of Goa, and granted all the vicars apostolic exclusive and proper jurisdiction over their territories. The Pope explicitly

derogated from the apostolic letters of his predecessors concerning the erection of the dioceses of Goa, Cochin, Mylapore and Cranganore as well as their territorial boundaries. The Portuguese diocese of Mylapore was suppressed and its territory became part of the vicariate apostolic of Madras. The Portuguese Padroado sees of Cranganore (St Thomas Christian) and Cochin were annexed to the vicariate of Verapoly. The territory of Malacca was allotted to the vicariate apostolic of Ava and Pegu. The Padroado jurisdiction was limited to the archdiocese of Goa. The apostolic letter *Etsi Sancta et immaculata* constituting the ecclesiastical province of Goa was repealed and the metropolitan rights of the archbishop of Goa were suppressed both inside and outside India. The vicars apostolic received exclusive and proper jurisdiction in their territories.

The apostolic letter *Multa praeclare* only worsened the situation and gave rise to what some authors call the "Goan Schism". The vicars apostolic appointed by the Holy See wholeheartedly accepted the apostolic letter, while the Portuguese Crown, the Portuguese bishops, clergy and religious, firmly and resolutely rejected it as an arbitrary and unjust encroachment upon their acquired rights. Propaganda Fide labelled the followers of Padroado as schismatics because they disobeyed the supreme authority of the Pope, while these latter treated the Propaganda missionaries and vicars apostolic as intruders. The Portuguese pointed out that according to the various apostolic letters granting ecclesiastical jurisdiction to the king of Portugal, even the Pope could not have abrogated the patronage rights without the explicit consent of the same King.

In the course of time it became all the more evident that the contrast between the Portuguese Crown and the Holy See and between their representatives in the battlefield in India could not have been settled by the arbitrary suppression of Padroado or through mutual threats, censors and punishments. Therefore, since the re-establishment of diplomatic relationship in 1841 the Holy See and the Portuguese government began to engage in negotiations, which led to the concordat of 21 February 1857 for the continuation of the Portuguese Crown's exercise of the rights of patronage in India and

in China. The Treaty which re-established and regulated the patronage, was confirmed and ratified on 6 February 1860 and was published on 30 May 1860. The concordat confirmed the Portuguese patronage in the metropolitan see of Goa and re-established the Portuguese dioceses of Cranganore (St Thomas Christian), Cochin, Mylapore and Malacca, which together formed the ecclesiastical province of Goa. The concordat even recognized the right of Portugal to constitute new dioceses under its patronage. In brief, the Portuguese royal patronage was fully re-established with all its rights and privileges, as if it had not been suppressed.

With regard to the St Thomas Christians one may note that after the suppression of metropolitan status on 20 December 1599, Portuguese patronage was imposed upon them in 1600. In 1605 the seat of the diocese of Angamaly was transferred to Cranganore and hence gradually the see obtained the title of Cranganore. Although the metropolitan status was re-established on 22 December 1608, the diocese of St Thomas Christians was considered one of the four Latin dioceses under Portuguese patronage and even as part of the ecclesiastical province of Goa. Consequently, with *Multa praeclare* the St Thomas Christian archdiocese of Cranganore was suppressed and the Christian faithful became members of the vicariate apostolic of Verapoly together with those of Cochin. After nineteen years, with the aforementioned concordat of 21 February 1857, the archdiocese of Cranganore was also re-established.

In this section we present the apostolic letter *Multa praeclare* of Pope Gregory XVI, dated 24 April 1838, suppressing Portuguese Patronage and the concordat of 21 February 1857 with which the patronage was re-established and regulated.

1. LITTERAE APOSTOLICAE QUIBUS PATRONATUS PORTUGALLIAE RESTRINGITUR ET REGULATUR

GREGORIUS PP. XVI
Ad perpetuam rei memoriam

Multa praeclare Romani Pontifices praedecessores nostri pro apostolici muneris debito constituerunt, ut in vastissimis Orientalium Indiarum regionibus catholicae religionis incremento prospicerent. Cum enim ob summam earum regionum ab Apostolica Sede distantiam, ob itinerum longitudinem locorumque difficultates, ardua valde esset tantae illius vineae Domini partis cultura, sollicitudinem suam impense Romani Pontifices demonstraverunt, ut quidquid pro diversa temporum ratione religioni utile apud illas gentes futurum esse videretur, auctoritate sua sancirent et studiose servandum esse iuberent.

§ 1. Omittimus illam curam commemorare ab Apostolica Sede nunquam neglectam, ut undique sacerdotes excitarentur ad sacri ministerii officia in iis regionibus obeunda: nihil de singulari dicimus adhibita a praedecessoribus nostris facilitate ac benignitate, ut ad non retardandos iis in locis religionis catholicae progressus innumera ferme concesserint, quibus passi sunt, cum iis gentibus remissius agi, quam ut canonum et disciplinae severioris instituta requirebant. Eam tantum hic memorabimus grati animi significationem, quam pro dignitate sua Romani Pontifices erga illos ostenderunt, quos constabat opera sua religioni utiles per ea loca fuisse.

§ 2. Perspicuum huius rei testimonium continet patronatus privilegium fidelissimis Lusitaniae Regibus ab Apostolica Sede tributum, ut dioecesium nonnullarum in iis regionibus Episcopi, eorum nominatione, eligerentur. Cum enim illorum principum pietas ac munificentia multum contulisset, ut in vastissimis illis regionibus episcopatus nonnulli constitui possent, praedecessores nostri, grati animi testificatione eorum merita prosequi cupientes, largiti sunt ut earum dioecesium Episcopos Sedes Apostolica eligeret, quos idoneos illi nominassent. Huius praeterea privilegii concessione, Apostolica

1. APOSTOLIC LETTER RESTRICTING AND REGULATING THE PORTUGUESE PATRONAGE IN THE EAST INDIES

POPE GREGORY XVI
For perpetual memory

The Roman Pontiffs our predecessors, in accordance with the obligation of their apostolic office very clearly determined many matters in order to provide for the increase of the Catholic religion in the most extensive regions of the East Indies. For, although the cultivation of that part of the Lord's vineyard was truly arduous on account of the greatest distance of those regions from the Apostolic See, the long journey, as well as the difficulties of the places, the Roman Pontiffs earnestly manifested their solicitude, so that they might sanction by their authority and order to be meticulously observed whatever seemed to be useful to the religion among those populations in accordance with the different circumstances of time.

1. We omit all mention of that care, never disregarded by the Apostolic See, so that priests should be encouraged from everywhere to perform sacred ministries in those regions: we say nothing of the remarkable affability and generosity displayed by our predecessors who generally conceded a great deal so as not to hinder the progress of the Catholic religion in those places, by which they allowed those people to be treated less severely than the principles of canon law and a stricter discipline required. Here we shall only recall that sign of gratitude which the Roman Pontiffs, in accordance with their dignity, manifested towards those peoples, who were certain that their efforts were beneficial to the religion in those places.

2. An evident testimony of this is the privilege of patronage attributed to the most faithful Kings of Portugal by the Apostolic See, so that the bishops of some dioceses in those regions might be appointed upon their nomination. For, since the piety and munificence of those princes had contributed very much to the constitution of some episcopates in those most vast regions, our predecessors, desiring

Sedes prospexit, ut non diuturna esset sedium illarum episcopalium vacatio, facilius Episcopos ea loca opportunos haberent, et praesulibus ipsis satis congrua praesto essent subsidia, quae eorundem dignitati convenirent. Factum est vero temporum vicissitudine, ut hoc, quod diu religioni utile in iis regionibus fuit, in eo statu manere non potuerit, quem praedecessorum nostrorum decreta, in adiunctis rerum longe diversis edita, servandum esse iusserant.

§ 3. Pluries nos, cum adhuc Consilio Christiano Nomini Propagando praeessemus, perpendere rationum gravitatem debuimus, quae demonstrabant, regiones illas tam late patentes, quae permagnam vastissimae cis Gangem peninsulae partem constituunt, necessario requirere, ut Apostolica Sedes religioni in iis periclitanti succurreret, et ecclesiastici regiminis formam ea ratione moderaretur, quae obtinendae religionis incolumitati par esse posset. Notum nobis erat, regiones illas dioecesium Cranganorensis, Coccinensis et Meliaporensis seu S. Thomae limitibus comprehendi. Constabat vero nobis, praedecessores nostros fidelissimis Lusitaniae Regibus patronatum in illas dioeceses, et Episcopos nominandi privilegium impertitos esse. Hoc enim continetur literis apostolicis fel. rec. Pauli IV. diei iv. februarii anno MDLVII, quae incipiunt *Pro excellenti*, quibus dioecesim Coccinensem constituit; item Clementis VIII. diei iv. augusti MDC. incipientibus *In supremo*, et Pauli V. diei vi. februarii MDCXVI. incipientibus *Alias postquam* de Cranganorensis archiepiscopatus erectione; ac denique apostolico decreto Pauli V. diei ix. ianuarii MDCVI. quo episcopatus Meliaporensis, seu S. Thomae constitutus est. Non omisimus vel ab eo tempore, ad bonum religionis promovendum, illa omnia conari, quae temporum adiuncta patiebantur.

§ 4. Postquam vero ad D. Petri cathedram licet immerentes evecti fuimus, multo frequentius, et omni gravitate praestantibus monumentis excitati sumus, ut religioni in permagno discrimine apud illas gentes versanti opem afferremus. Haec animo volventes et apostolicae sollicitudinis officia cogitantes, adducti idcirco sumus, ut literis apostolicis diei XVIII. aprilis MDCCCXXXIV. incipientibus *Latissimi terrarum tractus*, Vicarium Apostolicum a Sede Apostolica tantum dependentem constitueremus, qui populosam Calcuttae urbem

to reward their merits by a testimony, granted that the Apostolic See would choose as bishops of those dioceses those worthy persons whom they had nominated. Besides, by the concession of this privilege, the Apostolic See prospected that the vacancy of those episcopal sees would not be of long duration, that those places would have suitable bishops more easily, and that an adequate subsidy, appropriate to their dignity, would be granted to the bishops themselves. But it happened that in the vicissitude of times this (patronage) which was for a long time useful to the religion in those regions, could not remain in that state which the decrees of our predecessors, promulgated long ago under entirely different circumstances, had ordered to be observed.

3. Several times, while presiding over the Council for the Propagation of the Christian Name, we had to ponder over the seriousness of the reasons which demonstrated that, in such widespread regions which constitute a very great part of the vast peninsula on the side of the Ganges, it was necessary to enquire how the Holy See should succour the endangered religion of those regions and should modify the form of ecclesiastical government in such a manner, which could be appropriate for obtaining the safety of religion. It had become known to us that those regions comprehend the dioceses of Cranganore, Cochin and Mylapore or St. Thomas. It was also manifest to us that our predecessors had granted to the most faithful kings of Portugal the patronage over those dioceses and the privilege of nominating bishops. This is contained in the apostolic letter *Pro excellenti* of Paul IV of happy memory, dated 4 February 1557 by which he established the diocese of Cochin; in the same way it is found in the apostolic letter *In supremo* of Clement VIII on 4 August 1600 and in that of Paul V on 6 February 1616 which begins *Alias postquam* concerning the erection of the archdiocese of Cranganore; and finally in the apostolic decree of Paul V on 9 January 1606, by which the bishopric of Mylapore or St. Thomas was established. From that time onwards, we have never omitted to undertake all those things which the circumstances of time permitted for promoting the good of religion.

4. But since we, albeit unworthy, have been raised to the cathedra of Peter, we have been impelled much more frequently, and by documents of utmost importance, so that we might aid religion which

eiusque politicam praefecturam subjectam haberet. Quoniam vero reperti sunt, qui Vicarii Apostolici a nobis instituti iurisdictioni resisterent, et apostolicis nostris literis non obtemperandum esse contenderent, eo quod in illis, expressa mentione facta, derogatum non esset iis, quae Paulus V. die IX, ianuarii MDCVI. de Episcopi Meliaporensis, seu S. Thomae iurisdictionis finibus decreverat, nos alio brevi apostolico die IV. augusti MDCCCXXXV. cuius initium est *Commissi nobis*, omnem hunc dissidii praetextum reiecimus et plura declaravimus, quae ad stabilius firmandam Vicarii Apostolici Bengalensis auctoritatem poterant pertinere. Eadem de causa factum est, ut alium Vicarium Apostolicum Madraspatani, literis diei XXV. aprilis MDCCCXXXIV. incipientibus *Ex debito pastoralis*, instituendum esse duxerimus. Haec quoque ratio fuit cur die XXIII. dec. MDCCCXXXVI. aliud breve apostolicum incipiens *Ex munere pastoralis* ediderimus, quo vastissimam insulam Ceylan Vicario Apostolico a nobis instituto gubernandam commisimus. Hac denique ratione factum est, ut prospicere cupientes religionis necessitati apud illas gentes, quae peninsulae partem incolunt, quae ad Orientem montium Gates vergit et a flumine Choveri ad promontorium usque Comorinum protenditur, universum illum regionum tractum, qui regna Madurae, Tanjorii, Moravae et Misorii comprehendit, per nostram Congregationem de Propaganda Fide die III. iunii MDCCCXXXVII. venn. fratris Clementis Episcopi Drusiparensis, in Ora Coromandelica Vicarii Apostolici, provisorio ratione, et quoad aliter a S. Sede decretum fuerit, curae et iurisdictioni commiserimus.

§ 5. Intelligimus per haec, quae hactenus a nobis de ea Indiarum regione statuta sunt, in permagna peninsulae parte religionis utilitati consultum esse. Sed praeter illa loca, quae Vicariis Apostolicis gubernanda tradita fuerunt, non parvae adhuc supersunt ibi regiones, quarum bono spiritali prospicere tenemur, quaeque inter fines dioecesium Cranganorensis, Coccinensis et Meliaporensis vel Sancti Thomae positae sunt. Scimus, disciplinam ecclesiasticam, populi mores, fidem catholicam, iis in locis, quae iamdiu pastore carent, magnum detrimentum accepisse, notumque nobis est, praetextu defendendi ac conservandi iura dioecesium illarum plures abuti, ut Vicariis Apostolicis, quos Sedes Apostolica constituit, resistant, eorum

was in great peril among those peoples. With such thoughts in our mind and conscious of the obligations of our apostolic solicitude, we have been induced to appoint a vicar apostolic depending only on the Apostolic See, by the apostolic letter *Latissimi terrarum tractus*, of 18 April 1834, who would have subject to him the populous city of Calcutta and its political prefecture. Since, however, some persons were found who opposed the jurisdiction of the vicar apostolic appointed by us and maintained that our apostolic letter ought not to be obeyed, because in that, by express mention, nothing was abrogated, which Paul V on 9 January 1606 had decreed about the limits of the jurisdiction of the bishop of Meliapore or St. Thomas, by another apostolic brief on 4 August 1835 beginning *Commissi nobis*, we have rejected the whole pretext of this dissent and have declared many things which would tend to strengthen the authority of the vicar apostolic of Bengal. For the same reason it came about that we decreed by the apostolic letter of 25 April 1834 which begins *Ex debito pastoralis*, that another vicar apostolic should be established in Madras. This was also the reason why on 23 December 1836 we promulgated another apostolic brief beginning *Ex munere pastoralis*, whereby we committed the most extensive island of Ceylon to be governed by a vicar apostolic appointed by us. For this reason, finally it came about that, desiring to provide for the necessities of religion among those peoples who inhabit that part of the peninsula which lies towards the East of the Gates mountains and stretches from the river Cavery up to Cape Comorin, we have committed the whole of that region which comprises the kingdoms of Madura, Tanjore, Morava and Mysore, through our Congregation for the Propagation of the Faith, on 3 June 1837, to the care and jurisdiction of the venerable brother Clement, bishop of Drusipara, vicar apostolic of the Coromandel coast, in a provisional way and until otherwise decreed by the Holy See.

5. We understand that by these things, which have been hitherto decreed by us concerning the region of the Indies, the good of religion in the greater part of the peninsula has been provided for. Yet besides those places which have been handed over to the vicars apostolic for administration, not a few regions still remain there, for whose spiritual welfare we are bound to provide, and which are situated within the boundaries of the dioceses of Cranganore, Cochin, and Meliapore or

auctoritatem oppugnent et schisma perniciosum excitare conentur. Plane sentimus, nos, ex officio, quod Deus nobis in D. Petri successione commisit, omnino teneri, ut Ecclesiae curam in dissita etiam qualibet orbis parte geramus, eaque decernamus, quae ad religionem ubique iuvandam conducere posse videmus. Communicato igitur consilio de tam gravi re cum venn. fratribus nostris S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis, eorumdem sententia probata, ac matura totius negotii consideratione a nobis instituta, apostolicae potestatis plenitudine, haec decernenda esse iudicavimus. Videlicet, provisoria ratione et quoad Sedes Apostolica nihil aliud novi statuerit, decernimus, regiones eas omnes, quae dioecesis Meliaporensis seu S. Thomae limitibus continentur, quaeque hactenus nulli Vicario Apostolico commissae sunt, Vicariatu Apostolico Madraspatano uniendas esse, et iurisdictionem atque auctoritatem totam ecclesiasticam et spiritualem in eas regiones ad ven. fratrem Danielelem Episcopum Salditanum, Vicarium Apostolicum Madraspatani, eiusque successores pertinere. De regionibus vero, quae limitibus dioecesis Cranganorensis et Coccinensis continentur, et quae nulli Vicario Apostolico hactenus traditae sunt, eadem ratione iubemus, illas Vicariatu Apostolico in Malabarica regione instituto, cuius sedes in oppido Verapoli est, uniri debere, et iurisdictionem atque auctoritatem totam ecclesiasticam ac spiritualem in eas regiones ad venerabilem fratrem Franciscum Xaverium Episcopum Amathensem, Vicarium Apostolicum Verapoli commorantem, eiusque successores spectare. Atque ut Malacensis quoque regio trans Gangem apostolicae nostrae sollicitudinis fructus accipiat, et religionis incolumitati atque incremento in ea regione consulamus, universam regionem illam venerabilis fratris Friderici Cao Episcopi Zamensis, Vicarii Apostolici Avani et Peguensis, iurisdictioni, eadem provisoria ratione, subiicimus.

§ 6. Declaramus, in earum regionum ecclesiastico ac spirituali regimine, Vicarios Apostolicos memoratos, a nobis et ab Apostolica tantum Sede immediate dependere, eos solos tamquam veros regionum illarum Ordinarios ab omnibus habendos esse, eisque omnes obtemperare debere, et ab illis ecclesiasticam iurisdictionem ac facultates accipere. Derogamus propterea literis apostolicis superius recensitis praedecessorum nostrorum de dioecesium Cranganorensis,

St. Thomas. We know that the ecclesiastical discipline, the morals of the people, the Catholic faith in those places which have lacked a pastor for such a long period of time, have suffered great damage, and we are also well acquainted with the fact that many are abusing the pretext of defending and preserving the rights of those dioceses in order to oppose the vicars apostolic, whom the Apostolic See has appointed, to attack their authority and endeavour to stir up a pernicious schism. We distinctly perceive that, in virtue of the office, which God has committed to us in succession to St. Peter, we are fully obliged to regulate the care of the Church even in any remote part of the world, and to decree those things which we consider could be of aid to religion everywhere. Therefore, having taken counsel concerning so grave a matter with our venerable brothers, the cardinals of the Holy Roman Church, appointed for the affairs of Propaganda Fide - the sentence of the same cardinals have been approved - and after making a mature consideration of the whole matter, with the plenitude of apostolic power, we judged that the following must be decreed. That is to say, in a provisional way and as long as the Apostolic See has not deliberated anything else new, we decree that all those regions which are comprised within the boundaries of the diocese of Mylapore or St. Thomas and which up to this time have not been entrusted to a vicar apostolic, must be united to the vicariate apostolic of Madras and that all jurisdiction and authority, ecclesiastical and spiritual, over those regions belong to the venerable brother Daniel, bishop of Salditan, vicar apostolic of Madras and to his successors. For the same reason we order that those regions which are contained within the boundaries of the dioceses of Cranganore and Cochin and which have not yet been committed to a vicar apostolic, must be united to the vicariate apostolic, established in the Malabar region, whose seat is in the town of Verapoly, and that all jurisdiction and authority, ecclesiastical and spiritual, in those regions shall pertain to the Venerable Brother Francis Xavier, bishop of Amata, the vicar apostolic residing in Verapoly and to his successors. And that Malacca, as well as the region beyond the Ganges may also receive the benefits of our apostolic solicitude, and that we may provide for the safety and increment of religion in that region, we in the same provisional way subject that entire region to the jurisdiction of our Venerable Brother Federici Cao, bishop of Zama, vicar apostolic of Ava and Pegu.

Coccinensis et Meliaporensis seu S. Thomae erectione atque limitibus, itemque illis a Paulo IV. editis die iv. februarii MDLVII. incipientibus *Pro excellenti*, de episcopatus Malacensis erectione, et praeterea derogamus etiam literis apostolicis fel. rec. praedecessoris nostri Pauli IV. diei iv. februarii MDLVII. incipientibus *Etsi Sancta*, de Archiepiscopatus Goani erectione, ita, ut nullam iurisdictionem, quocumque titulo, etiam speciali mentione digno, in regionibus, de quibus agitur, Archiepiscopus Goanus in posterum possit exercere.

§ 7. His ista ratione statutis, videmur omnino nos religionis opportuno regimini per eas regiones prospexisse, ac certo speramus futurum, ut, Deo optimo maximo consilium a nobis initum benedicente, haec ad Ecclesiae incrementum magnopere conferant: confidimus etiam fore, ut decretis nostris omnes ea obtemperant observantia, quae dignitati nostrae debetur, cui in D. Petro pascendi, regendi ac gubernandi universalem Ecclesiam a Deo potestas tradita est. Non dubitamus denique, eos, qui hactenus voluntati nostrae restiterunt, suscepturos esse saniora consilia et a gravissimo schismatis malo alienos ex animo esse futuros.

§ 8. Praeter illud enim catholici cuiuslibet proprium officium, ut D. Petro per os nostrum loquenti obtemperare teneatur, persuasum habemus, eos intellexisse, quae ad dissidii sui defensionem attulerunt, ipsorum repugnantiam excusare nulla ratione posse. Omnibus enim cognitum est, Apostolicam Sedem in patronatu illo fidelissimis Lusitaniae Regibus concedendo, nunquam voluisse impedimentum sibi ipsi inducere, quominus religioni in regionibus illis provideret, et non posset ea statuere, quae, pro temporum necessitate, populi christiani salus fuisset postulatura.

§ 9. Putamus, eos quoque videre, quantopere diversis temporibus et a praesenti rerum statu distinctis, privilegium illud concessum servatumque fuerit: existimamus illos etiam sentire, regiones eas, ad quarum bonum procurandum mentem nostram convertimus, non amplius veteri politico regimini subesse, quo Lusitanis Regibus facile erat in iis regionibus patronatum exercere, sed illas in potentissimi Regis ditionem devenisse, cuius gubernii forma atque instituta hoc minime passura esse, nobis exploratum est. Recordamur tandem,

6. We declare that in the ecclesiastical and spiritual government of those regions, the abovementioned vicars apostolic immediately depend only on us and the Apostolic See, they (vicars apostolic) alone must be considered by all the true Ordinaries of those places and all must obey them and receive ecclesiastical jurisdiction and faculties from them. Therefore we derogate from the aforementioned apostolic letters of our predecessors with regard to the erection and the boundaries of the dioceses of Cranganore, Cochin, Meliapore or St. Thomas and likewise from the apostolic letter *Pro excellenti* promulgated by Paul IV on 4 February 1557 concerning the establishment of the bishopric of Malacca and moreover we repeal also the apostolic letter of our predecessor Paul IV of happy memory on 4 February 1557, beginning *Etsi Sancta*, concerning the erection of the archdiocese of Goa so that in future the archbishop of Goa can in no way exercise any jurisdiction over those regions, under any title whatsoever, even worthy of special mention.

7. Those things being so determined, we believe that we have fully provided for the proper government of religion throughout those regions and we have the sure hope that, God Almighty blessing the plan initiated by us, these provisions will bring great increment to the Church. We are also confident that all will comply with our decrees, with that respect which is due to our dignity, upon whom in St. Peter, the power of pasturing, governing and ruling the universal Church has been bestowed by God. Finally we do not doubt that those who have hitherto opposed our will, will accept wiser counsels and will sincerely keep themselves apart from the most pernicious evil of schism.

8. For, besides it being the proper duty of every Catholic, who is bound to obey St. Peter who speaks through our mouth, we are persuaded that they have understood that the motives which they brought for their defence in the dispute cannot for any reason excuse their opposition. For it is well known to all that the Apostolic See in conceding patronage to the most faithful kings of Portugal, never intended to create an impediment to itself, so that it might not be able to provide for religion in those regions and decree those things which, in accordance with the necessity of the times, the salvation of Christian people might have afterwards required.

Romanos Pontifices praedecessores nostros, non obstante patronatus concessionem, ex dioecibus eo privilegio comprehensis, provincias separandas aliquando, et Vicariatus Apostolicos, provincias illas complectentes, constituendos esse pro religionis utilitate iure decrevisse: quare confidimus, eos, qui dissidere hactenus non dubitarunt, facile perspecturos, cavendum sibi esse, ne decretis nostris, in praesenti rerum conditione latis, patronatus praetextu repugnantes, aperte ostendant, se dissidii sui nullam, nisi inobedientis animi rationem afferre posse.

§ 10. Decernentes has praesentes literas semper firmas, validas et efficaces existere ac fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis, ad quos spectat et spectabit, hoc futurisque temporibus, plenissime suffragari. Contrariis non obstantibus quibuscumque.

Datum Romae, apud S. Petrum sub annulo Piscat. die XXIV. apr. MDCCCXXXVIII., pontificatus nostri anno VIII.

9. We think that those people also will see that how greatly different were the circumstances of times, distinct from the present state of affairs, in which that privilege was conceded and observed: we suppose that they also perceive that those regions, for procuring whose good we have changed our mind, are no more greatly subject to the old political government, under which it was easy for the Portuguese kings to exercise patronage in those regions, but on the contrary we have ascertained that those regions have come under the sovereignty of a most powerful king, whose form of government and institutions will be only slightly affected by this privilege. Finally we remember that the Roman Pontiffs our predecessors, despite the concession of patronage, rightfully decreed that from the dioceses included under that privilege provinces should sometimes be separated; and vicariates apostolic, embracing those provinces, should be established for the advantage of the religion. We therefore trust that those people who up to this moment have not hesitated to oppose us, will easily perceive that they must be careful lest by resisting our decrees given in the present circumstances of things, on the pretext of patronage, they openly manifest that they can produce no reason for their dissention, except a spirit of disobedience.

10. We decide that this present letter is and will be always firm, valid and efficacious, that it will obtain and maintain full and complete effect and will provide the fullest support for those whom this concerns and will concern in the future. Notwithstanding whatsoever else to the contrary.

Given in Rome, at St. Peter 's, under the ring of the Fisherman, on 24 April 1838, the eighth year of our Pontificate.

2. CONVENTIO INTER PIUM IX ET PETRUM V REGEM PORTUGALLIAE - 1857

In nome della SS. e individua Trinità.

Sua Santità il Sommo Pontefice Pio IX, e sua Maestà fedelissima il Re Don Pietro Quinto, avendo risoluto fare un trattato, nel quale si stabiliscano gli articoli di concordia per la continuazione dell'esercizio dei diritti di patronato della corona portoghese nell'Indie e Cina, nei termini risultanti dai medesimi articoli nominarono per questo fine due plenipotenziari, cioè: per parte di Sua Santità l'eminentissimo e reverendissimo signor Cardinale Camillo di Pietro Pro-Nunzio Apostolico di Portogallo; e per parte sua Maestà fedelissima l'eccellentissimo signore Rodrigo de Fonseca Magalhães, pari del regno, consigliere di stato effettivo, ministro e segretario di stato onorario, e gran croce dell'Ordine di Nostro Signore Gesù Cristo: i quali, cambiati i loro rispettivi pieni poteri, e trovati in buona e dovuta forma, convennero negli articoli seguenti:

Articolo I

In virtù delle rispettive bolle apostoliche, e in conformità dei sacri canoni, continuerà l'esercizio del diritto di patronato della corona portoghese, quanto all'India e Cina, nelle cattedrali appresso dichiarate:

Articolo II Quanto all'India

Nella chiesa metropolitana e primaziale di Goa; nella chiesa arcivescovile *ad honorem* di Granganor; nella chiesa vescovile di Cochín; nella chiesa vescovile di S. Tommaso di Meliapor; e nella chiesa vescovile di Malacca.

Articolo III Quanto alla Cina

Nella chiesa vescovile di Macau.

2. TREATY BETWEEN POPE PIUS IX AND PETER V, KING OF PORTUGAL (1857)

In the name of the most holy and indivisible Trinity.

His Holiness, the Supreme Pontiff Pius IX, and His Most Faithful Majesty King Don Pedro V, having resolved to make a treaty in which articles of concord are to be established for the continuation of the Portuguese crown's exercise of the rights of patronage in India and in China, according to the terms of the same articles, named for this purpose two plenipotentiaries: on the part of His Holiness, the Most Eminent and Most Reverend Lord Cardinal Camillo di Pietro, apostolic nuncio in Portugal; and on the part of His Most Faithful Majesty, the Most Excellent Lord Rodrigo da Fonseca Magalhães, Peer of the Realm, effective Counsellor of State, Minister and honorary Secretary of State and the Grand Cross of the Order Our Lord Jesus Christ, who having exchanged their respective full powers and having found them in good and due form, agreed on the following articles;

Article 1

In virtue of the respective apostolic bulls and in accordance with the sacred canons, the exercise of the right of patronage of the Portuguese Crown with regard to India and China will continue in the cathedrals declared below.

Article 2 With regard to India

In the metropolitan and primatial Church of Goa; in the archiepiscopal Church *ad honorem* of Cranganore; in the episcopal Church of Cochín; in the episcopal Church of Saint Thomas of Mylapore; and in the episcopal Church of Malacca.

Article 3 With regard to China

In the Episcopal Church of Macau.

Articolo IV

Si concorda, che la provincia di Quam-Si non rimarrà inclusa pel futuro nella giurisdizione episcopale di Macau, e per conseguenza nel patronato; riservandosi Sua Santità prendere liberamente in questa provincia, in utilità dei fedeli, le determinazioni che giudicherà convenienti e necessarie.

Articolo V

Il Santo Padre si riserva fare il medesimo quanto all'isola di Hong-Kong, la quale, sebbene inclusa nella provincia di Kuang-tong (Cantão), rimarrà separata dalla giurisdizione vescovile di Macau, e fuori del patronato.

Articolo VI

La giurisdizione del vescovato di Macau e il patronato nella Cina, comprenderà così d'ora innanzi il territorio che gli appartiene secondo le rispettive bolle, cioè, Macau provincia di Kuang-tong (Cantão) e le isole adiacenti; eccettuate soltanto la detta provincia di Quam-Si, e la isola Hong-Kong.

Articolo VII

In vista delle considerazioni di convenienza religiosa presentate per parte della Santa Sede, quanto alla erezione di un nuovo vescovato in alcuna parte del territorio attuale dell'arcivescovato di Goa, il governo portoghese, come patrono, contribuirà, quanto ad esso dipenda, perché questa erezione si realizzi opportunamente nei termini e nelle località che di accordo con la Santa Sede si reputeranno più convenienti alla buona amministrazione di quella chiesa e alla comodità dei fedeli.

Articolo VIII

Rimarrà separata dalla giurisdizione del vescovato di Malaca, e dal patronato, la isola di Pulo-Penang, a riguardo della quale prenderà Sua Santità le disposizioni che le sembreranno opportune.

Article 4

It is agreed that in future the province Quam-Si will not be included in the episcopal jurisdiction of Macau, and as a consequence in the patronage; reserving to His Holiness (the right) to take freely decisions which he judges convenient and necessary for the good of the faithful in this province.

Article 5

His Holiness reserves to do the same with regard to the island of Hong Kong, which, even though included in the province of Kuang-Tong (Cantão), will be separated from the episcopal jurisdiction of Macau and out of the patronage.

Article 6

The jurisdiction of the bishopric of Macau and the patronage in China will comprehend thus from now on the territory which belongs to it according to the respective bulls, that is, Macau, province of Kuang-Tong (Cantão) and the adjacent islands; excepting only the said province of Quam-Si and the island of Hong Kong.

Article 7

In view of the considerations of religious convenience, presented by the Holy See, concerning the erection of a new episcopate in some part of the present territory of the archbishopric of Goa, the Portuguese government, as patron, will contribute, as far as it can, in order that this erection may be realised opportunely, within the limits and in the places which in agreement with the Holy See shall be deemed more suitable to the good administration of that Church and to the convenience of the faithful.

Article 8

The island of Pulo-Penang shall remain separated from the jurisdiction of the episcopate of Malaca and from the patronage; regarding this place His Holiness will make provisions which seem to him opportune.

Articolo IX

Ma la isola di Singapura continuerà ad appartenere al medesimo vescovato di Malaca, e potrà nella medesima isola stabilirsi la residenza vescovile, conservando il prelato il titolo di Vescovo di Malaca.

Articolo X

Dovendo il territorio di ciascuno dei vescovati suffraganei dell'India sopra menzionati avere tale estensione, che in esso non sia difficile il pronto e proficuo esercizio della giurisdizione vescovile, le alte parti contraenti convengono che, di accordo, si proceda alla circoscrizione dei medesimi vescovati che sembrerà più adeguata per quel fine.

Articolo XI

Il Santo Padre, avendo in vista i doveri dettati dal suo apostolico ministero, e desiderando che si ponga quanto prima termine alle disintelligenze e perturbazioni che hanno afflitto, e ancora affliggono, le chiese delle Indie orientali, con grave pregiudizio degli interessi della religione e della pace pubblica dei fedeli delle medesime chiese, situazione questa che Sua Santità non potrebbe veder continuare senza accorrervi con un competente rimedio; e sua Maestà fedelissima il signore Don Pietro Quinto, animato dallo medesimo desiderio di veder prospere quelle chiese e ristabilita la tranquillità nelle sue cristianità rispettive: concordarono in che si proceda senza ritardo alla confezione di un atto addizionale, o regolamento, nel quale si fissino i limiti dei detti vescovati del patronato, nei termini dell'articolo antecedente.

Articolo XII

Nelle bolle dei Vescovi che saranno presentate, dovrà farsi menzione dei limiti che, di comune accordo, si fisseranno.

Articolo XIII

A questo fine saranno nominati due commissari, uno per ciascuna delle alte parti contraenti, i quali animati di spirito di

Article 9

But the island of Singapore will continue to belong to the same episcopate of Malaca and the episcopal residence can be established in the same island, the prelate preserving the title, the bishop of Malaca.

Article 10

Whereas the territory of each of the aforesaid suffragan episcopates of India must have such extension that the prompt and profitable exercise of episcopal jurisdiction will not be difficult, the high contracting parties agree by accord to proceed to the circumscription of the same bishoprics so as to realize that goal.

Article 11

The Holy Father, having in view the duties dictated by his apostolic ministry, wishing to put an end as soon as possible to the misunderstandings and dissensions which have afflicted and are still afflicting the Churches in the East Indies, to the great detriment of the interests of religion and the public peace of the faithful of the same Churches, a state of things which His Holiness could not allow to continue without applying a suitable solution; and His Most Faithful Majesty, King Don Pedro V, animated by the same wish to see those Churches prosperous and tranquillity re-established in these respective Christianities: agreed to proceed without delay to the drafting of an additional act or regulation, by which the limits of the said episcopates of the patronage may be defined in the terms of the preceding article.

Article 12

In the bulls of the bishops, that shall be presented, mention is to be made of the limits which shall be fixed by mutual agreement.

Article 13

For this purpose two commissioners will be appointed, one for each of the high contracting parties, who animated by a spirit of conciliation and acquainted with the localities, propose the respective circumscriptions of each diocese.

conciliazione, e conoscitori delle località, propongano le rispettive circoscrizioni di ciascuna diocesi. A questi commissari saranno dichiarati i territori nei quali le alte parti contraenti hanno convenute che continui l'esercizio del patronato della corona di Portogallo.

Articolo XIV

Nelle parti di territorio che rimarranno fuori dei limiti assegnati alla sopra menzionata diocesi nell'India, potranno erigersi, colle competenti formalità, nuovi vescovati, l'esercizio del cui patronato per la corona portoghese comincerà allora.

Articolo XV

In vista di ciò che si trova convenuto sopra la materia dell'articolo settimo del presente trattato, Sua Santità consente ad accordare la istituzione canonica alla persona che da sua Maestà fedelissima sarà nominata e presentata per la chiesa metropolitana di Goa. E le alte parti contraenti concordano in questo, che subito che si effettui il possesso del nuovo Arcivescovo, passino i commissari nominati ad occuparsi della definitiva circoscrizione della diocesi che deve erigersi nel territorio del medesimo arcivescovato, in conformità e per i fini del citato articolo settimo.

Inoltre concordano le medesime alte parti contraenti che, per l'esercizio della giurisdizione ordinaria del nuovo Arcivescovo, si dichiarino come limiti provvisori del suo territorio le chiese e missioni, che al tempo della sottoscrizione del presente trattato staranno di fatto nell'obbedienza della sede arcivescovile; dovendo rimanere nella pacifica obbedienza dei Vicarii Apostolici tutte le altre che nella medesima data si troveranno anche di fatto soggette alla loro autorità. Questo stato rimarrà fine alla definitiva costituzione canonica del Vescovato, che ha da erigersi.

E di mano in mano, che si anderà concludendo e approvando la circoscrizione delle diocesi suffraganee dell'India, e effettuando il provvedimento canonico dei rispettivi Vescovi, sarà successivamente riconosciuto dalla Santa Sede in queste diocesi l'esercizio della giurisdizione metropolitana del medesimo Arcivescovo.

To these commissioners, shall be declared the territories in which the high contracting parties have agreed to continue the exercise of the patronage of the Portuguese crown.

Article 14

In those parts of the territory, which will remain outside the limits assigned to the abovementioned dioceses in India, new episcopates can be founded with the due formalities, in which episcopates the exercise of the patronage of the Portuguese Crown will commence at that time.

Article 15

In regard to what has been decided concerning the matter of article 7 of the present Treatise, His Holiness consents to grant canonical institution to the person whom His Faithful Majesty shall nominate, appoint and present for the metropolitan Church of Goa.

And the high contracting parties agree that, as soon as the new archbishop shall have taken possession, the appointed commissioners occupy themselves with the definite circumscription of the diocese, which must be erected in the territory of the same archiepiscopate, in conformity with and for the goals of the aforementioned article 7.

Moreover the same high contracting parties agree that for the exercise of the ordinary jurisdiction of the new archbishop, the churches and the missions, which at the time of the signing of the present Treatise may be really under the obedience of the archiepiscopal see, shall be recognized as forming the provisional boundaries of his territory; all the others, which on the same date may be actually subject to the vicars apostolic, shall remain peacefully under the authority of the same vicars apostolic. This state shall remain until the definite canonical institution of the episcopate that is to be erected.

And step by step while progress is being made in establishing and approving the boundaries of the suffragan dioceses in India, and in effecting canonical provision for the respective bishops, the exercise of metropolitan jurisdiction of the same archbishop in these dioceses will be successively recognised by the Holy See.

Articolo XVI

A misura che si anderà stabilendo la circoscrizione di alcuno dei vescovati suffraganei dell'India, e trovandosi provvista di mezzi convenienti la sede vescovile, sarà ammessa dal Sommo Pontefice la presentazione del Vescovo fatta dal reale patrono portoghese; e spedite che siano le rispettive bolle confirmatorie, si dovranno rimuovere successivamente dal territorio del vescovato il Vicario o Vicari Apostolici che in esso esisteranno; affinché il prelado nominato possa entrare nel governo della diocesi.

Articolo XVII

Il presente trattato, con i suoi due annessi *a)* e *b)* che formano parte integrante di esso, sarà ratificato dalle alte parti contraenti, e le ratifiche scambiate in Lisbona dentro quattro mesi dalla data della sottoscrizione, o prima se sarà possibile.

In fede di che i plenipotenziari sopra nominati sottoscrissero in originali duplicati, portoghese e italiano, il medesimo trattato, e gli apposero il sigillo delle loro armi.

Fatto in Lisbona al ventesimo giorno del mese di febbraio dell'anno mille ottocento cinquantasette.

Camillo Card. di Pietro P.N.A.
Rodrigo da Fonesca Magalhães

ANNESSE *a)*

All'articolo sesto del trattato firmato in data di oggi dai sottoscritti, si dichiarò, che la giurisdizione del Vescovo di Macau deve comprendere la provincia di Cantão (Kuang-tong) e le isole adiacenti, fra le quali la principale, quanto alle cristianità, è l'isola di Hainau; in vista però di ciò che si concordò nelle conferenze, e per motivi considerati in quelle da ambedue i negozianti, si giudicò opportuno ritardare per uno spazio di tempo determinato l'esercizio esclusivo della giurisdizione ordinaria del Vescovo di Macau nei territori delle dette provincia e isola. Questo spazio fu limitato a un anno prorogabile, che dovrà aver principio dal giorno in che il

Article 16

As soon as the circumscription of any suffragan episcopates in India is established and the episcopal see is provided with suitable means, the presentation of the bishop made by the royal Portuguese patron shall be recognized by the Supreme Pontiff; and as soon as the respective confirmatory bulls are issued, the vicar or vicars apostolic who may happen to be in the territory of that bishopric shall successively be removed, in order that the appointed prelate could enter on the government of his diocese.

Article 17

The present Treaty with its two annexes A and B, which form an integral part thereof, shall be ratified by the high contracting parties; and the ratifications shall be exchanged in Lisbon within four months from the date of the signature or earlier if possible.

In witness whereof, the plenipotentiaries above named have signed the original duplicates of the same Treaty in Portuguese and Italian, and affixed to it their respective seals.

Effected in Lisbon, on 21 February 1857
Camillo Card. di Pietro P.N.A. (L.S.).
Rodrigo da Fonseca Magalhães (L.S.)

ANNEXURE A

In the sixth article of the Treaty, signed by the undersigned today, it was declared that the jurisdiction of the bishop of Macau must include the province of Cantão (Kuang-Tong) and the adjacent islands, among them the principal one with regard to Christianity is Hainan; but considering what was agreed in the conferences and for the reasons considered in them by both negotiators, it was judged opportune to delay for a determined period of time the exclusive exercise of ordinary jurisdiction of the bishop of Macau in the territories of the named province and island. This period was limited

trattato otterrà la ratifica delle due alte parti contraenti; e finito che sia l'anno, avrà intera esecuzione il riferito articolo sesto; promettendosi per parte del sottoscritto negoziatore portoghese, che si procurerà dal reale patrono aumentare il numero di abili e idonei missionari che, oltre degli esistenti, si impieghino nella conservazione e propagazione della fede cattolica in quelle regioni.

E perché questo speciale accordo abbia la forza del trattato e sia considerato come parte integrante di quello, non solamente va sottoscritto dai due negozianti, ma ancora sarà ratificato unitamente col medesimo trattato da ambedue le alte parti contraenti.

Lisbona, ventuno di febbraio del mille ottocento cinquantasette.

Camillo Card. di Pietro P.N.A.
Rodrigo da Fonesca Magalhães

ANNESSO b)

Essendosi detto all'articolo decimo terzo del trattato firmato nel giorno di oggi, sopra il patronato della corona portoghese nell'Oriente, che ai commissari, incaricati di proporre le rispettive circoscrizioni delle diocesi dell'India menzionata nel medesimo trattato, si darà coscienza dei territori in che le alte parti contraenti convengono che continui l'esercizio del riferito patronato reale portoghese, i sottoscritti plenipotenziari pontificio e portoghese dichiarano per completa intelligenza del medesimo articolo che le dette alte parti contraenti hanno convenuto, che il territorio del patronato della corona di Portogallo nell'India sia il territorio dell'*India Inglese*, intendendosi per queste parole le terre soggette immediatamente o mediamente al governo Britannico; e che pertanto devono i commissari nominati per la circoscrizione delle diocesi avere in vista per una parte che le località appartengono all'India inglese nel senso riferito, come ancora lo stabilimento di missionari portoghesi e le fondazioni di religione e di pietà per sforzi e generosità del governo di Portogallo e dei suoi sudditi ecclesiastici e secolari, sebbene alcune di esse fondazioni non stiano attualmente nella amministrazione di

to one year, not to be extended, which period should start on the day on which the treaty will be ratified by the two high contracting parties; and after one year has transpired, the mentioned article 6 will be fully executed: the undersigned Portuguese negotiator promising to procure from the royal patron an increase in the number of able and worthy missionaries, who in addition to the ones already existing should work for the conversion and spread the catholic faith in those regions.

And in order that this special agreement have the strength of the Treaty and be considered as an integral part of that, it must not only be signed by the two negotiators but also be ratified with the same Treaty by both the high contracting parties.

Lisbon, 21 February 1857
Camillo Card. di Pietro P.N.A.
Rodrigo da Fonseca Magalhães (L.S.)

ANNEXURE B

Being stated in the article 13 of the Treaty, signed today, about the patronage of the Portuguese crown in the East, that the commissioners, entrusted with setting the respective circumscriptions of the dioceses of India, mentioned in the same Treaty, shall be informed of the territories in which the high contracting parties agree to continue the exercise of the mentioned Portuguese royal patronage: the undersigned, papal and Portuguese plenipotentiaries, for a full understanding of the same article, declare that the mentioned high contracting parties have agreed that the territory of the patronage of the Portuguese crown in India shall be the territory of English (British) India; meaning by these words the lands immediately or mediately subject to the British government; and that consequently the commissioners, named for the circumscription of the dioceses, must have in view, on the one hand that the localities do belong to British India in the sense mentioned above, as also the Portuguese missions and religious and pious foundations established through efforts and

sacerdoti portoghesi; per altra parte, la più comoda e pronta assistenza spirituale del Pastore al suo gregge, secondo la estensione e distanza delle missioni, il numero delle cristianità, e altre circostanze, che debbono attendersi per meglio conseguire il medesimo fine.

Dichiarano inoltre i sottoscritti, che le alte parti contraenti convengono che questo atto abbia la medesima forza del trattato, e come tale obblighi ambedue le dette alte parti contraenti, che i sottoscritti hanno l'onore di rappresentare.

Le medesime alte parti contraenti lo ratificheranno unitamente al trattato.

Lisbona, ventuno di febbraio del mille ottocento cinquantasette.

Camillo Card. di Pietro P.N.A.
Rodrigo da Fonesca Magalhães

generosity of the Portuguese government and of its ecclesiastical or secular subjects, even though some of these institutions are not at present under the administration of Portuguese priests; and on the other hand attention should be given to the most convenient and prompt spiritual help of the shepherd to his flock, according to the extent and distance of the missions, the number of Christianities and other circumstances, for the better attainment of the end in view.

Moreover the undersigned declare that the high contracting parties agree that this act shall have the same force of the Treaty, and as such it obliges both the mentioned high contracting parties, which the undersigned have the honour of representing.

The same high contracting parties shall ratify it with the Treaty.

Lisbon, 21 February 1857
Rodrigo da Fonseca Magalhães (L.S.)
Camillo Card. di Pietro P.N.A.

Chapter Four

THE ERECTION OF THE NEW LATIN HIERARCHY IN INDIA UNDER PROPAGANDA FIDE AND THE GRADUAL ELIMINATION OF PORTUGUESE PATRONAGE

Even after the re-establishment and regulation of Portuguese patronage by the concordat of 1857, promulgated in 1860, the diplomatic contacts and negotiations between the Holy See and the Portuguese government continued and consequently "His Holiness the Supreme Pontiff Leo XIII, and His Most Faithful Majesty King Don Louis I, animated by the desire to foster and promote the greater progress of Christianity in the East Indies, and to regulate therein in a stable and definitive way the patronage of the Portuguese Crown, have resolved to draw up a concordat", which was signed on 23 June 1886.

According to this concordat at the time of the erection of the new Latin hierarchy the archbishop of Goa would be elevated to the dignity of honorary patriarch of the East Indies. Well-defined boundaries would be set for the ecclesiastical province of Goa, which would consist of Damão - a new diocese to be created near Goa - and the sees of Cochin and Mylapore. The St Thomas Christian archdiocese of Cranganore would be suppressed and its title would be granted to the new diocese of Damão. The king of Portugal would retain his full patronage rights and obligations over the four Padroado dioceses (Goa, Damão with the title of Cranganore, Cochin and Mylapore) in India and would obtain the right of presenting candidates even for the four Propaganda dioceses to be created, namely Bombay, Mangalore, Quilon and Madurai (later Trichinopoly). The main advantage of this concordat consisted in the fact that the territorial boundaries of the four Padroado dioceses could be determined in such

a way that the rest of the territory remained outside the Padroado jurisdiction. In such territories of the East Indies, the Holy See would enjoy complete liberty to erect dioceses, nominate bishops and to determine other matters opportune for the good of the faithful.

In accordance with the resolutions of the concordat, Pope Leo XIII established the new Latin hierarchy in India under Propaganda Fide, with the apostolic letter *Humanae salutis* of 1 September 1886. As stipulated in the concordat the archbishop of Goa was elevated to the rank of the patriarch *ad honorem* of the East Indies. The four Padroado dioceses, namely the archdiocese of Goa together with its three suffragans Cochin, Mylapore and Damão formed one single ecclesiastical province. The Padroado archdiocese of Cranganore (St Thomas Christian) was suppressed and its title was given to Damão. All the then existing vicariates apostolic were declared archdioceses and dioceses, which were constituted into six provinces in India and one in Sri Lanka. Hence altogether there were eight ecclesiastical provinces: the Padroado province of Goa, six Propaganda ecclesiastical provinces in India and one in Sri Lanka.

| Archdioceses | Suffragan dioceses |
|----------------|---|
| 1. Agra: | Allahabad, Lahore |
| 2. Bombay: | Poona |
| 3. Calcutta: | Krishnanagar, Dacca |
| 4. Colombo: | Jaffne and Kandy (in Sri Lanka) |
| 5. Goa: | Cochin, Mylapore and Damão (with the title of Cranganore) |
| 6. Madras | Hyderabad, Vishakapatanam, Mangalore, Trichinopoly (Madurai) |
| 7. Pondicherry | Coimbatore, Mysore |
| 8. Verapoly | Quilon |

Although double jurisdiction continued even after the constitution of the new Latin hierarchy in India, since the boundaries and limits of the ecclesiastical province of Goa under the Portuguese

patronage and those of the archdioceses and dioceses under Propaganda Fide were well defined, peace and harmony began to reign in the Indian Church.

In the course of time the political situation in Portugal and India changed. After a period of internal power struggle and popular revolts Portugal became a republic in 1910. Consequently the patronage rights passed on to the president of Portugal. Having recognized the difficulties posed by the execution of the concordat of 1886, as a result of the profound changes which had occurred both in Portugal and in the religious life of the Indies, another concordat was concluded between the Holy See and the Portuguese government on 15 April 1928. According to this concordat the archdiocese of Goa, which maintained the patriarchal title, was enlarged by the addition of the Portuguese possessions of the diocese of Damão (which was suppressed) and the island of Diu on the coast of Kathiavar. The archbishop began to be named archbishop of Goa and Damão. The rest of the diocese of Damão was annexed to the archdiocese of Bombay. The boundaries of the Padroado diocese of Mylapore were modified, by separating 14 parishes scattered in the territory of the dioceses of Trichinopoly and Tuticorin, so as to ensure in the best way the continuity of the territory over which the episcopal jurisdiction was exercised. A new arrangement was made for the appointment of bishops in the traditional Portuguese dioceses of Goa (and Damão), Cochin, St Thomas of Mylapore and in the dioceses of Bombay, Mylapore, Quilon and Trichinopoly.

On 15 August 1947 India obtained independence from the colonial power Great Britain and on 26 January 1950 it became a sovereign republic. The intervention of a foreign government in the appointment of bishops in a sovereign state was inappropriate and counterproductive. In fact, the government of India decided to end the Portuguese patronage, and upon the demand of India the Holy See and the Portuguese republic signed another concordat on 18 July 1950, terminating the patronage. According to the concordat the Portuguese Government renounced the rights and privileges of patronage and consequently it was relieved of the obligations of

endowment in the dioceses of Cochin and Mylapore. The Holy See obtained complete freedom for the erection of dioceses and the appointment of bishops anywhere in India. The only thing Portugal maintained in accordance with this agreement was the preservation of the metropolitan and patriarchal dignity of the see of Goa, which was the capital of the Portuguese political and ecclesiastical empire for several hundred years. The diocese of Goa remains still today an archdiocese (without any suffragan), immediately subject to the Holy See, and retains the title of the patriarchate *ad honorem* of the East Indies.

In this section we present the following documents:

1. Pope Leo XIII and the Portuguese king Don Louis I, the concordat of 23 June 1886, regulating Portuguese patronage and double jurisdiction;
2. Pope Leo XIII, the apostolic letter *Humanae salutis* of 1 September 1886, erecting the Latin hierarchy in India under Propaganda Fide;
3. The Holy See and the Portuguese Republic, the agreement of 15 April 1928, modifying the concordat of 1 September 1886;
4. The Holy See and the Portuguese Republic, the agreement of 18 July 1950, terminating Portuguese patronage in India.

**1. PUBLICUM DE RE SACRA CONVENTUM DIE 23 IUNII
ANNO 1886 A S. SEDE ET LUSITANIAE REGE INITUM**

In Nomine SSmae Trinitatis

Sanctitas Domini Nostri atque Pontificis Summi Leonis XIII. et Maiestas Fidelissimi Regis, Domini Aloisii I, ampliolem Christianae Religionis in Orientalibus Indiis explicationem iuvandi provehendique, ac Lusitani Regis in iisdem Patronatum stabili et definitiva ratione ordinandi zelo incensi, Conventionem ambo inire statuerunt, delectis ad id agendum duobus cum liberis mandatis Oratoribus; nimirum pro S. Sede Emo ac Rmo D. Card. Ludovico Iacobinio, Pontificis Scriba principe ad extranea; et pro Fidelissimo Rege Lusitaniae, Excmo D. Io. Baptista De Silva Ferrão de Carvalho Martens, Legato extraordinario, atque exteris Regni negotiis curandis honoris causa adlecto; quorum uterque amplissimis, quae acceperant, mandatis mutuo ostensis, iisque optima debitaque forma praeditis utrinque compertis, in hos, qui subiiciuntur, articulos conficiendos convenerunt.

Articulus I

Earum concessionum vi, quas Pontifex iam ante largitus fuit, Patronatum in Cathedralibus Orientalium Indiarum Ecclesiis, Lusitaniae Reges, quatenus per sacros Canones liceat, exercere pergent, iuxta eas, quae in hoc Convento expressae sunt, immutationes.

Articulus II

Quod ad Metropolitanam et, ut aiunt, Primatiam Goae Ecclesiam pertinet, eius Archiepiscopus Metropolitanae iura in Dioeceses, quas Suffraganeas vocant, et ipse exercere perget.

Archiepiscopus interim qui eius Ecclesiae fuerit, benigna sanctissimi Patris indulgentia, ad patriarchalem in omnes Orientales Indias dignitatem, honoris causa, evehetur; fruatur insuper omnium earumdem Orientalium Indiarum nationalibus Conciliis, quae Goae ut plurimum cogentur, praesidendi privilegio: salvo tamen Romano

**1. THE PUBLIC CONCORDAT BETWEEN THE HOLY SEE
AND THE KING OF PORTUGAL (23 JUNE 1886)**

In the name of the Most Holy Trinity

His Holiness the Supreme Pontiff Leo XIII, and His Most Faithful Majesty King Don Louis I, animated by the desire to foster and promote the greater progress of Christianity in the East Indies, and to regulate therein in a stable and definitive way the patronage of the Portuguese Crown, have resolved to draw up a concordat. To this end, two plenipotentiaries have been nominated, namely, on behalf of His Holiness, the Most Eminent and the Most Reverend Lord Cardinal Lodovico Iacobini, his Secretary of State, and on behalf of His Most Faithful Majesty, His Excellency Lord Giovanni Battista da Silva Ferrão de Carvalho Martens, Ambassador Extraordinary and honorary Minister of State; who having exchanged their respective full powers and having found them in due and correct form, agreed upon the following articles:

Article 1

In virtue of the ancient pontifical concessions, the exercise of the patronage of the Portuguese Crown will continue, in conformity with the sacred canons, in the cathedral Churches of the East Indies, according to the modifications expressed in the present concordat.

Article 2

As regards the metropolitan and primatial Church of Goa, its archbishop shall continue to exercise the rights of metropolitan in his suffragan dioceses.

By a gracious concession of His Holiness the archbishop for the time being, shall be raised to the dignity of honorary patriarch of the East Indies, and he shall also enjoy the privilege of presiding over the national councils of all the East Indies, which shall ordinarily meet at Goa, the Pope reserving to himself the right to dispose otherwise in particular circumstances.

Pontifici in peculiaribus rerum adiunctis aliter, si Ipsi placeat, disponendi iure.

Articulus III

Goae Provincia Ecclesiastica, praeter Metropolitanam Sedem hisce tribus Dioecesibus constabit: Damaviensi, adscita etiam appellatione - Cranganorensi, Cochinesi, et s. Thomae Meliaporensi.

Seiuncto in folio harum Dioecesium confinia, locaque iisdem subiecta indicabuntur.

Articulus IV

In Metropolitana Goae Dioecesi, veluti in iis tribus suffraganeis Dioecesibus, Ius Patronatus a Lusitaniae Rege exercebatur.

Articulus V

Ea propter emolumenta, quae ex recenti harum trium Dioecesium, ac proinde novae Provinciae ecclesiasticae, institutione, in illos fideles populos provenire possunt, quidam praecipui ex Goanis Christianarum gentium coetibus, qui in Documento heic adnexo nominantur, attamen in earum trium Dioecesium confiniis minime continentur, iisdem adgregabuntur, locorum morumque ratione habita, quibus illae gentes earumdem Dioecesium incolis assimilantur.

In goanis aliarum Dioecesium, quas vocant, Missionibus singuli earum Episcopi animarum curam Sacerdotibus Goanis vel Lusitanis qui sibi subsunt, prae caeteris concredere debent.

Articulus VI

Lusitani Regni Administratores easdem Dioeceses, Canonicorum Collegia, reliquum Clerum, et clericorum Seminaria congrue dotandi munus curamque suscipiunt: ac religiosum Episcoporum studium in erigendis Scholis et Orphanotrophiis, aliisque id genus piis institutionibus perficiendis, quas Fidelium populorum salus; atque Evangelii ceteris gentibus peragenda praedicatio exigunt, efficaci iuvabunt opera.

Article 3

The ecclesiastical province of Goa shall consist, in addition to the metropolitan see, of the following three dioceses: Damão which shall have also the title of Cranganore, Cochin, and St. Thomas of Mylapore.

The boundaries and the places subject to the three dioceses will be indicated on a separate sheet.

Article 4

In the metropolitan diocese of Goa as well as in the three suffragan sees, the right of patronage shall be exercised by the Portuguese Crown.

Article 5

In view of the advantages which may result to the faithful from the reconstitution of the same three dioceses and therefore of a regular ecclesiastical province, some of the principal groups of Goan Christians, indicated on the attached annexure, who are not included within the boundaries of the above-mentioned dioceses shall be aggregated to these, taking into account the material and moral elements of homogeneity which better assimilate them to the dioceses.

In the Goan missions of the other dioceses, the Ordinary should in preference entrust the care of souls to Goan or Portuguese priests under his authority.

Article 6

The government assumes the responsibility to provide for the suitable endowment of the aforementioned dioceses, chapters, clergy and seminaries, and will cooperate effectively with the activity of the bishops in founding schools, orphanages, and other institutions which the good of the faithful and the evangelization of the pagans require.

Articulus VII

Hisce quatuor Dioecibus regendis, Bombayensi videlicet, Mangalorensi, Quilonia, et Madurensi, quae quidem, cum ipsa Hierarchia in Indiis constituenda erigentur, Metropolitanus una cum Episcopis suffraganeis, vacantibus Sedibus episcopalibus; quemadmodum etiam, vacante Sede archiepiscopali, eius provinciae Suffraganei, eligendorum ternarium pro suo lubito conficiant, eumque Goae Archiepiscopo exhibebunt, qui illum ad Lusitaniae Regem mittet: hic vero infra sex menses unum ex iis qui Candidatorum ternario continentur, Sanctae Sedi praesentare debet: quo quidem temporis spatio praeterlapso, libera electio ad S. Sedem devoluta censebitur.

Articulus VIII

Summus Pontifex quatuor Dioecesium, quarum in superiore articulo mentio fit, quaeque in ipsa Hierarchiae constitutione peragenda erigentur, Archiepiscopos atque Episcopos primum nominabit.

Articulus IX

Malacae ac Singapouri Christianae gentes, quae praesenti tempore extraordinariae Goani Archiepiscopi iurisdictioni subsunt, posthac Episcopi Amacai iurisdictioni subdentur.

Articulus X

Sic itaque regii Patronatus iure ordinato, in universo reliquo Orientalium Indiarum territorio, S. Sedes Episcopos, quos libeat, nominandi, eaque decernendi, quae Fidelium bono opportuna sibi visa fuerint, plena atque integra libertate fruetur.

Articulus XI

Prioribus concessionibus, quae ad regium in Orientalibus Indiis Patronatum spectabant, ita temperatis ac declaratis, Articuli III. IV. V. VI. atque heic adnexum Documentum A, quod est Conventio sollemniter anno 1857 inita, in sua vi ac robore permanent.

Article 7

For the four dioceses of Bombay, Mangalore, Quilon and Madurai, which will be erected along with the institution of the hierarchy of the Indies, the Metropolitans together with the suffragan bishops, on the occasion of the vacancy of an episcopal see, likewise the suffragans of the province when the archiepiscopal see falls vacant, shall form a *terna* according to their free choice and shall communicate it to the archbishop of Goa who shall transmit it to the Crown, which must within six months present to the Holy See a candidate from among the three listed in the *terna*; once the time limit has expired, the free choice devolves on the Holy See.

Article 8

The Supreme Pontiff shall name for the first time the archbishops and bishops of the four dioceses indicated in the preceding article; which shall be founded with the constitution of the ecclesiastical hierarchy.

Article 9

The Christian communities of Malacca and Singapore, at present under the extraordinary jurisdiction of the archbishop of Goa, shall be subject to the jurisdiction of the bishop of Macao.

Article 10

Having regulated the patronage of the Crown in this way, in all the remaining territory of the East Indies, the Holy See shall enjoy complete liberty to nominate the bishops and to determine those matters which it deems opportune for the good of the faithful.

Article 11

Having modified and interpreted in this way the preceding concessions relating to the patronage of the Crown in the East Indies, articles 3, 4, 5, 6 and appendix A of the concordat of 1857 remain in force.

Articulus XII

Hoc publicum mutuumque pactum, cum iis quae eidem adnectuntur, quaeque illud quodammodo complent, uterque Praeclarissimus paciscens Vir, proprio nomine, ut mos est, subsignato, ratum faciet: atque hae nominum subsignationes, Romae infra tres menses, (imo etiam ante, si quidem fieri poterit) a die quo datae fuerint, alterna earundem traditione, per subscriptos Oratores peragenda, confirmabuntur.

Romae Die XXIII. Iunii, anno MDCCCLXXXVI.

Lud. Card. Iacobinius
Jo. Bapt. De Silva Ferrao de Carvalho Martens.

Article 12

The present treaty with its appendix, which forms an integral part of it, shall be ratified by the high contracting parties, and the ratifications shall be exchanged in Rome within three months from the date of the signatures of this document, or earlier, if possible.

Rome, 23 June 1886

L. Card. Iacobini

Giovanni Battista da Silva Ferrão de Carvalho Martens

2. LITTERAE APOSTOLICAE DE HIERARCHIA EPISCOPALI IN INDIIS ORIENTALIBUS INSTITUENDA

LEO EPISCOPUS

Servus servorum Dei

Ad perpetuam rei memoriam

Humanae salutis auctor Iesus Christus, cum nos sanguine suo de servitute redemisset et in caelos ad Patrem proxime esset rediturus, iis, quos Apostolos nominavit, alumnis disciplinae suae et testibus rerum quas Ipse fecerat et docuerat, imbuendum caelesti doctrina mundum commisit. Sanari enim oportebat consilio gratiaque Dei omnes homines: nec sanari nisi oblato veritatis lumine potuissent. Illi itaque nobilissimi muneris memores, accepta Spiritus Sancti virtute, in varias orbis partes magno animo abeunt, Evangelii sapientiam quacumque nuntiant, longius etiam progressi quam quo arma domitoris terrarum populi penetrarant; ita ut vel ab Ecclesiae primordiis verissimum illud extiterit, *in omnem terram exivit sonus eorum, et in fines orbis terrae verba eorum.*

Apostolici muneris obeundi officium in latissimis Indiae regionibus Thomae obtigisse, memoriae proditum est. Hic sane, uti vetera litterarum monumenta testantur, Christo in caelos recepto, cum in Aethiopiam, Persidem, Hircaniam, ac demum in peninsulam ultra Indum migrasset, difficillima peregrinatione suscepta, gravissimisque exantlatis laboribus, primus eas gentes christianae veritatis luce collustravit, redditoque summo animarum Pastori sanguinis sui testimonio, ad sempiterna in caelis praemia evocatus est.

Exinde Apostolum praeclare de ea regione meritum colere India non omnino intermisit: in vetustissimis libris liturgicarum precum aliisque illarum ecclesiarum monumentis Thomae nomen et laudes celebrari consueverunt, atque insequentibus saeculis, post ipsam errorum luctuosam propagationem, nequaquam est eius deleta memoria; itemque fides, quam ille disseminarat, tametsi intermortua iacuit, non tamen extincta funditus esse visa est. Quare novis virorum

2. APOSTOLIC LETTER CONSTITUTING THE EPISCOPAL HIERARCHY IN THE EAST INDIES

LEO BISHOP

Servant of the servants of God

For perpetual memory

Jesus Christ, the author of human salvation, after he had redeemed us with his blood from slavery, on the eve of his return to his Father in heaven, entrusted the world needing to be imbued with his divine teaching to those whom he named Apostles, disciples of his own training and witnesses of all things he had done and taught. It was in the design and grace of God that all humankind should be saved: nor could this be possible unless the light of truth be offered to them. Wherefore, those men, mindful of their noblest task, after receiving the power of the Holy Spirit, courageously ventured into various parts of the world with great zeal and determination, to proclaim the wisdom of the Gospel to all nations (everywhere) and made farther progress in penetrating those peoples' lands than the arms of any conqueror; so much so that right from the beginning of the Church it has been most true that "their voice goes out through all the earth and their words to the ends of the earth".

It has been handed down to memory that this task of apostolic ministry in the vast regions of India fell on Thomas. As ancient literary monuments testify, after Christ's ascension into heaven, Thomas travelled first to Ethiopia, Persia, Hyrcania and then finally to the peninsula beyond the Indus, and after undertaking a very arduous journey, attended with most serious hardships, was the first to enlighten those peoples with the light of Christian truth, and after having rendered the testimony of his blood to the supreme Pastor of souls, he was called away to his everlasting reward in heaven.

It is quite evident that from that time onwards India never altogether ceased to honour this deserving Apostle: the name and praises of Thomas were wont to be celebrated in the most ancient books of liturgical prayers as well as in other monuments of those

apostolicorum excitata curis latius manavit, egregiisque florens virtutum exemplis, et martyrum educta sanguine, gentes illas ab immiti feritate revocatas sensim ad humanitatem excoluit. Hac vero aetate christianum nomen tanta apud Indos prosperitate vulgatum est, ut Ecclesiae filii per universam peninsulam ad sedecim centena millia feliciter creverint: sacerdotes magno in honore habentur, catholica doctrina in scholis summa cum libertate traditur, iamque certa spes affulget copiosiores ex ea gente manipulos ad Iesum Christum accessuros. Itaque decrevimus firmiore ordine et modo rem Indorum catholicam constituere: ea enim, quantumvis magnum et constans Decessorum Nostrorum extiterit studium, nondum illam adepta est constitutionem ordinatam et stabilem, cuius tanta vis est ad tutandam vitae christianae disciplinam, salutemque populis pariendam.

Ut aliquid de praeteritorum temporum memoria perbreve attingamus, inito iam saeculo XIV, antiquam fidem velut ab interitu vindicare conati sunt nobiles ex Franciscana et Dominicana familia alumni, qui, auctoritate missuque romanorum Pontificum, ad Indias transgressi plurimum operae in sanandis haereticorum opinionibus abolendâque ethnicorum superstitione posuerunt. Ubi vero expeditior per promontorium Bonae Spei patuit Europae gentibus ad oras Indicas transitus, una cum virorum apostolicorum adcursum salutares crevere fructus. Singularem laudem eo tempore consecuta est Societas Iesu; in primisque ad miraculum excelluit magnus Indiarum apostolus Franciscus Xaverius, qui incredibiles labores perpessus et max imis periculis terra marique excelso animo superatis, Crucem sacrosanctam iis regionibus quasi triumphator intulit, et ingentem hominum multitudinem nedum in ora Malabarica, sed et in Coromandelica et in Ceylanensi insula, immo et in remotioribus provinciis usque ad Iaponios, multiplici superstitione sublata, ad Iesum Christum adiunxit.

Ad tantam christiani nominis propagationem, praeter laboriosas Missionariorum curas, plurimum valuit illustrium Portugalliae et Algarbiorum regum opera: quibus merito contigit, ut ab hac Apostolica Sede perhonorifice collaudarentur, quod *eorum ministerio tam lata orbis terrae pars antea ignota Europae immotuisset: maxime vero quod Ecclesiae Dei per agnitionem christianae veritatis aggregaretur.*¹

¹ Leo X - *Summam Nobis laetitiam* - 1513.

Churches and in the course of centuries, even after the lamentable diffusion of errors, his memory was by no means obliterated. In the same way, the faith which he had disseminated, although it lay moribund, did not seem to be completely extinct. For this reason the faith, stirred up by the new solicitude of apostolic men, spread widely; blossoming with outstanding examples of virtue, and nourished by the blood of martyrs, it gradually perfected and ennobled those peoples, after having liberated them from feral savagery to humanity. In this age the Christian name has been so widely spread among the people of India that the sons of the Church has increased to the desirable number of 16,100 in the whole peninsula: the priests are held in high honour, the Catholic doctrine is handed down in the schools with maximum liberty and there shines already the sure hope that more numerous groups of people from that nation will turn to Jesus Christ. Consequently we have decided to settle the Catholic affairs of the Indies in a more definite and appropriate manner. For, despite the great and constant attention of our predecessors, this Church which has so great a strength to protect the discipline of Christian life and procure salvation for its people, has not yet obtained an orderly and stable constitution.

We articulate a little about the memory of the past times; already at the beginning of the fourteenth century, the renowned disciples of the Franciscan and Dominican families tried to rescue the ancient faith from destruction. These men, sent by the authority of the Roman Pontiffs travelled across to the Indies and dedicated much effort to correcting heretical opinions and dispelling the superstitions of the pagan populations. The way around the Cape of Good Hope provided the Europeans with easier access to the shores of India and at the same time with the arrival of the apostolic men the fruits of salvation increased. At that period the Society of Jesus achieved extraordinary renown and especially the great Apostle of the Indies Francis Xavier, who excelled to a miraculous degree, after enduring unbelievable hardships and courageously overcoming grave dangers both on land and at sea, carried the most holy Cross almost in triumph in those lands and after eradicating manifold superstitions, brought to Jesus Christ a great multitude of people, not only on the Malabar coast, but both on the Coromandel coast and on the island of Ceylon, and even in more remote provinces as far as Japan.

In provinciis vero, quas vel in ora Malabarica vel in Coromandelica Lusitani obtinuerant, cum latius fides catholica manavisset, praecipua Pontificum maximorum cura fuit, sacerdotes ad sacra officia iis in regionibus obeunda undique advocare, aliaque sapienter et utiliter, praesertim quod ad christianorum regimen pertineret, constituere. Aucta vero Lusitanarum possessionum amplitudine, novae Dioeceses in iisdem coloniis constitutae sunt. In iis eminent Goana, quam Paulus IV archiepiscopalis throni honore et iuribus auxit: accedit vero Cochinensis et Cranganorensis: item in ora Coromandelica Meliaporensis, quam in urbe Sancti Thomae Paulus V instituit. Portugalliae vero atque Algarbiorum regibus, quod rei catholicae incrementis profuissent, nominatimque Dioeceses, quae commemoratae sunt, aere suo munifice dotassent, romani Pontifices grati animi causa ius patronatus in novensiles episcopales Sedes concessere. Quae quidem cum in veteris ac recentis christianorum societatis utilitatem provide decernerent, spe erigebantur, brevi futurum ut extremi Orientis gentibus lux Evangelii longe lateque affulgeret, quaeque ex illa sequuntur beneficia, tamquam abundantissimus amnis, in ipsam civilem societatem influerent. Sed prospere coeptorum cursum fortuna retardavit. Coortis enim bellorum aliorumque casuum procellis, magna clades Ecclesiae apud Indos succrescenti imminere videbatur. Itaque ne Evangelii interciperetur propagatio, neu in tot hominum millibus sempiterna animorum salus periclitaretur, romani Pontifices ad regna illa amplissima, praesertim quae Lusitanis coloniis nequaquam continebatur, providentiam suam transtulerunt summaque cura studuerunt, quanto plures ex ingenti illa multitudine possent, ad instituta christiana traducere, item munire adiumentis iis quae ad excolendos animos pertinent, et haeretica pravivitate depulsa, in sancta religione retinere.

Quo autem cura difficilior ob immensa locorum intervalla, regionum latitudinem, incommoda itinerum, eo accuratius vel evangelicis operariis deligendis vel Missionum regimini ordinando operam dare magna cum libertate consueverunt. Saeculo XVII et XVIII, praesertim operâ virorum religiosorum, quos sacra Congregatio christiano nomini propagando ad Indos miserat, plures christianorum communitates coaluere; linguae earum gentium variae per

For so much propagation of the Christian faith, besides the hard toils of the missionaries, the efforts of the Kings of Portugal and the Algarves were much efficacious; they rightly deserve to be very respectfully praised by this Apostolic See because, "by their service so broad a part of the earth in the world, hitherto unknown to Europe became known: and most especially because it was associated with the Church of God through the knowledge of Christian truth".

In the provinces, which the Portuguese had held either on the Malabar coast or on the Coromandel region, as the Catholic faith became more widespread, it was a particular concern of the Roman Pontiffs to call priests from everywhere for performing sacred ministries in those regions and arrange wisely and beneficially other matters, especially that which pertained to the governance of the Christian faithful. As soon as the Portuguese possessions augmented, new dioceses were constituted in these colonies. The principal one among all of all them is Goa, which Paul IV strengthened with the honour and rights of an archiepiscopal throne; afterwards come Cochin and Cranganore; then Meliapore (Mylapore) in the Coromandel coast which Paul V erected in the city of St. Thomas. The Roman Pontiffs on account of their agreeable mind conceded the right of patronage to the kings of Portugal and the Algarves over the new episcopal sees because they had contributed to the progress of Catholic affairs and had generously endowed each one of the aforementioned dioceses from their own treasury. Since they (the kings) carefully determined the usefulness of these dioceses both in the earlier and later Christian societies, they were erected with the hope that in the near future the light of Gospel would shine far and wide upon all the peoples of the Far East, and the benefits which ensued, like an overflowing river, would inundate the civil society itself. Yet fate held back the favourable course of what had been undertaken. The storms of war and other misfortunes arose, and a great calamity seemed to loom over the sapling Church of India. Lest the propagation of the Gospel might be interrupted and the eternal salvation of so many thousands of souls be jeopardized, the Roman Pontiffs took many precautions and devoted their utmost attention to those vast kingdoms (territories) and particularly to those which were not part of the Portuguese

Missionarios perceptae; libri vernaculo populi sermone conscripti; plurimorum animi spiritu catholicae institutionis imbuti atque in spem caelestium erecti. Quibus in rebus nobilitati sunt labores sodalium Carmelitidum, Capulatorum, Barnabidum, Oratorianorum, qui quidem in iis gentibus ad christiana instituta erudiendis non eodem omnes tempore, sed idem studium collocavere constantiamque parem.

Gubernandis interea fidelibus moderandisque sacrorum operariorum expeditionibus, idoneo Antistitum regimine constituto, provisum est. Decessores autem Nostri singulari studio in id in primis animum intendebant, ut apostolici viri doctrinam christianam Indiâ tota sancte inviolateque servarent, nec ullo unquam ethnicarum superstitionum vestigio inquinari paterentur. Revera nemo ignorat quam vigilanter incubuerint ad evellenda radicitus vanarum observationum rituumque a fide christiana abhorrentium zizania ab inimico homine disseminata in novellis iis ecclesiae germinibus, quae praesertim in regnis Madurae, Mayssourii et Carnatici adoleverant: item quam provide studuerint, quaestiones omnes inter regionum illarum Missionarios in re gravissima excitatas Pontificia auctoritate dirimere. De quibus ut Clemens XI apprime cognosceret, Carolum Thomam Tournonium Patriarcham Antiochenum cum potestate Legati a latere in Indiis orientalibus Commissarium ac Visitatorem Apostolicum anno MDCCI destinavit. Sapientibus Tournonii decretis Clemens XI auctoritatis suae robur adiecit, eisdemque Innocentius XIII, Benedictus XIII, et Clemens XII, ut quam diligentissime obtemperaretur, graviter sanxerunt. Benedictus vero XIV, edita Constitutione *Omnium sollicitudinum*², amotis dubitationum caussis additisque opportunis declarationibus, controversiam dimidio fere saeculo acriter agitatam sustulit.

Aliquanto serius, cum de Indiarum bono romani Pontifices plura cogitarent, tranquillitas Ecclesiae per Europam turbulentis est afflicta temporibus: quae tempora vel apud Indos christianae fidei incrementum prohibuere. Praeterea in provinciis peninsulae

colonies, in order that they might bring as many as possible from that great multitude of peoples to the Christian way of life, and likewise provide them with assistance and support for the perfection of souls and also to keep them steadfast in the holy religion after the wickedness of heresy had been dispelled.

However, the more difficult this concern (became) because of the great distances between the places, the breadth of the regions as well as the difficulties of journeys, the more they were accustomed to operate with great liberty either in accurately selecting the Gospel workers (missionaries) or in ordering the government of the missions. In the seventeenth and eighteenth centuries, particularly due to the work of religious men, whom the Sacred Congregation had sent to India for propagating the Christian name, several Christian communities flourished. The Various languages of those peoples were learned by the missionaries, books were written in the native tongues, the souls of many were imbued with the spirit of the Catholic faith and aroused to the hope of heavenly things. In these matters the works of the members of the Carmelite, Capuchin, Barnabite and Oratorian orders were excellent, who indeed dedicated equal energy and perseverance, although not all at the same time, in instructing those peoples in the Christian faith.

In the meantime provision was made for governing the faithful and for moderating the expeditions of holy missionaries, after a suitable administration of bishops was constituted. Yet our predecessors especially dedicated particular attention so that the apostolic men might preserve integrally and inviolably the Christian doctrine in the whole of India and they might not suffer at any time, contaminated by any trace of pagan superstitions. In fact, no one is ignorant of how vigilantly and jealously they paid attention to the eradication of false observances and abhorrent rituals from the Christian faith, weeds sown by the enemy among those tender young seeds of the Church, which particularly grew up in the kingdoms of Madras, Mysore and Karnataka; likewise how they devoted careful attention to dissolve all the problems that arose among the missionaries of those regions, in grave matters with pontifical authority. As soon

² Prid. Id. Septemb. 1744.

australibus plaga gravis accessit, auctore tyranno Tipou Sahib, qui catholicum nomen multimodis vexavit. Quamvis vero post id tempus apostolici viri pro nomine christiano multum et utiliter elaboraverint, tamen Gregorius XVI rem omnem animo et cogitatione complexus, intellexit et declaravit, *regiones illas necessario requirere ut Apostolica Sedes, mutatis temporum adiunctis, religioni in iis periclitanti succurreret, et ecclesiastici regiminis formam ea ratione moderaretur, quae obtinendae fidei incolumitati par esset.*³ Statimque ad rem aggressus, non pauca constituit christianis ex India hominibus salutaria, amplificandaeque per eos tractus religioni valde opportuna.

Verumtamen Apostolicae Sedis curas, utique communis salutis gratia susceptas, multis longe secus interpretantibus, cum funestum illud dissidium deflagrasset quod in maiora mala erupturum videbatur, Pius IX cum Petro rege Fidelissimo semel atque iterum egit, ut quaedam communi consilio decernerentur, quae tot incommodorum remedium afferrent. Itaque conventio est inita anno MDCCCLVII; cuius tamen condiciones quominus perficerentur, variae difficultates impedimento fuere.

Ubi vero Nos, summa Dei benignitate, Ecclesiae gubernacula suscepimus, de gravissimo hoc negotio diligentissime cogitantes, auctores fuimus regni Lusitani Administris ut ea de re Nobiscum agere, novasque conditiones, quales tempora suasissent, scribere ne recusarent. Quod iis cum placuisset, mentem Nostram consignavimus litteris ad dilectum Filium Nostrum regem Ludovicum missis hoc anno, die VI Ianuarii, explorataque eius aequitate cum concordiae studio coniuncta, conventionem rite peregimus, per quam licuit plura utiliter communi sententia statuere, quae litteris, uti mos est, mandata sunt.⁴ In primis vero ius patronatus regum Lusitaniae aequo modo definitum est: Archiepiscopatus Goanus dignitate Patriarchali ad honorem auctus, eiusdemque cum Dioeceses Suffraganeae designatae, tum iura cetera constituta. Praeterea convenit, ut gubernatores

³ Litt Apost. *Multa praeclare*, die 24 Aprilis 1838.

⁴ Concord. an. 1886.

as Clement XI learned of these matters, he appointed Charles Thomas Tournon, the patriarch of Antioch with the power of legate "a latere" as commissar and apostolic visitor in the East Indies in the year 1701. Clement XI added the strength of his authority to the wise decisions of Tournon, and Innocent XIII, Benedict XIII and Clement XII strongly endorsed the same so that those might be complied with as diligently as possible. Benedict XIV in fact with the promulgation of the Constitution "Omnium sollicitudinum", after all reasons for doubt had been dispelled and appropriate statements had been added, endured this bitter and troubled controversy for almost half a century.

Later on when the Roman Pontiffs were thinking much about the well-being of the Indies, the tranquillity of the Church was afflicted by the turbulent times in Europe, which impeded an increase in the Christian faith even in the Indies. Besides this, in the southern provinces of the peninsula a grave calamity occurred when the tyrant Typoo Sahib troubled the Catholic name in many ways. However after this period apostolic men did much useful work for the Christian faith so much that Gregory XVI, after having considered all matters in his heart and thought, formed the opinion and declared that "it is necessary to recuperate those regions so that the Holy See, since the circumstances of time had changed, might succour the endangered religion in those regions and for the same reason moderate the form of ecclesiastical government, as was befitting for the safety of the faith needing to be preserved". Having immediately undertaken this task, he brought about no few salutary benefits for the Christian people in India, which were very opportune for the spreading of the religion in those territories.

Nevertheless when that fatal dispute, which was about to burst into greater evils, obliterated the provisions of the Apostolic See, surely undertaken for the sake of common salvation, as many were interpreting them very differently, Pious IX together with the most faithful king Pedro acted time and again to decide some matters by mutual agreement which would prove to be a remedy for so many troubles. Thus an accord was made in the year 1857; but various difficulties prevented the execution of its provisions.

Lusitaniae singulis Dioecesibus supra dictis censum in tuitionem Canonicorum, Cleri, Seminariorum publice assignent: iidem operam suam cum Episcopis conferant ad scholas pueris, domos altrices pupillis comparandas, aliaque pie instituenda, quae vel christianorum saluti prodesse, vel tollere ethnicorum superstitionem posse videantur. His de caussis cum animorum concordiam in christianis ex India populis tranquillam ac firmam fore non iniuria confidamus idcirco maturitatem venisse censemus rei catholicae in universa cis Gangem peninsula constituendae, ut illae gentes ad montem domus Domini praeparatum accedentes, stabilis beneque ordinati regiminis beneficia sentiant.

Septentrionalis Indiarum tractus tres excipit Vicariatus, quod antiqua missio Indostana a Gregorio XVI in duas partes anno MDCCCXLV⁵, et a Nobis his postremis annis tripartita⁶, Agrae, Patnae et Punjabii veluti ecclesiasticas regiones separatas modo complectitur. Prior veteri territorio constat, exceptis partibus alteri assignatis: altera constat regionibus, quae appellantur Népal, Behar, parva provincia Sikkim, vetus regnum Ayadhya, Bundelkand; aliisque principatibus finitimis. Tertia vero Punjabensi regione continentur, cui regnum Cashmire deinde additum est.

His subiacet ad Indum Missio Bombayensis, quam Pius IX anno MDCCCLXIV bifariam dispertiens, regionem australem seu Poonensem a boreali seiunxit. Haec vero, praeter insulas Bombay et Salsette, habet provincias et regna Broack, Ahmedabad, Baroda, Guzerate, Marwar, Catch, Sindhi, Beluchistan usque ad Cabul et Punjab: australis autem regna et provinciae Konkán, Kandeish et Dekkan usque ad terminos regnorum Nizam, Maissour et Canara Septentrionalis, exceptis ex utraque territoriis et provinciis Archidioecesi Goanensi nec non Archidioecesi Damanensi seu Cranganoris nuper assignatis. Subsequuntur per oram Kanarensis et Malabaricam praeter Archidioecesim Goanam Vicariatus tres inter montes Ghates et mare occiduum siti, nempe Mangalorensis, anno

As soon as we, with God's greatest benevolence, assumed upon ourselves the government of the Church, with scrupulous concern for this most serious affair, advised the ministers of the king of Portugal to act with us in this matter, so that they might not refuse to write down the new conditions which the times had suggested. Since it was pleasing to them, we conveyed our opinion in a letter sent on 6 January of this year to our beloved son king Ludwig, and after having examined the matter conjointly in an equitable fashion in a concordant study, we duly proceeded with an assembly, by means of which it was possible to determine by common sentence several matters which, as usual, were sent by a letter. First of all the patronage right (*ius patronatus*) of the kings of Portugal was defined in an equitable fashion: the archbishopric of Goa was promoted to the patriarchal dignity *ad honorem*, its suffragan dioceses were designated, and other rights were regulated. Besides it was accorded that the Portuguese governors should publicly assign sufficient property in protection of the canons, clergy and seminaries of each diocese already mentioned. These same people should cooperate with the bishops for establishing schools for young boys, dwellings and nurses for orphan girls, and for arranging religiously other matters which are seen to be beneficial to the salvation of the Christians or can remove the superstitions of the pagans. For these reasons, and not without basis, we are confident that the concord of hearts of the Christian people in India will be firm and quiet and we believe that the proper time has arrived for the organization of the Catholic Church in the whole Ganges peninsula in order that those peoples who ascend the prepared mountain of the Lord's abode may feel the benefit of a stable and well-ordered government.

The Northern region of the Indies consists of three vicariates as the ancient Hindustan mission bifurcated into two by Gregory XVI in the year 1845, was divided by us into three in these last years: Agra, Patna and Punjab as separate ecclesiastical regions. The first vicariate is composed of the old territory, except for the parts assigned to the other ones; the second vicariate comprises the regions of Nepal, Bihar, the small province of Sikkim, the old kingdoms of Ayodhya, and Bundelkand as well as other neighbouring territories. The third

⁵ Litt. Apost. *Pastoralis officii*, die 7 Feb. 1845.

⁶ Litt. Apost. *Intendentes*, 21 Sept. 1880.

MDCCCLIII a Verapolitano seu Malabarico separatus,⁷ per provinciam Kanarae ad flumen Ponany; Verapolitanus ab eo flumine ad terminos Dioecesis Cochinchensis nuper a Nobis restituta, et Quilonensis ab eiusdem Dioecesis finibus ad meridiem sitis ad promotorium Comorinum usque pertingens, exceptis paroeciis Dioecesi Cochinchensi assignatis.

Ad plagam peninsulae orientalem decem pertinent Missiones. In sinu Bengalico tres ad ostia fluminis Ganges: nimirum Vicariatus occidentalis in Calcuttae urbe constitutus, et orientalis, ambo anno MDCCCL ab unico Bengalensi derivati.⁸ Qui autem ad iurisdictionem Episcopi Meliaporensis pertinere dicti sunt, ex numero subditorum utriusque Vicariatus excipiendi. His accedit in centro provinciae civilis Bengalensis Praefectura Apostolica anno MDCCCLV erecta. Finitima est Vicariatus occidentali Bengalico missio vastissima de Vizagapatam nuncupata, quae universum territorium inter fines Vicariatus Bombayensis et mare Bengalicum usque ad flumen Godavery ad austrum comprehendit, et anno MDCCCL a Madraspatana divisa est.⁹ Hyderabadensis proxima missio per regnum Nizam et provinciam Masulipatam ad flumen Krichna protenditur, quam a Gregorio XVI designatam, Pius IX anno MDCCCLI¹⁰ ad dignitatem Vicariatus evexit.

In ora Coromandelica praecipua extat Madraspatana civitas quae ab anno MDCCCXXXIV Vicarium Apostolicum obtinuit, cuius iurisdictio a flumine Krichna ad Palar inter fines missionis Bombayensis et mare extenditur, eo praerepto tractu qui nuper a Nobis Meliaporensi dioecesi assignatus est. Ad australes vero eius fines antiquus Vicariatus orae Coromandelicae in tres quoque missiones anno MDCCCL divisus fuit¹¹, nempe Pondicherianam inter flumen Palar ad septentrionem et flumen Cavery ad meridiem: Mayssourensem ad regionem occiduam, huius nominis regnum et

⁷ Litt. Apost. *Ex debito*, 15 Mart. 1853.

⁸ Litt. Apost. *Exponendum Nobis*, 15 Febr. 1850.

⁹ Litt. Apost. *Ex pastoralis officio muneris*, 3 Aprilis 1850.

¹⁰ Litt. Apost. *Ad universalis Ecclesiae*, 20 Maii 1851.

¹¹ Litt. Apost. *Pastorale ministerium*, 3 Aprilis 1850.

one is limited to the Punjab region, to which the kingdom of Kashmir was then added.

Below this, close to the Indus river, lies the Bombay mission, which Pious IX divided into two parts in 1864 and disjoined the southern region or Poona from the north. This mission, in addition to the islands of Bombay and Salsette, contains the provinces and kingdoms of Broack, Ahmedabad, Barada, Gujurat, Marwar, Catch, Sindh, Beluchistan, as far as Kabul and Punjab. The South vicariate (Poona) consists of the kingdoms and provinces of Konkan, Kandeish and Dekkan as far as the boundaries of the kingdoms of Nizam, Mysour and northern Kanara, having excepted from both the territories and provinces recently assigned to the archdiocese of Goa, as well as to the archdiocese of Damau or Crangannore. Following through the Kanara and Malabar coast in addition to the archdiocese of Goa, three vicariates are situated between the Gates mountains and the western sea, namely Mangalore which in 1853 was separated from Verapoly or Malabar, which extends through the province of Canara up to the Ponany river; the vicariate of Verapoly extends from the same river to the boundaries of the diocese of Cochin which was recently restored by us; and the vicariate of Quilon stretches from the southern boundaries of the same diocese up to the promontory of Comorin, except for the parishes which were assigned to the diocese of Cochin.

Ten missions belong to the eastern coast of the peninsula. In the plain of Bengal in the area of the effluents of the river Ganges there exist three circumscriptions: namely the western vicariate constituted in the city of Calcutta, and the eastern one, both derived from the same Bengal mission in the year 1850. However, those who are said to be under the jurisdiction of the bishop of Mylapore must be excluded from those subject to both the above vicariates. To these is added the apostolic prefecture erected at the centre of the civil province of Bengal in 1855. The huge mission called Vizagapata borders on the West Bengal vicariate and this includes the whole territory between the boundaries of the vicariate of Bombay and the sea of Bengal as far as the Godavery river to the south. In 1850 it was separated from the Madras mission. The nearby mission of Hyderabad which extends through the kingdom of Nizam and the province of

provincias Coorg, Collegal, et partem Winaad et Salem complectens: demum Coimbatourensem quae inter Missiones Verapolitanam, Mangaloreensem et Madurae ad orientem montium Ghates continetur. Extrema iacet ad austrum peninsulae magna Madurensis Missio quae mari Coromandelico, montibus Ghates et fluminibus Cavery et Vettar clauditur, iis sublatis regionibus et locis quae Episcopo Meliaporensi tribuimus; eamque anno MDCCCXLVI paucis ante obitum diebus Gregorius XVI in Vicariatum constituit.¹²

Ceylanensis vero insula in triplicem Vicariatum distinguitur, Columbensem, Jaffnensem, et Kandyensem: quorum priores ex unico antea extante, assignatis alteri provinciis occidentali et meridionali, alteri vero reliquis insulae territoriis, anno MDCCCXLIX¹³ a Pio IX erecti sunt: tertius a Nobis, anno MDCCCLXXXIII¹⁴, separato ex primis in centro insulae territorio constitutus est.

Cum igitur in universis Indiae missionibus, quas commemoravimus, Evangelicorum nuntiorum studio et laboribus, eo iam res christiana provecta sit, ut non modo Salvatoris Nostri nomen summa cum libertate invocetur, sed Ecclesiae plures numerentur, eademque multis sapienter et utiliter institutis floeant, Nos quidem primum omnium Deo optimo maximo pro parta catholico nomini prosperitate singulares gratias et agimus et habemus. Deinde vero quod Decessoribus Nostri diu in optatis fuit ut ecclesiastica hierarchia in India atque in insula Ceylanensi constitueretur, id Nos ad efficiendum aggredimur. Quo facto consequutura bona, Deo iuvante, confidimus non pauca nec exigua, nominatim concordiae caritatisque incrementum; similitudinem et firmitatem disciplinae, populorum cum Episcopis maximeque cum romano Pontifice stabiliorem coniunctionem, expeditiorem catholici nominis propagationem una cum ampliore virtutum christianarum cultu.

¹² Litt. Apost. *Exponendum Nobis*, 19 Maii 1846.

¹³ Litt. Apost. *Exponendum Nobis*, 13 Aprilis 1849.

¹⁴ Litt. Apost. *Quo satius*, 20 Aprilis 1883.

Masulipatanam up to the Krishna river was designated by Gregory XVI and was promoted to the dignity of a vicariate by Pius IX in 1851.

On the Coromandel coast there exists the important city of Madras, which obtained a vicar apostolic in 1834, whose jurisdiction extends from the Krishna river as far as Palar between the boundaries of the Bombay mission and the sea; afterwards this part was removed and recently assigned by us to the diocese of Mylapore. Towards the south western boundaries, the old vicariate of the Coromandel coast was divided into three missions in the year 1850, namely Pondicherry between the Palar river to the north and the Cavery river to the south; Mysore to the western part which includes the kingdom of this name and the provinces of Coorg, Collegal, part of Wynad and Salem; and lastly Coimbatore which is situated between the missions of Verapoly, Mangalore and Madras to the east of the Ghates mountains. The great Madurai mission lies to the west of the Madurai peninsula which is surrounded by the Coromandel sea, the Ghates mountains and the Vettar and Cavery rivers, as well as by those regions and places which we assigned to the bishop of Mylapore. In 1846 Gregory XVI, a few days before his death, constituted the mission into a vicariate.

The island of Ceylon is divided into three vicariates, Colombo, Jaffne and Kandy: of which the first two were formed from the only one previously existing there and were erected by Pius IX in 1849, assigning the western and southern provinces to the one and the remaining territories of the island to the other. The third was established by us in 1883 in the central part of the island separated from the aforementioned two.

As in all the missions of India which we have mentioned, owing to the zeal and labour of the heralds of the Gospel, Christianity has made such great progress that not only is the name of our Saviour very freely invoked but also the churches are numerous and abound in wise and useful institutions, first of all we acknowledge and thank the almighty and most benevolent God for bringing forth such prosperity to the Catholic name. We are now about to perform a task which our predecessors had in mind for a long time, namely to establish an ecclesiastical hierarchy in India and in the island of

Itaque rogata, ut negotii gravitas postulabat, Venerabilium Fratrum Nostrum S. R. E. Cardinalium sacro consilio christiano nomini propagando praepositorum sententia, fuis in humilitate cordis Nostrum ad omnipotentem Deum precibus, implorataque ope Immaculatae Dei Matris, sanctorum Apostolorum Petri et Pauli, sanctorum Thomae Apostoli ac Francisci Xaverii, qui eas gentes sicut olim ad Evangelii lucem traduxere, ita nunc patrocinio caelesti tuentur ac tegunt; motu proprio, certa scientia ac matura deliberatione Nostra, de Apostolicae potestatis plenitudine, ad maiorem divini nominis gloriam fideique catholicae incrementum, harum Litterarum auctoritate, in universis Indiae orientalis Missionibus Episcopalem hierarchiam ad canonicarum legum praescripta instituiimus.

Porro Decessorum Nostrorum vestigiis inhaerentes, qui primum Archidioecesim Goanam eique suffraganeas sedes Cochinchensem, Meliaporensis et Cranganorensis erexerunt, easdem iuxta eam rationem quae in recenti conventionem cum illustri Portugalliae et Algarbiorum rege Fidelissimo inita significatur, confirmamus et in unam ecclesiasticam provinciam iterum coalescere volumus.

Praeterea omnes totius peninsulae atque insulae Ceylan Vicariatus Apostolicos, uti a Nobis supra descripti sunt, nec non Praefecturam in centro Bengalicae provinciae sitam, in Episcopales Ecclesias, auctoritate Nostra Apostolica, tenore praesentium erigimus et constituimus. Ex novarum vero Dioecesium numero quae sequuntur, nempe Ecclesiam Agraensem, Bombayensem, Verapolitanam, Calcuttensem, Madraspatanam, Pondicherianam et Columbensem ad Archiepiscopalis dignitatis honorem evehimus. Quod autem pertinet ad provinciales seu suffraganeas ecclesias designandas, integrum Nobis erit quod magis expedire videatur statuere.

Archiepiscopi vero et Episcopi de suarum singuli Ecclesiarum statu, iustis temporibus, ad Nostram Congregationem de propaganda Fide referant: quae peculiarem de iis regionibus curam, uti hactenus gessit, ita in posterum geret, cognoscetque de iis omnibus quae sacrorum Antistites muneris sui causa proposuerint.

Ceylon. We are confident that with God's help many benefits will derive from this: namely, an increase of concord and charity, uniformity and firmness of discipline, more stable unity of those peoples with their bishops and particularly with the Roman Pontiff and a more expeditious propagation of the Catholic faith together with a greater cultivation of Christian values.

Wherefore, as the serious nature of the matter required, after asking the opinion of our venerable brothers, the Cardinals of the Holy Roman Church appointed to the sacred council for the propagation of the Christian name, after pouring forth prayers to Almighty God in humility from the profundity of our heart, and after imploring the help of the Immaculate Mother of God and that of the Saints Peter and Paul, as well as of the holy Apostle Thomas and Saint Francis Xavier who many years ago brought the light of the Gospel to those peoples and who now guard and protect them with their heavenly patronage, we, with a sure knowledge and after mature deliberation, from the plenitude of our apostolic power, with the authority of this letter establish "motu proprio" an episcopal hierarchy covering all the missions of the East Indies according to the prescriptions of canon law for the greater glory of God and the increase of the Catholic faith

Furthermore, following in the footsteps of our predecessors, who first erected the archdiocese of Goa and then the dioceses of Cochin, Mylapore and Cranganore as suffragans to it, and in accordance with the recent agreement with the illustrious and most faithful king of Portugal and the Algarves, we confirm the same dioceses and wish them to be reunited again into one ecclesiastical province.

Moreover, by our own apostolic authority, we erect and constitute, according to the tenor of this letter, all the vicariates apostolic of the whole peninsula and those of the island of Ceylon, which we described above, as well as the prefecture situated in the centre of the Bengal province, as episcopal Churches (dioceses). From the new dioceses we promote to the honour of archiepiscopal dignity the Churches (dioceses) of Agra, Bombay, Verapoly, Calcutta, Madras, Pondicherry and Colombo. As regards the designation of provincial

Archiepiscopus vero Goanensis eiusque Suffraganei Episcopi de statu ecclesiarum ad sacram Congregationem negotiis Ecclesiae extraordinariis pertractandis referant. Iidem summa cura studeant res pie atque utiliter, iuxta memoratam conventionem instituere, fidemque catholicam in finibus iurisdictionis quisque suae omni ratione tueri et amplificare.

Universis vero Indiae Episcopis integrum erit sensim ea decernere, quae ad inducendum commune ius, prout tempora siverint, conferre queant, quaeque ex generali Ecclesiae disciplina Episcoporum auctoritati permissa sunt. Nostrae autem et huius Apostolicae Sedis partes erunt Episcopis in perfunctione munerum suorum operâ, auctoritate, consilio adesse, et quaecumque ad animorum salutem utilia et opportuna videantur omni qua fieri poterit ratione adiuvare.

Reliquum est ut Clerus populusque universus, id quod vehementer hortamur, retineant voluntatum concordiam, inviolate servent caritatem, Episcopis atque in primis huic Apostolicae Sedi libentes atque alacres in omni vita pareant, virtutibusque christianis ita se ornatos atque auctos impertiant, ut qui adhuc a veritate misere deerrant, eos ipsi vel exemplo suo vocent ad admirabile Christi lumen et regnum.

Decernimus tandem has Nostras litteras nullo unquam tempore de subreptionis aut obreptionis vitio, sive intentionis Nostrae alioque quovis defectu notari vel impugnari posse, et semper validas ac firmas fore, suosque effectus in omnibus obtinere ac inviolabiliter observari debere, non obstantibus Apostolicis atque in Synodalibus, Provincialibus et universalibus Conciliis editis generalibus vel specialibus sanctionibus, ceterisque contrariis quibuscumque, peculiari etiam mentione dignis: quibus omnibus, quatenus supra dictis obstant, expresse derogamus. Irritum quoque et inane decernimus si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari. Volumus autem ut harum litterarum exemplis etiam impressis, manuque publici Notarii subscriptis et per constitutum in ecclesiastica dignitate virum suo sigillo munitis, eadem habeatur fides, quae Nostrae voluntatis significationi ipso hoc diplomate ostenso haberetur.

or suffragan Churches we shall be at liberty to determine what is seen to be more expedient.

In due time the archbishops and the bishops, as regards the particular status of their Churches, shall refer to our Congregation for the Propagation of the Faith which as until now exercised particular care for these regions, shall continue to do so in the future and shall examine all matters which the bishops will propose to it in the performance of their office.

The archbishop of Goa and his suffragans shall refer to the Sacred Congregation for the extraordinary affairs of the Church concerning the status of their Churches. They shall pursue piously and profitably all matters with the utmost care according to the afore-mentioned agreement, as well as protect and spread with every means the Catholic faith, each one within the boundaries of his own jurisdiction.

However, it will be entirely in the hands of all the Indian bishops to discern gradually those matters which must be placed under the common law; as time permits they may be able to consult together about all those matters which the general discipline of the Church has committed to the authority of the bishops. It shall be our task and that of the Apostolic See to assist the bishops in accomplishing their duties, by being present with our authority, support and advice, as well as to help in every possible manner for those matters which seem to be advantageous and beneficial for the salvation of souls.

For the rest, we vehemently exhort that all the clergy and the people should maintain concord of mind, preserve charity inviolately, obey as willing and zealous people the bishops and above all the Apostolic See throughout life, and they shall show themselves so adorned and enriched with Christian virtues that even by their example they themselves may call back to the wonderful light and kingdom of Christ those who even now are wretchedly straying away from the truth.

Finally we decree that this letter of ours cannot at any time, by any defect of subreption or deception or by any fault of our intention be censured or impugned, and it will be for ever valid and lasting, as well as obtain its effect in everything, and must always be inviolably

Nulli ergo hominum liceat hanc paginam Nostrae erectionis, constitutionis, institutionis, restitutionis, dismembrationis, suppressionis, adsignationis, adiectionis, attributionis, decreti, mandati ac voluntatis infringere, vel ei ausu temerario contraire. Si qui autem haec attentare praesumpserit, indignationem omnipotentis Dei et beatorum Petri et Pauli Apostolorum Eius se noverit incursum.

Datum Romae apud S. Petrum anno Incarnationis Dominicae millesimo octingentesimo octogesimo sexto, Calendis Septembribus, Pontificatus Nostri anno nono.

observed, and notwithstanding general or special decrees, apostolic or synodal, promulgated in provincial and universal councils, and whatsoever else to the contrary, even meriting particular mention: we explicitly derogate from all these in so far as they thwart what has been said above. We also decree that it shall be null and void if anyone were to attempt to do otherwise over these provisions by any authority knowingly or unknowingly. Yet we wish the exemplars of this letter even printed, countersigned by a public notary, fortified by the seal of any man constituted in ecclesiastical dignity, shall have the same credence which would be granted to the indication of our will, as the document itself has been demonstrated.

Let it be unlawful for anyone to infringe upon or dare temerarily to contradict this document of our erection, constitution, institution, restitution, dismemberment, suppression, assignment, annexation, attribution, decree, mandate and will. If anyone should presume to attempt such a thing, he shall know that he incurs the wrath of Almighty God and of his blessed Apostles Peter and Paul.

Given in Rome, at St. Peter's, on 1 September 1886, the ninth year our Pontificate.

3. CONVENTIO INTER SANCTAM SEDEM ET REMPUBLICAM LUSITANIAE

La Santa Sede e il Governo Portoghese, avendo riconosciuto le difficoltà che presenta l'esecuzione del Concordato del 1886, a causa delle profonde modificazioni avvenute, sia in Portogallo sia nella vita religiosa delle Indie, specialmente dopo la guerra, si sono messi d'accordo per regolare la circoscrizione delle Diocesi, la nomina dei Vescovi e la doppia giurisdizione, delle quali tratta il citato Concordato; ed hanno nominato Plenipotenziari: per parte della Santa Sede, Sua Eminenza il Signor Cardinal Pietro Gasparri, Segretario di Stato di Sua Santità; e per parte del Governo Portoghese, Sua Eccellenza il Signor Dottor Augusto De Castro Sampaio Corte-Real, Inviato Straordinario e Ministro Plenipotenziario, per firmare, sotto riserva di ratificazione, il Protocollo seguente:

Articolo I

L'Archidiocesi di Goa, cui rimane annesso il titolo patriarcale, viene ingrandita:

- a) coll'aggiunta del possedimento portoghese di Damão a nord di Bombay;
- b) coll'aggiunta dell'isola di Diu sulla costa di Kathiavar.

L'Arcivescovo perciò sarà denominato: Arcivescovo di Goa e Damão.

Articolo II

La parte della Diocesi di Damão che non resta incorporata nell'Archidiocesi di Goa, sarà annessa all'Archidiocesi di Bombay, la quale mantiene la sua attuale organizzazione ecclesiastica.

Articolo III

L'Arcivescovo di Bombay sarà alternativamente di nazionalità portoghese e britannica, e avrà giurisdizione su tutto il territorio dell'Archidiocesi, ingrandito come sopra.

3. AGREEMENT BETWEEN THE HOLY SEE AND THE PORTUGUESE REPUBLIC

The Holy See and the Portuguese Government, having recognized the difficulties posed by the execution of the concordat of 1886, as a result of the profound changes which have occurred both in Portugal and in the religious life of the Indies, especially after the war, have agreed to regulate the circumscription of the dioceses, the appointment of bishops and the double jurisdiction, of which the cited concordat treats; the parties have named plenipotentiaries: on behalf of the Holy See, His Eminence Cardinal Pietro Gasparri, Secretary of State to His Holiness; on behalf of the Portuguese Government, His Excellency Doctor Augusto De Castro Sampaio Corte-Real, Emissary Extraordinary and Minister Plenipotentiary, to sign, subject to ratification, the following protocol:

Article 1

The archdiocese of Goa, to which remains attached the patriarchal title, is enlarged:

- (a) by the addition of the Portuguese possession of Damão to the north of Bombay;
- (b) by the addition of the island of Diu on the coast of Kathiavar.

The archbishop will therefore be named: archbishop of Goa and Damão.

Article 2

The part of the diocese of Damão which is not incorporated into the archdiocese of Goa shall be annexed to the archdiocese of Bombay, which shall maintain its current ecclesiastical organization.

Article 3

The archbishop of Bombay shall be alternately of Portuguese and British nationality, and shall have jurisdiction over the whole territory of the archdiocese, enlarged as above.

I parroci portoghesi delle due chiese di S. Francesco Saverio e Nostra Signora della Gloria in Bombay, saranno camerieri segreti di Sua Santità *durante munere*.

Articolo IV

La Santa Sede e il Governo Portoghese si dichiarano d'accordo per modificare i limiti della Diocesi di San Tommaso di Meliapor, in modo da assicurare nella miglior forma la continuità del territorio su cui si esercita la giurisdizione episcopale.

Perciò vengono tolte alla diocesi di S. Tommaso di Meliapor le 14 parrocchie sparse nel territorio delle Diocesi di Trichinopoly e Tuticorin (costa della Pescheria), e le sei parrocchie sparse nel territorio delle Diocesi di Dacca e di Calcutta.

La Diocesi di S. Tommaso di Meliapor conserverà i due territori continui di San Tommaso (presso Madras e in parte dentro Madras) e di Tanjore (più al sud), e le cinque parrocchie sparse nella città di Madras.

Per i compensi territoriali e personali da darsi alla Diocesi di San Tommaso di Meliapor, la Santa Sede e il Governo Portoghese, assunte le necessarie e opportune informazioni, e tenuto conto dei principi che informano la presente convenzione, specialmente in riguardo alle condizioni giuridiche, demografiche e politiche, si metteranno d'accordo dentro otto mesi dalla entrata in vigore del presente Protocollo. Soltanto trascorsi i detti otto mesi saranno stabiliti con Bolla i nuovi limiti della diocesi di San Tommaso di Meliapor.

Articolo V

Il presente Protocollo si riferisce solamente alla giurisdizione episcopale, e non alla proprietà dei beni, dei tesori artistici, delle scuole, ecc. portoghesi, che continueranno ad essere proprietà degli enti ai quali attualmente appartengono.

Il clero delle parrocchie portoghesi continuerà ugualmente ad essere portoghese.

The Portuguese parish priests of the two churches of St. Francis Xavier and of Our Lady of Glory in Bombay, shall be, *durante munere* (during their term of office), secret chamberlains of His Holiness.

Article 4

The Holy See and the Portuguese Government declare themselves in agreement for the modification of the boundaries of the diocese of Saint Thomas of Mylapore, so as to ensure in the best way the continuity of territory over which the episcopal jurisdiction is exercised.

Therefore, the 14 parishes scattered in the territory of the dioceses of Trichinopoly and of Tuticorin (Fishery Coast), and the six parishes scattered in the territory of the dioceses of Dacca and of Calcutta are taken away from the diocese of St. Thomas of Mylapore.

The diocese of St. Thomas of Mylapore shall retain the two continuous territories of St. Thomas (near Madras and in part within Madras) and of Tanjore (further South), and the five parishes scattered in the city of Madras.

As regards the territorial and personal compensations to be given to the diocese of St. Thomas of Mylapore, the Holy See and the Portuguese Government, after taking the necessary and opportune information and having taken into account of the principles which lie at the basis of this accord especially with regard to juridical, demographic and political conditions, shall reach an agreement within eight months of the coming into effect of the present protocol. The new boundaries of the diocese of St. Thomas of Mylapore shall be established by a Bull only after the stated eight months have elapsed.

Article 5

The present Protocol refers solely to episcopal jurisdiction, and not to the ownership of Portuguese goods, artistic treasures, schools etc., which shall continue to be the property of the entities to which they at present belong.

The clergy of Portuguese parishes shall likewise continue to be Portuguese.

Articolo VI

Nella provvista delle sedi di Goa, Cochin, S. Tommaso di Meliapor e Macao:

a) la Santa Sede, dopo aver consultato, secondo la prassi consueta della Curia Romana, i Vescovi della provincia per il tramite del Delegato Apostolico dell'India o, rispettivamente, della Cina, sceglierà il candidato portoghese più idoneo per dirigere la Diocesi;

b) per il tramite di Mgr. Nunzio Apostolico di Lisbona o della Legazione del Portogallo presso il Vaticano, la Santa Sede trasmetterà confidenzialmente a Sua Eccellenza il presidente della Repubblica Portoghese il nome del candidato scelto;

c) il Presidente della Repubblica, se il candidato non offre difficoltà di ordine politico, ne presenterà ufficialmente il nome alla Santa Sede;

d) Si presume affermativa la risposta del Presidente della Repubblica alla consulta della Santa Sede, nel caso non venga entro due mesi, a contare dal giorno della consegna della relativa comunicazione;

e) Le due Alte Parti Contraenti si metteranno d'accordo volta per volta per la pubblicazione contemporanea della nomina, che dovrà rimanere segreta fino al compimento degli atti ufficiali.

Articolo VII

Nella provvista delle sedi di Bombay, Mangalor, Quilon e Trichinopoly:

a) la Santa Sede, scelto il candidato più idoneo, lo farà conoscere per il tramite di Mgr. Nunzio o della Legazione di Portogallo presso il Vaticano al Presidente della Repubblica;

b) il Presidente della Repubblica farà ufficialmente la presentazione di detto candidato nello spazio di un mese, e la nomina si pubblicherà nella forma prevista dal capoverso e) dell'articolo precedente.

Article 6

As regards the provision of the sees of Goa, Cochin, St. Thomas of Mylapore and Macao:

(a) the Holy See, after having consulted, according to the usual practice of the Roman Curia, the bishops of the province through the apostolic delegate of India, or respectively, of China, shall select the most worthy Portuguese candidate to govern the diocese;

(b) the Holy See shall transmit the name of the chosen candidate confidentially to His Excellency the President of the Portuguese Republic, through the apostolic nuncio of Lisbon or the Legation of Portugal at the Vatican;

(c) If the candidate does not present difficulties of a political nature, the President of the Republic shall officially present his name to the Holy See.

(d) The response of the president of the Republic to the consultation of the Holy See is presumed affirmative, in the case that it is not made within two months, counting from the delivery date of the respective communication;

(e) The two high contracting parties shall each time reach an agreement as regards the simultaneous publication of the nomination, which must remain secret until the completion of the official acts.

Article 7

As regards the provision of the sees of Bombay, Mangalore, Quilon and Trichinopoly:

(a) the Holy See having chosen the most suitable candidate, shall make his name known to the President of the Republic, through the apostolic nuncio or the legation of Portugal at the Vatican;

(b) the President of the Republic shall make the official presentation of the said candidate within the period of one month, and the appointment shall be published in the manner provided for under section (e) of the preceding article.

Articolo VIII

Fuori del territorio della propria Diocesi i fedeli dipendono dall'Ordinario del luogo, secondo il Diritto Canonico.

Articolo IX

Si considera senza effetto qualsiasi clausola contraria al presente Protocollo contenuta in altri documenti, leggi o note diplomatiche.

Roma, quindici Aprile mille nove cento ventotto.

Pietro Cardinale Gasparri
Augusto De Castro Sampaio Corte Real

Article 8

Outside the territory of their own diocese, the faithful are subject to the Ordinary of the place, according to Canon Law.

Article 9

Any clause contrary to the present Protocol is considered without effect, be it contained in other documents, laws or diplomatic notes.

Rome, 15 April 1928
Pietro Cardinal Gasparri
Augusto De Castro Sampaio Corte Real

4. SOLLEMNIS CONENTIO INTER SANCTAM SEDEM ET REMPUBLICAM LUSITANAM

La Santa Sede ed il Governo Portoghese, avendo riconosciuto la convenienza di adattare alla nuova situazione dell'India le disposizioni stipulate nel Concordato firmato a Roma il 23 giugno 1886 e nell'Accordo firmato nella stessa città il 15 aprile 1928,

hanno nominato Plenipotenziari:

per parte della Santa Sede Sua Eccellenza Reverendissima Monsignor DOMENICO TARDINI, Segretario della Sacra Congregazione degli Affari Ecclesiastici Straordinari;

e per parte del Governo portoghese, Sua Eccellenza il Signor Dottor PEDRO TOVAR DE LEMOS Conte di TOVAR, Ambasciatore Straordinario e Plenipotenziario presso la Santa Sede;

i quali, scambiati i loro rispettivi pieni poteri e trovati in buona e dovuta forma, hanno convenuto negli articoli seguenti:

Articolo I

Il Governo Portoghese rinuncia al privilegio della presentazione conferito al Presidente della Repubblica Portoghese per la provvista delle sedi di Mangalore, Quilon, Trychinopoli, Coccino, San Tommaso di Meliapore e Bombay.

Articolo II

Il Governo Portoghese considera la Santa Sede libera dall'impegno di consultare il Presidente della Repubblica di Portogallo e di nominare Vescovi di nazionalità portoghese alle sedi di Coccino e di San Tommaso di Meliapore.

Articolo III

Il Governo Portoghese considera parimenti libera la Santa Sede dall'impegno di nominare alla sede arcivescovile di Bombay un Arcivescovo di nazionalità portoghese alternativamente con un Arcivescovo di nazionalità britannica.

4. SOLEMN AGREEMENT BETWEEN THE HOLY SEE AND THE PORTUGUESE REPUBLIC

The Holy See and the Portuguese Government, having recognized the convenience of adapting to the new situation in India the dispositions set out in the concordat signed in Rome on 23 June 1886, and in the agreement signed in the same city on 15 April 1928,

have named plenipotentiaries:

on behalf of the Holy See, His Excellency the Most Reverend Monsignor Domenico Tardini, secretary of the Sacred Congregation for Extraordinary Ecclesiastical Affairs;

on behalf of the Portuguese Government, His Excellency Doctor Pedro Tovar de Lemos Count of Tovar, Ambassador Extraordinary and Plenipotentiary at the Holy See;

who, having exchanged their respective full powers and having found them in due and correct form, have agreed upon the following articles:

Article 1

The Portuguese Government renounces the privilege of presentation conferred upon the President of the Portuguese Republic for the provision of the sees of Mangalore, Quilon, Trichinopoly, Cochin, St. Thomas of Meliapore and Bombay.

Article 2

The Portuguese Government considers the Holy See free from the obligation of consulting the President of the Portuguese Republic and of appointing bishops of Portuguese nationality to the sees of Cochin and of St. Thomas of Mylapore.

Article 3

The Portuguese Government likewise considers the Holy See free from the obligation of appointing to the archiepiscopal see of Bombay an archbishop of Portuguese nationality alternately with an archbishop of British nationality.

Articolo IV

Cessando i privilegi di cui agli art. II e III, i candidati portoghesi, sia europei che goani o di altra origine, non avranno a soffrire, com'è ovvio, alcun pregiudizio, a motivo della loro nazionalità, nei confronti di altri eventuali candidati stranieri, nella provvista delle diocesi indiane.

Articolo V

Le disposizioni degli articoli precedenti si riferiscono unicamente alla provvista delle diocesi indicate e non alla proprietà dei beni, dei tesori artistici, delle scuole, ecc., del patronato portoghese, che continueranno ad essere riconosciuti dalla Santa Sede come proprietà degli enti i quali attualmente appartengono.

Articolo VI

Il Governo Portoghese si impegna prendere nella dovuta considerazione nello spirito di questo Accordo, una eventuale nuova delimitazione dell'arcidiocesi di Goa alla quale la Santa Sede giudicasse necessario di procedere.

Articolo VII

Rimarranno in vigore le altre disposizioni del Concordato del 1886 e dell'Accordo del 1928, non espressamente modificate con il presente Accordo, specialmente per quanto riguarda la dignità metropolitana e patriarcale della sede di Goa, come pure la nazionalità dei parroci di determinate parrocchie.

Articolo VIII

Il Governo portoghese resta libero dall'obbligo di provvedere alla dotazione delle diocesi di Coccino e di S. Tommaso di Meliapore,

Article 4

With the cessation of the privileges referred to under articles 2 and 3, Portuguese candidates whether they be European or Goan or of other origin shall clearly not have to suffer any prejudice on the basis of their nationality, in comparison with other possible foreign candidates, in the provision of Indian dioceses.

Article 5

The dispositions of the preceding articles refer solely to the provision of the dioceses indicated, and not to the ownership of goods, artistic treasures, schools etc. under Portuguese Patronage, which the Holy See shall continue to recognize as property of the entities to which they belong at present.

Article 6

The Portuguese Government shall strive to take into due consideration, in the spirit of this agreement, a possible new delimitation of the archdiocese of Goa, towards which should the Holy See deem it necessary to proceed.

Article 7

The other dispositions of the concordat of 1886 and of the agreement of 1928, which have not been expressly modified by the present agreement remain in force, especially as regards the metropolitan and patriarchal dignity of the see of Goa, as well as the nationality of the parish priests of determined parishes.

Article 8

The Portuguese Government shall remain free from the obligation to provide for the endowment of the dioceses of Cochin

come era previsto nell'art. 6 del Concordato del 1886, e dagli altri oneri che aveva verso i territori ora distaccati dal Patronato.

Articolo IX

Il presente Accordo sarà ratificato e gli strumenti di ratifica saranno scambiati in Lisbona entro il più breve tempo possibile.

Fatto in duplice esemplare.

Domenico Tardini
Tovar

Città del Vaticano, 18 luglio 1950.

and St. Thomas of Mylapore, as was provided for in article 6 of the concordat of 1886, and from the other onuses which it had towards the territories now separated from the Patronage.

Article 9

The present agreement shall be ratified and the instruments of ratification shall be exchanged in Lisbon within the shortest possible time.

This document is drawn up in double exemplar.

Vatican City, 18 July 1950
Domenico Tardini
Pedro Tovar

Chapter Five

THE ERECTION OF VICARIATES: RE-BIRTH OF THE CHURCH OF ST THOMAS CHRISTIANS AS THE SYRO-MALABAR CHURCH

Subsequent to the Synod of Diamper, with the appointment of the first Latin bishop (1599) and the imposition of Portuguese patronage (1600), the St Thomas Christian archdiocese of Angamaly (later Cranganore) became part of the Latin hierarchy and it began to be considered simply as one of the Latin dioceses in India under Portuguese patronage. After 286 years of Latin jurisdiction (during this period the Catholic St Thomas Christians were under the authority of Portuguese Padroado or Propaganda Fide or sometimes coming under both) when Pope Leo XIII constituted the new Latin hierarchy in India on 1 September 1886, in accordance with the concordat of 23 June 1886, the St Thomas Christian archdiocese of Cranganore was suppressed and its title was given to the Portuguese Padroado diocese of Damão, which was later united with the archdiocese of Goa. In brief the Church of St Thomas Christians (Catholic group), as an individual Eastern Church, was practically suppressed and the faithful were obliged to become members of the Latin archdiocese of Verapoly. But on 20 May 1887 through the apostolic letter *Quod iampridem* Pope Leo XIII separated the Eastern Christians from the Latin Christians of the archdiocese of Verapoly and constituted for the former two separate vicariates apostolic: Trichur and Kottayam (later named Changanacherry). According to the apostolic letter these vicariates apostolic were to be entrusted to two Latin bishops, who “should each appoint a Syro-Malabar vicar general to whom should be given the privileges of exercising in his own rite pontifical ceremonies”. The separation of the St Thomas Christians from the Latin Christians of the archdiocese of Verapoly and the erection of two vicariates apostolic exclusively for them marked the rebirth of

the Catholic section of the Church of St Thomas Christians as the Syro-Malabar Church, a name originally coined by the Western missionaries.

Ever since the appointment of the Latin bishops (1599) and the imposition of Portuguese Padroado jurisdiction (1600), the St Thomas Christians earnestly desired bishops of their own rite and ecclesial tradition. The constitution of two separate vicariates apostolic instilled hope among these Christian faithful and encouraged them to petition insistently for indigenous bishops. Consequently on 28 July 1896 the above mentioned two vicariates apostolic were reorganized into three vicariates - Trichur, Ernakulam and Changanacherry – and three vicars apostolic were appointed from the Syro-Malabar Church. Thus the quest of the Catholic St Thomas Christians for bishops of “their own rite and nation” became a reality. On 21 August 1911 with the apostolic brief *In Universi* Pope Pius X separated all the Southist parishes and churches from the vicariates of Changanacherry and Ernakulam and erected the new vicariate of Kottayam for the Southist community. Practically by this provision, the vicar apostolic of Kottayam was granted the faculty of personal jurisdiction over all the Southists within the boundaries of the vicariates of Changanacherry and Ernakulam.

In this section we present the three apostolic letters constituting vicariates apostolic:

1. Pope Leo XIII, apostolic letter *Quod iampridem*, 20 May 1887, the constitution of the vicariates apostolic of Trichur and Kottayam;
2. Pope Leo XIII, apostolic letter *Quae rei sacrae*, 28 July 1896, the reorganization of the territory into three vicariates apostolic and the appointment of indigenous vicars apostolic;
3. Pope Pius X, apostolic letter *In Universi*, 21 August 1911, the separation of the Southist parishes and churches from the vicariates of Changanacherry and Ernakulam and the erection of the new vicariate of Kottayam for the Southist community.

1. LITTERAE APOSTOLICAE QUIBUS DUO PRO CHRISTIFIDELIBUS RITUS SYRO-MALABARICI CONSTITUUNTUR VICARIATUS APOSTOLICI

LEO PP. XIII

Ad futuram rei memoriam

Quod iam pridem Praedecessoribus Nostris in votis fuit, ut ecclesiastica Hierarchia in Indiis Orientalibus constitueretur, id ex Apostolico munere quo, licet immeriti, fungimur, efficere aggressi sumus. Quod cum praestiterimus Apostolicis Litteris, quarum initium "Humanae salutis auctor" kalendis Septembribus anno superiore datas, pro sollicitudine Ecclesiarum omnium Nobis divinitus commissarum, peculiarem curam catholicorum ritus Syro-Malabarici habere volumus, eaque in re eorundem Praedecessorum Nostrorum vestigiis inhaesimus, qui nihil intentatum reliquerunt, ut praedicti ritus fideles in iisdem regionibus commorantes, ad catholicam veritatem et unitatem reducerentur, neque ullis postea conatibus haereticae vel schismaticae pravitate ab ea se paterentur avelli. Quocirca ad eorundem fidem, obedientiam et devotionem erga Apostolicam Sedem eo potiori modo remunerandam quo in praesens rerum circumstantiae fieri posse suadebant, atque ut penes ipsos vera Christi Ecclesia maiorem in dies incrementa suscipiat, auditis et assentientibus Archiepiscopis et Episcopis Indiae centralis et meridionalis in civitatem Bangalorensis synodaliter convenientibus, praeside Venerabili Fratere Apostolico Indiarum Orientalium Delegato, deque consilio VV. FF. NN. S. R. E. Card. Congregationi Fidei Propagandae pro ritus orientalis negotiis praepositorum haec quae infrascripta sunt constituenda censuimus. Itaque motu proprio, atque ex certa scientia et matura deliberatione Nostris, praesentium vi mandamus, ut peracta rituali separatione catholicorum Syro-Malabarensium a latinis, duo pro illis constituentur Vicariatus Apostolici committendi Episcopis latinis, qui sibi assumant Vicarium Generalem Syro-Malabarensis privilegio condecorandum exercendi proprio ritu pontificalia, et

1. APOSTOLIC LETTER CONSTITUTING TWO VICARIATES APOSTOLIC FOR THE CHRISTIAN FAITHFUL OF THE SYRO-MALABAR RITE

POPE LEO XIII

For future memory

What had long been the wish of our predecessors, namely the constitution of an ecclesiastical hierarchy in the East Indies, we have undertaken to accomplish in virtue of the apostolic office, which albeit unworthy we exercise. After we had executed this with the apostolic letter *Humanae salutis auctor*, given on 1 September last year, in our solicitude for all the Churches divinely committed to us, we wish to have particular care of the Catholics of the Syro-Malabar rite, in this matter following closely in the footsteps of our same predecessors, who left nothing undone in order that the faithful of the aforesaid rite dwelling in those regions, might be brought back to Catholic truth and unity and that they might not permit themselves to be separated from it afterwards by any efforts of heretical and schismatic perversity. Wherefore, in order to reward their faith, obedience and devotion to the Apostolic See in a better possible manner than at present the circumstances of things permitted and in order that the true Church of Christ may increase among them day by day, after asking and obtaining the consent of the archbishops and bishops of central and southern India, collegially assembled in the city of Bangalore, presided over by our venerable brother the apostolic delegate of the East Indies and the opinion of our venerable brothers the Cardinals of the Holy Roman Church, appointed for the affairs of Oriental rite at the Congregation for the Propagation of the Faith, we have decided to establish what follows. And thus by our own initiative (*motu proprio*), with a sure knowledge and after mature deliberation, by force of the present letter we order that, after a ritual separation of the Syro-Malabar Catholics has been made from the Latin Christians, two vicariates apostolic be constituted for them to be committed to Latin bishops, who should each appoint a Syro-Malabar vicar general to

confirmationis sacramentum, chrismate tamen ab Episcopo consecrato, conferendi; nec non alios quatuor viros ecclesiasticos eiusdem gentis et ritus eligant, quorum consilio in omnibus ecclesiasticis negotiis utantur. Insuper praecipimus ut praedictorum Vicariatuum Apostolicorum territorialis divisio fiat per naturales limites fluminis "Alavay" quod ab urbe "Maleatar" Malabaricam regionem intersecat, usque ad mare prope urbem "Cochin", ita ut primus Vicariatus sit septentrionalis cum ordinaria residentia Apostolici Vicarii in urbe "Trichoor" unde appellationem sumet; alter sit meridionalis cum ordinaria residentia proprii Vicarii Apostolici in urbe « Cottayam » a qua nomen accipiet. Decernentes praesentes Litteras firmas validas et efficaces semper existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat, et pro tempore quomodolibet spectabit, in omnibus et per omnia plenissime suffragari, et irritum esse et inane si secus super his a quoquam, quavis auctoritate, scienter vel ignoranter, contigerit attentari. Non obstantibus Constitutionibus et ordinationibus Apostolicis, nec non Benedicti XIV Praedecessoris Nostri recol. mem. super divisione materiarum aliisque speciali licet atque individua mentione ac derogatione dignis in contrarium facientibus quibuscumque. Volumus autem ut praesentium Litterarum transumptis seu exemplis etiam impressis manu alicuius Notarii publici subscriptis et sigillo personae in ecclesiastica dignitate constitutae munitis, eadem prorsus fides adhibeatur, quae adhiberetur ipsis praesentibus si forent exhibitae vel ostensae.

Datum Romae apud S. Petrum sub anulo Piscatoris die xx Maii MDCCCLXXXVII, Pontificatus Nostri anno decimo.

whom should be given the privilege of exercising in his own rite pontifical ceremonies, and of conferring the sacrament of confirmation, with chrism nevertheless consecrated by a bishop; and they shall choose four ecclesiastics of the same nation and rite and shall avail themselves of their advice in all ecclesiastical affairs. Moreover, we order that the territorial division of the said vicariates apostolic be made according to the natural boundaries of the river Alway which from the town of Malayattoor divides the region of Malabar till it flows into the sea near the town of Cochin, so that the first vicariate is of the north with the ordinary residence of the vicar apostolic in the city of Trichur, from which city it will take its name; the second will be in the south with the ordinary residence in the city of Kottayam from which it will derive its name. We decree that this present letter is and will always be firm, valid and efficacious and that it will obtain and maintain full and complete effect and will provide the fullest support in all things and in every respect for those whom it concerns or will concern at any time in the future, and that it would be null and void if anyone should presume to do otherwise over these decisions by any authority, knowingly or unknowingly. Notwithstanding apostolic constitutions and ordinances, including those of our predecessor Benedict XIV of happy memory concerning the division of the matters and other things, even if deserving special and particular mention and derogation and whosoever doing the contrary. Yet we wish that the same credit, which would be accorded to this letter itself, if it were displayed or exhibited, shall be bestowed on the transcriptions of the present letter, even printed ones, signed by a public notary and sealed by a person constituted in an ecclesiastical dignity.

Given in Rome, at St. Peter's under the ring of the Fisherman on 20 May 1887, the tenth year of our Pontificate.

2. LITTERAE APOSTOLICAE QUIBUS VICARIATUS APOSTOLICI TRICHURENSIS, ERNACULAMENSIS ET CHANGANACHERENSIS ERIGUNTUR

LEO PP. XIII

Ad perpetuam rei memoriam

Quae rei sacrae procurationi melius gerendae facere possint, et quae catholico nomini aeternaeque fidelium saluti bene, prospere ac feliciter eveniant, ea Nos pro supremi Apostolatus officio Nobis commisso libenter exequimur, atque in id potissimum curas omnes Nostras cogitationesque intendimus, nimirum ut in regionibus longo terrarum marisque tractu disiunctis, aucto Pastorum numero, satius christiani gregis incolumitati ac bono consultum sit. Et sane hoc consilio adducti ut spirituali fidelium Syro-Malabarensium regimini prospiceremus, Apostolicis litteris die XX Maii mensis anno MDCCCLXXXVII datis mandavimus, ut, peracta rituali separatione eorumdem Malabarensium a Latinis, duo pro illis constituerentur Vicariatus Apostolici, Episcopis latinis committendi, simulque praecipimus, ut horum Vicariatuum territorialis divisio fieret per naturales limites fluminis Alway, quod ab urbe Maleatur Malabaricam regionem intersecat usque ad mare prope urbem Cochin, ita ut primus Vicariatus esset septentrionalis cum ordinaria residentia Apostolici Vicarii in urbe Trichur, alter vero meridionalis cum ordinaria residentia proprii Vicarii Apostolici in urbe Kottayam. Nunc vero quum, attento praesertim fidelium numero, atque inspectis peculiaribus locorum ac personarum adiunctis, peropportunum Nobis visum sit, ut tres pro Syro-Malabarensibus Vicariatus Apostolici constituentur, quo satius spirituali emolumento fidelium regionum illarum consulamus, omnibus rei momentis attento ac sedulo studio perpensis cum VV. FF. NN. S. R. E. Cardinalibus Congregationi Fidei propagandae pro negotiis Ritus Orientalis praepositis, haec quae infra scripta sunt, de

2. APOSTOLIC LETTER ERECTING THE VICARIATES APOSTOLIC OF TRICHUR, ERNAKULAM AND CHANGANACHERRY

POPE LEO XIII

For perpetual memory

In virtue of the office of the supreme apostolate entrusted to us, we willingly accomplish those things which can enhance the procuration of the sacred (thing) in a better manner and which may fruitfully, prosperously and benevolently affect the Catholic name and the eternal salvation of the faithful, and especially we direct all our attention and thoughts to that which, in regions separated (from us) by vast areas of lands and seas, after an increase in the number of pastors, may surely contribute to the safety and good of the Christian flock in a more adequate manner. Indeed having been prompted by this consideration, in order to provide for the spiritual government of the Syro-Malabar faithful, in the apostolic letter given on 20 May 1887, we ordered that after a ritual separation of the Syro-Malabar Catholics had been made from the Latin Christians, two vicariates apostolic should be constituted for them to be committed to Latin bishops and at the same time we enjoined that the territorial division of the said vicariates apostolic should be made according to the natural boundaries of the river Alway which from the town of Malayattoor divides the region of Malabar till it flows into the sea near the town of Cochin, so that the first vicariate should be in the north with the ordinary residence of the vicar apostolic in the city of Trichur; the other should be in the south with the ordinary residence of its vicar apostolic in the city of Kottayam. Now indeed, especially given the number of the faithful and having considered the particular circumstances of the places and the peoples, since it seemed to us very opportune to constitute three vicariates apostolic for the Syro-Malabar people, in order to provide more adequately for the spiritual benefit of the faithful of those regions, after we had examined by careful and sedulous study all things of importance together with our venerable brothers the Cardinals of the Holy Roman Church, appointed for the affairs of the Oriental rite at the Congregation for the

consilio eorumdem Fratrum Nostrorum decernentes, novum benevolentiae Nostrae argumentum erga Syro-Malabarensis Ecclesiam exhibendum existimavimus. Quae quum ita sint, motu proprio atque ex certa scientia et matura deliberatione Nostris, deque Apostolicae potestatis plenitudine, praesentium vi, nova inita totius regionis circumscriptione, tres pro Syro-Malabarensibus constituimus Vicariatus Apostolicos a Sancta Sede immediate dependentes, videlicet Vicariatum Trichurensem, Ernaculamensem et Changanacherensem, quorum tamen territorium eatenus patere volumus, quatenus patebat duplex prior Vicariatus, Trichurensis nempe et Kottayamensis. Singulorum autem Vicariatum limites hoc modo definiendos praecipimus. Primo, Vicariatus Apostolicus Trichurensis cum ordinaria Vicarii residentia in urbe vulgo Trichur nuncupata, a finibus dioecesis Mangalorensis et Coimbatorensis porrigatur usque ad flumen Shalacoodee, quod prope Cranganore in Oceanum influit. Secundo, Vicariatus Apostolicus Ernaculamensis cum ordinaria Vicarii residentia in urbe Ernaculam, reliquas ecclesias complectatur veteris Vicariatus Trichurensis ad sinistram fluminis Shalacoodee oram, nec non triplicem Decanatum Edappally, Arakuye, et Pallipuram una cum tribus ecclesiis Suddistarum Chumkam, Caringott, et Bramangalam. Tertio, Vicariatus Apostolicus Changanacherensis cum ordinaria Vicarii residentia in urbe Changanachery, complectatur quinque Decanatus, Anakalumkel, Palah, Muttichira vel Coravalangat, Changanachery, et Callurkatt cum omnibus ecclesiis et sacellis Suddistarum intra ambitum huius territorii collocatis. Decernentes has Nostras litteras firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, illisque ad quos spectat et spectare poterit in omnibus et per omnia plenissime suffragari, sicque in praemissis per quoscumque iudices ordinarios et delegatos iudicari et definiri debere, atque irritum et inane si secus super his a quoquam quavis auctoritate, scienter vel ignoranter, contigerit attentari. Non obstantibus Nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, aliisque constitutionibus et Ordinationibus Apostolicis, ceterisque contrariis quibuscumque.

Datum Romae apud S. Petrum sub anulo Piscatoris die XXVIII Iulii MDCCCXCVI, Pontificatus Nostri anno decimo nono.

Propagation of the Faith, in decreeing what follows in accordance with the favourable opinion of our same brothers, we judged that a new proof of our benevolence towards the Syro-Malabar Church should be manifested. Hence, by our own initiative, with a sure knowledge and after mature deliberation, from the fullness of our apostolic power, by force of the present letter, after effecting a new division of the entire region, we constitute three vicariates apostolic immediately dependent on the Holy See for the Syro-Malabarians, namely the vicariates of Trichur, Ernakulam and Changanacherry, whose territory we wish to extend so far as that of the two former vicariates, namely Trichur and Kottayam. We order that the boundaries of each of these vicariates be defined in the following manner. First of all, the vicariate apostolic of Trichur with the ordinary residence of the vicar in the town commonly known as Trichur, shall extend from the boundaries of the diocese of Mangalore and Coimbatore as far as the river Chalakudy, which flows into the Ocean near Cranganore. Secondly, the vicariate apostolic of Ernakulam with the ordinary residence of its vicar in the city of Ernakulam, embraces the remaining churches of the former vicariate of Trichur to the left bank of the river Chalakudy, as well as the three deaneries of Edappally, Arakuzha, and Pallipuram along with the three churches of the Southists, namely Chumkam, Caringott and Bramangalam. Thirdly, the vicariate apostolic of Changanacherry with the ordinary residence of the vicar in the city of Changanacherry comprises the five deaneries of Anakallumkel (Bharananganam), Palai, Muttichira or Kuravilangad, Changanacherry and Kalloorkatt with all the churches and chapels of the Southists, situated within the limits of this territory. We decree that this letter of ours is and will be firm, valid and efficacious and that it will obtain and maintain full and complete effect and will provide the fullest support in all things and in every respect to those whom it concerns or will concern at anytime, and thus it must be judged in the matters set above by whomsoever judges, ordinary or delegated, and it would be null and void if anyone should presume to do otherwise concerning these matters, by any authority, knowingly or unknowingly. Notwithstanding our regulation and that of the apostolic chancellery on the acquired right that cannot be abrogated and other constitutions and apostolic ordinances, and whatsoever else to the contrary.

Given in Rome, at St. Peter's under the ring of the Fisherman, on 28 July 1896, the nineteenth year of our Pontificate.

3. LITTERAE APOSTOLICAE QUIBUS VICARIATUS APOSTOLICUS SUDDISTICUS KOTTAYAMENSIS ERIGITUR

PIUS PP. X

Ad perpetuam rei memoriam

In universi christiani gregis regendi munere, Nobis divinitus commissio, Nostrum praesertim esse ducimus eos Ecclesiis fines terminare qui cum Praesidium optatis, tum fidelium bono apprime spondeant. Hac mente adducti, quo gentis Syro-Malabaricae fidei ac pietati melius consultum sit, novum Vicariatum apostolicum illorum regione constituere decrevimus. In hac enim natione rec: mem: Leo Papa XIII Decessor Noster suis hisce similibus litteris, die duodetricesimo julii anno MDCCCXCVI datis, tres apostolicos Vicariatus, id est Trichurenses, Ernakulamensem et Changanacherensem condidit, eisque tres antistites, ex ipso Syro-Malabarico populo delectos, praeficiendos censuit et curavit. Nunc vero cum tres Vicarii apostolici eorundem, quos supra memoravimus, Vicariatuum, initis inter se consiliis, per epistolam diei primi martii hujus vertentis anni, a Nobis inixe petierunt, ut ad spirituali illarum regionum commoditati satius prospiciendum, et ad dissidentium animos conciliandos, novus apostolicus Vicariatus in urbe vulgo "Kottayam" nuncupata erigeretur; Nos omnibus rei momentis cum VV.FF.NN.S.R.E. Cardinalibus S. Congregationis Christiano nomini propagando pro negotiis ritus orientalis, mature ac sedulo perspectis, hujusmodi preces benigne accipere, ac novum praefatae nationi benevolentiae Nostrae pignus exhibere statuimus. Quare motu proprio, ex certa scientia ac de potestatis Nostrae plenitudine a duplici Vicariatu apostolico Ernakulamensi ac Changanacherensi omnes paroecias et Ecclesias Suddisticas dismembramus, easque in novum Vicariatum apostolicum in urbe vulgo "Kottayam" pro gente Suddistica constituimus, qui idcirco complectatur omnes Ecclesias et sacella pertinentia ad Decanatum Kottayamensem et Kaduthuruthensem in Vicariatu apostolico Changanacherensi una cum

3. APOSTOLIC LETTER ERECTING THE SOUTHIST VICARIATE OF KOTTAYAM

POPE PIUS X

For perpetual memory

In the office of governing the universal Christian flock divinely committed to us, it is especially our task to set those boundaries to the Churches, which the desires of those who govern and above all the good of the Christian faithful warrant. Having been prompted by this intention, in order to better provide for the faith and piety of the Syro-Malabar people, we have resolved to constitute a new vicariate apostolic in their region. Indeed, in the same nation, our predecessor Pope Leo XIII of happy memory by a similar letter given on 28 July 1896 founded the three vicariates apostolic of Trichur, Ernakulam and Changanacherry, deciding and taking care to appoint three bishops chosen from the Syro-Malabar community itself. But now the three vicars apostolic of the same vicariates, which we have mentioned above, after they had made consultation among themselves, by the letter of 1 March of this year eagerly requested us to erect a new vicariate apostolic in the city called Kottayam in the local language for providing in a more adequate manner for the spiritual benefit of those regions and for pacifying the minds of the dissidents; we, after having examined sedulously and opportunely all matters of importance together with our venerable brothers the cardinals of the Holy Roman Church for the affairs of the oriental rite at the Congregation for the Propagation of the Christian name, decided to accept benignly their requests and to exhibit a new proof of our benevolence to the said nation. Wherefore, by our own initiative, with sure knowledge and with the plenitude of our power we dismember from the vicariates apostolic of Ernakulam and Changanacherry all the Southist parishes and churches, and we constitute them into a new vicariate apostolic in the city called Kottayam for the Southist community, which therefore encompasses all the churches and chapels belonging to the deaneries of Kottayam and Kaduthuruthy in the vicariate apostolic of

Ecclesiis Suddisticis apostolici Vicariatus Ernakulamensis. Haec volumus ac praecipimus, decernentes presentes Litteras firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiti et obtinere, illisque ad quos spectat et in posterum spectabit, plenissime suffragari, sicque in praemissis judicandum esse, atque irritum fieri et inane, si secus super his a quoquam, quavis auctoritate, scienter vel ignoranter contigerit attentari. Non obstantibus Nostrae Cancellariae apostolicae regula de jure quaesito non tellendo aliisque constitutionibus apostolicis in contrarium facientibus quibuscumque.

Datum Romae apud S. Petrum, sub anulo Piscatoris, die XXIX Augusti MDCCCXI, Pontificatus Nostri anno nono.

Changanacherry together with the Southist churches in the vicariate apostolic of Ernakulam. We wish and prescribe these things, deciding that the present letter is and will be firm, valid and efficacious and that it will obtain and maintain full and complete effect and will provide full support in all things and in every respect for those whom it concerns or will concern in the future, and thus it must be judged concerning the matters set above and it would be null and void, if anyone should presume to do otherwise concerning these matters, by whatever authority, knowingly or unknowingly. Notwithstanding the regulation of our apostolic chancellery on the acquired right that cannot be abrogated and other apostolic constitutions, and whatsoever else to the contrary.

Given in Rome, at St Peter's under the ring of the Fisherman, on 29 August 1911, the ninth year of our Pontificate.

Chapter Six

THE ERECTION OF THE HIERARCHY AND THE PROGRESS OF THE SYRO-MALABAR CHURCH

Following the appointment of native bishops the Syro-Malabar Church made marvellous progress in the number of Christian faithful, spiritual life, priestly and religious vocations, as well as in social, charitable and educational activities. After considering the progress of the Syro-Malabar Church and upon the recommendation of the 'Sacred Congregation for the Oriental Church', by the apostolic constitution *Romani pontifices* of 21 December 1923 Pope Pius XI established the Syro-Malabar hierarchy with Ernakulam as the metropolitan see and Trichur, Changanacherry and Kottayam as suffragan dioceses. However, the hierarchy of the Syro-Malabar Church was not constituted in the manner of an Eastern hierarchy with a common head (patriarch, *katholikós* or major archbishop) and a synod of bishops, consonant with the "sacred canons" and authentic Eastern traditions, but as a metropolitan province in accordance with the Latin *Code of Canon Law* of 1917. Like the other metropolitan provinces of the Latin Church, the Syro-Malabar Church in 1923 remained a province directly dependent on the Holy See.

The erection of the indigenous hierarchy accelerated further the growth of the Syro-Malabar Church, and consequently Pope Pius XII erected two more dioceses. He bifurcated the diocese of Changanacherry and created the diocese of Palai on 25 July 1950 by the apostolic constitution *Quo Ecclesiarum*. On 31 December 1953 the Pope erected the diocese of Tellicherry for the Syro-Malabar Christian faithful who had emigrated to the northern parts of Kerala.

Until the sixteenth century the metropolitan of all India had jurisdiction over the St Thomas Christians in *tota India*. When, in 1610, archbishop Menezes, deputed by Pope Paul V (1605-1621) determined the territory of the archdiocese of Cranganore (Angamaly)

with respect to the dioceses of Goa, Cochin and Mylapore the territory was practically limited to a small part of the Malabar coast. Even then the archbishop of Cranganore had jurisdiction in some parts of the present civil states of Tamil Nadu and Karnataka. When two vicariates were constituted for the Syro-Malabar Church in 1887 the territory was determined as the two sides of the river Alwaye in Kerala, without any indication of the external boundaries, which were precisely determined only with the creation of the three vicariates in 1896. Since the territory was delimited to a small part of the State of Kerala, from that time onwards a large number of the Christian faithful of this Church were found outside the proper territory, owing to immigration in search of better job and land prospects. In order to cater for the spiritual needs of the Christian faithful outside the delimited territory and to foster the missionary activities of the Syro-Malabar Church in the proper rite, with four decrees dated 25 April 1955 and made public on 25 July 1955 with the approval of Pope Pius XII the "Congregation for the Oriental Church" extended the proper territory of the Syro-Malabar Church to some parts of Tamilnadu and Karnataka modifying the boundaries of the dioceses of Changanacherry, Tellicherry and Trichur. On the same date the personal jurisdiction of the bishop of Kottayam over the Southist people was extended to the entire territory of the Syro-Malabar Church. It is worth noting that the territorial extension was made possible by the constant efforts of the then secretary of the "Congregation for the Oriental Church", Cardinal E. Tisserant, a great benefactor and promoter of the Eastern Churches in India.

On 29 July 1956 Pope Pius XII divided the archdiocese of Ernakulam and erected the diocese of Kothamangalam. Pope Pius XII accomplished another important step towards the progress and advancement of the Syro-Malabar Church when he decided to constitute the new ecclesiastical province of Changanacherry on 29 July 1956 with Changanacherry as the metropolitan see and Palai and Kottayam as suffragans. However, the apostolic constitution *Regnum caelorum* erecting the new province was published only by his successor Pope John XXIII (1958-1963) on 10 January 1959. Just like the ecclesiastical province of Ernakulam, the new ecclesiastical province of Changanacherry was constituted according to the

provisions of CIC 1917, without providing the Syro-Malabar Church with an Eastern hierarchical structure. Hence, the two provinces of the Syro-Malabar Church, directly subjected to the Holy See, functioned like the other metropolitan provinces of the Latin Church, without a common head and a synod of bishops for collegial governance in accordance with the authentic Eastern tradition.

The hybrid and anomalous juridical situation of the Syro-Malabar Church, namely an Eastern Church with a Latin hierarchical structure, was not remedied even before the promulgation of the *Code of Canons of the Eastern Churches* on 18 October 1990, which began to have the force of law from 1 October 1991. Consequently, at the time of the promulgation of the Eastern Code in 1990 the Syro-Malabar Church existed as two independent metropolitan provinces, which directly depended upon the Holy See like the provinces of the Latin Church. The Syro-Malabar Church had twenty-one eparchies. Twelve eparchies were within the delimited territorial boundaries of this Church: seven were suffragans of the ecclesiastical province of Ernakulam and three those of Changanacherry. Eight mission eparchies and the eparchy of Kalyan (erected for the pastoral care of the migrants) were considered suffragans of the Latin archdioceses of the place. This Church had no common “father and head”, who had jurisdiction over the whole Church. The Syro-Malabar bishops’ conference was a mere consultative body, which had no legislative, judicial, electoral or administrative powers. Finally on 16 December 1992 by the apostolic constitution *Quae maiori* Pope John Paul II constituted “the Syro-Malabar Church as a Major Archiepiscopal Church under the title of Ernakulam-Angamaly, along with all the rights and duties incumbent on the same in terms of the Sacred Canons of the Eastern Churches”. On 18 May 1995 Pope John Paul II established the metropolitan provinces of Trichur and Tellicherry, raising the said eparchies to metropolitan status. In the course of time five more eparchies were erected for the Syro-Malabar Church: Thuckalay (11.11.1996), Belthangady (26.5.1999), Adilabad (16.7.1999), Chicago in USA (13.3.2001) and Idukki (19.12.2002). Thus now the Syro-Malabar Church has fifteen eparchies within the

“delimited territory” organized into four ecclesiastical provinces and eleven eparchies outside the *territorium proprium* which are considered suffragans of the Latin archdioceses of the place.

In this section we present the following documents:

1. Pope Pius XI, apostolic letter *Romani pontifices*, 21 December 1923, erecting the Syro-Malabar hierarchy;
2. Pope Pius XII, four decrees of the Congregation for the Eastern Church issued on the authority of the Pope, extending the proper territory of the Syro-Malabar Church;
3. Pope Pius XII, apostolic constitution *Regnum caelorum*, 29 July 1956, establishing the new ecclesiastical province of Changanacherry;
4. Pope John Paul II, apostolic constitution *Quae maiori*, 16 December 1992, constituting the Syro-Malabar Church as a major archiepiscopal Church;
5. Pope John Paul II, apostolic constitutions *Ad augendum spirituale* and *Spirituali bono*, 18 May 1995, establishing the metropolitan provinces of Trichur and Tellicherry.

1. CONSTITUTIO APOSTOLICA DE ECCLESIASTICA HIERACHIA RITUS SYRO-MALBARICI CONSTITUENDA

PIUS EPISCOPUS
Servus servorum Dei
Ad perpetuam rei memoriam

Romani Pontifices, qui si rigide sane ac severe fidei et morum integritatem omni tempore defenderunt, libenter contra permiserunt, ut singulae Ecclesiae suos ritus suamque servarent liturgiam, Orientales Ecclesias praecipuo amore semper dilexerunt.

Huiusmodi Praedecessorum Nostrorum dilectionem, non minus quam aliae, etiam Ecclesia Syro-Malabarica experta est, quippe quae plurima ab Apostolica Sede acceperit beneficia.

Iure equidem. Nam Ecclesia illa nobilem inter Orientales obtinet locum, quum originem ducat ex antiquissimis christianis communitatibus, quae a Thoma Apostolo lucem Evangelii receperunt. Apostolus enim ille, ut vetera literarum monumenta testantur, Christo in caelos recepto, in regionibus Indiae finitimis Evangelium praedicavit, ac demum in paeninsulam ultra Indum migravit, ibique - ut fel. rec. Leo Papa decimus tertius, sapientissimus Praedecessor Noster, in suis Apostolicis sub plumbo litteris *Humanae salutis auctor*, ka 1endis septembris anni Domini millesimi octingentesimi octogesimi sexti Romae datis, refert - "difficillima peregrinatione suscepta, gravissimis exantlatis laboribus, primus eas gentes christianae veritatis luce collustravit, redditoque summo animarum Pastori sanguinis sui testimonio, ad sempiterna in caelis praemia evocatus est".

Apostoli vero memoria, etiam post eius gloriosam mortem, in India permansit. Qua de re idem Praedecessor Noster in praefatis litteris haec scribit: "Exinde Apostolum praeclare de ea regione meritum colere India non omnino intermisit; in vetustissimis libris liturgicarum precum allisque illarum Ecclesiarum monumentis Thomae nomen et laudes celebrari consueverunt, atque, insequentibus saeculis, post ipsam errorum luctuosam propagationem, nequaquam

1. APOSTOLIC CONSTITUTION ERECTING THE ECCLESIASTICAL HIERARCHY OF THE SYRO-MALABAR RITE

PIUS BISHOP
Servant of the servants of God
For perpetual memory

The Roman Pontiffs, who at all times so inflexibly, sensibly and strictly defended the integrity of the faith and morals, but on the other hand willingly permitted each individual Church to preserve its own rites and liturgy, always loved the Oriental Churches with a particular affection.

The Syro-Malabar Church too, no less than other Churches, experienced this affection of our predecessors in as much it received many benefits from the Holy See.

Indeed quite rightly so, for that Church holds a noble position among the Oriental Churches because it traces its origin back to the most ancient Christian communities which received the light of the Gospel from the Apostle Thomas. For that Apostle, as ancient literary records testify, after Christ ascended into Heaven, preached the Gospel in the regions bordering on India and finally settled his abode in the Indian peninsula, where, as Pope Leo XIII of happy memory, our most wise predecessor records in the apostolic letter *Humanae salutis auctor*, given in Rome on 1 September 1886, "after undertaking a very arduous journey, attended with most serious hardships, he was the first to enlighten those peoples with the light of Christian truth, and after having rendered the testimony of his blood to the supreme Pastor of souls, he was called away to his everlasting reward in heaven".

Yet the memory of the Apostle, even after his glorious death, still remained in India. With regard to this our same predecessor in the afore-mentioned apostolic letter writes thus: "from that time onwards India never altogether ceased to honour this deserving Apostle: the name and praises of Thomas were wont to be celebrated

est eius deleta memoria; itemque fides, quam ille disseminaverat, tametsi intermortua iacuit, non tamen extincta funditus esse visa est”.

Thomae praedicationis et martyrii fama regioni Syro-Malabaricae praecipue inhaesit. Christifideles enim illam regionem incolentes “Christiani divi Thomae” semper appellati sunt, qua denominatione ipsi tantum in India - quod notatu dignum est - insigniti fuerunt, atque penes illos multa exstant pervetusta templa eidem Apostolo dicata, et plurimi inveniuntur qui *Thomae* nomen filiis suis in baptisate imponunt.

Malabarenses itaque, quamquam, et propter temporum adiuncta et propter ingens locorum intervallum, quod difficillima cum orbe occidentali commercia reddebat per tot saecula, ab Apostolica Sede seiuncti, numquam tamen christianam fidem omnino amiserunt.

Ex quo evenit ut primi Missionarii, qui saeculo decimo sexto in Indiam appulerunt, in incolis regionis Malabaricae, qui fidem christianam, licet laequescentem, servabant, “bonam terram” invenerint, ad recipiendum verbum Dei, quod ipsi serebant, valde aptam.

Deo autem propitio, et primi illi Missionarii, et alii qui, eorum vestigia insequentes, in eandem regionem postea migravere, exoptatum fructum ex suis laboribus consecuti sunt.

In dies enim crevit numerus christianorum Syro-Malabarensium, qui doctrinam catholicam et cum Sede Romana communionem amplexati sunt.

Temporum autem progressu talia suae fidei et erga Petri Cathedram devotionis christiani illi exhibuerunt testimonia, ut fel. rec. Leo Papa decimus tertius, Praedecessor Noster, anno millesimo octingentesimo octogesimo septimo, catholicorum ritus Syro-Malabarici peculiari curae prospiciens, ac “ut eorum fidem, obedientiam et devotionem erga Apostolicam Sedem aliquo modo remuneraret, utque penes ipsos vera Christi Ecclesia maiora in dies incrementa susciperet”, per Breve *Quod iam pridem*, die vicesima mensis maii datum, rituali separatione catholicorum Syro-Malabarensium a Latinis peracta, ipsos ab Ecclesia Verapolitana, cui addicti erant, seiunxit, et duos pro illis vicariatus apostolicos constituit,

in the most ancient books of liturgical prayers as well as in other monuments of those Churches and in the course of centuries, even after the lamentable diffusion of errors, his memory was by no means obliterated. In the same way, the faith which he had disseminated, although it lay moribund, did not seem to be completely extinct”.

The fame of the preaching and martyrdom of Thomas has particularly been related to the Syro-Malabar region. The Christian faithful who inhabit that region have always been called “the Christians of Saint Thomas”, by which appellation, it is worth noting that, only in India they (the faithful) have been distinguished, and there exist among them many ancient temples (churches) dedicated to the same Apostle, and very many Christian faithful are found who bestow the name Thomas upon their children at baptism.

And thus, although the Syro-Malabarians were separated from the Apostolic See both on account of the circumstances of time and the great distance of places, which rendered communications with the Western world extremely difficult for so many centuries, it never entirely lost the Christian faith.

So it came about that the first missionaries who arrived in India in the sixteenth century found among the inhabitants of the Malabar region, who were preserving the Christian faith, albeit languishing, “the good earth”, highly suitable to receive the Word of God which they sowed.

With God’s help, both those first missionaries and others who followed in their footsteps afterwards moved into the same region and reaped the greatly desired fruits of their endeavours.

Day by day the number of Syro-Malabar Christians who embraced Catholic doctrine and communion with the Roman See increased.

In the course of time those Christians manifested so great testimonies of their faith and devotion to the Chair of Peter that in 1887 our predecessor Leo XIII of happy memory, taking particular care of the Catholics of the Syro-Malabar rite, in order to reward in some way their faith, obedience and devotion to the Apostolic See and in order that the true Church of Christ might increase among them day by day, by means of the brief *Quod iam pridem* given on 20 May, after a ritual separation of the Syro-Malabar Catholics had been

committendos Episcopis Latini ritus, qui vero sibi Vicarium generalem Syro-Malabarenssem assumerent, ac alios quatuor ecclesiasticos viros eiusdem gentis et ritus, quorum consilio in omnibus ecclesiasticis negotiis uterentur.

Tunc itaque, per territorialem divisionem a flumine *Aluvay* ductam, duo vicariatus apostolici constituti sunt pro Syro-Malabarensibus, septentrionalis unus, cum ordinaria residentia in urbe *Trichur*, a qua vicariatus ipse *Trichuriensis* appellatus est, meridionalis alter, cum ordinaria residentia in urbe *Kottayam*, a qua vicariatus propriam denominationem, *Kottayamensem* nempe, tulit.

Anno vero millesimo octingentesimo nonagesimo sexto idem Praedecessor Noster Leo Papa decimus tertius, attentis locorum temporumque adiunctis, "ad novum benevolentiae argumentum erga Syro-Malabarenssem Ecclesiam exhibendum, et ad spirituali emolumento fidelium illarum regionum consulendum", per Breve *Quae rei sacrae*, die decima octava mensis iulii datum, nova inita totius regionis circumscriptione, tres pro Syro-Malabarensibus vicariatus apostolicos, Sanctae Sedi immediate subiectos, constituit, videlicet *Trichuriensem*, *Ernaculamensem* et *Changanacherensem*, quorum territorium eatenus patere voluit, quatenus patebat duplex prior vicariatus, *Trichurensis* nempe et *Kottayamensis*. Singulorum autem novorum vicariatuum limites per idem Breve accurate definivit. Quod autem notatu diguum est, quia ecclesiasticae hierarchiae Praesulibus eiusdem gentis et ritus concredita signat initium, idem Summus Pontifex tribus, quos supra diximus, novis apostolicis vicariatibus tres Antistites, ex ipso Syro-Malabarico populo rituque delectos, praeficiendos censuit et curavit.

Anno autem millesimo nongentesimo decimo primo, fel. rec. Pius Papa decimus, Praedecessor Noster, preces a tribus Vicariis Apostolicis Syro-Malabarensibus Apostolicae Sedi oblatas benigne excipiens, re mature perpensa, per Breve *In universi christiani*, die vigesima nona mensis augusti eiusdem anni datum, a duplici vicariatu apostolico *Ernaculamensi* et *Changanacherensi* omnes paroecias et ecclesias, *Suddisticae*, quam vocant, genti pertinentes, dismembravit, easque in novum apostolicum vicariatuum, cum residentia in urbe *Kottayam*, ac propterea *Kottayamensem* nuncupandum, constituit. Exinde Ecclesiae Malabaricae, qui adhuc permanet, status, initium

made from the Latin Christians, disunited them from the Church of Verapoly to which they had been annexed and constituted two vicariates apostolic for them which were to be committed to Latin bishops, who were each to appoint a Syro-Malabar vicar general and four other ecclesiastics of the same nation and rite, and should have made use of their advice in all ecclesiastical affairs.

On that occasion two vicariates apostolic were established for the Syro Malabar faithful, conforming to the territorial division effected by the course of the river Alway: one in the north with the ordinary residence in the city of Trichur, from which the vicariate itself was called Trichur, the other in the south with the ordinary residence in the city of Kottayam from which the vicariate derived its own name, that is Kottayam.

In the year 1896 our same predecessor Pope Leo XIII, after he had considered the circumstances of times and places, "in order to manifest a new proof of our benevolence towards the Syro-Malabar Church and to provide for the spiritual benefit of the faithful of those regions" by the brief *Quae rei sacrae*, given on 18 July, after he had effected a new division of the entire region, constituted three vicariates apostolic for the Syro-Malabarians immediately dependent on the Holy See, namely the vicariates of Trichur, Ernakulam and Changanacherry, whose territories he wished to have the same extension, that is, as far as those of the two former vicariates, namely Trichur and Kottayam. In this same brief he accurately defined the boundaries of each of the new vicariates. What is worth noting is that it marks the beginning of an ecclesiastical hierarchy entrusted to the bishops of the same people and rite, as the same supreme Pontiff himself decided and took care to set over the three new vicariates apostolic, which we have mentioned above, three bishops chosen from the Syro-Malabar people and rite itself.

In the year 1911 our predecessor Pope Pius X of happy memory, benignly accepting the supplications made to the Apostolic See by the three Syro-Malabar vicars apostolic and after due consideration of the matter, by means of the brief *In universi christiani* given on 29 August of the same year, dismembered all the parishes and the churches from the two vicariates apostolic of Ernakulam and Changanacherry, belonging to the Southist people, as they are called,

habuit, divisio nempe illius christianitatis in quatuor vicariatus apostolicos, *Trichurenses* videlicet, *Ernaculamenses*, *Changanacherenses* et *Kottayamenses*.

A die autem, qua fideles ritus Syro-Malabarici proprii ritus et nationis obtinuerunt Antistites, omnimode salutes fecerunt progressus. Non solum, enim, penes ipsos crevit numerus religiosarum vocationum, valdeque est auctus numerus conversionum, sed et magnum habere incrementum religiosa instituta, utpote catechumenatus, scholae, religiosae domus, ecclesiae et oratoria, unde luculenter patet quam sedulo ac prudenter gregem sibi commissum Praesules nationis Syro-Malabarensis regant. Concors itaque fuit hoc tempore Apostolicorum in India Orientali Delegatorum sententia, christianas communitates Syro-Malabaricas longe inter meliores Indiae universae censendas esse.

Aequum igitur ac rectum existimandum est quod fideles, sacerdotes et maxime Antistites ritus Syro-Malabarici saepe ab Apostolica Sede flagitarunt, ut, nempe, Ecclesiae illi concederetur perfecta et stabilis constitutio ecclesiastica, cuius tanta vis est ad tutandam vitae christianae disciplinam salutemque populis pariendam.

Quapropter Nos, prae oculis habentes egregiam apud Syro-Malabarenses rei catholicae temperationem, eorumque vere consentaneos christianae professioni mores, singularem erga Beatissimam Virginem Mariam pietatem, atque in clericum, in Episcopos, praecipueque in hanc Apostolicam Sedem summam observantiam; praehabita sententia dilectorum filiorum Nostrorum S. R. E. Cardinalium Sacrae Congregationi pro Ecclesia Orientali praepositorum, qui unanimiter censuerunt ad ecclesiasticae hierarchiae ritus Syro-Malabarici constitutionem tandem deveniendum esse, oblatis precibus annuendum statuimus.

Suppleto igitur, quatenus opus sit, quorum intersit vel sua interesse praesumant, consensu, Apostolicae potestatis plenitudine, quatuor vicariatus apostolicos Syro-Malabarenses, in totidem sedes residentiales constituimus, quarum unam, *Ernaculamensem* videlicet, ad Ecclesiae Metropolitanae gradum et dignitatem evehimus et extollimus, ipsi propterea concedentes, eiusque pro tempore Archiepiscopis, omnia et singula iura, privilegia, honores et

and constituted them into a new vicariate apostolic with its residence in the city of Kottayam, which was therefore to be called Kottayam. From that time began the status of the Malabar Church, which remains until today, namely the division of that Christianity into four vicariates apostolic, namely Trichur, Ernakulam, Changanacherry and Kottayam.

From the day on which the Christian faithful of the Syro-Malabar rite obtained bishops of their own rite and nation, they have made every sort of beneficial progress. For, not only has the number of religious vocations increased among them and a large number of conversions taken place, but also religious institutions, catechumenates, schools, religious houses, churches and oratories have incremented, so much so that it is abundantly clear how wisely and diligently the bishops of the Syro-Malabar nation govern the flock entrusted to them. Therefore, at present the sentence of the apostolic delegates in the East Indies has been concordant that the Syro-Malabar Christian communities are to be considered by far among the better ones in the whole of India.

It is therefore just and fair to consider what the faithful, priests and especially the bishops of the Syro-Malabar rite have often and earnestly entreated from the Holy See, namely that a perfect and stable ecclesiastical constitution should be granted to that Church, which has very great strength to protect the discipline of Christian life and to effect the salvation of the people.

Wherefore having before our eyes the outstanding symmetry of Catholic affairs among the Syro-Malabar Christian faithful, and their morals truly agreeing with the profession of Christian faith, their singular devotion to the Blessed Virgin Mary and their very deep reverence towards the clergy, bishops and above all towards this Apostolic See, after obtaining the sentence of our beloved sons, the cardinals of the holy Roman Church, appointed to the Sacred Congregation for the Oriental Church, who unanimously expressed the view that the constitution of an ecclesiastical hierarchy of the Syro-Malabar rite should at last be achieved, we have decreed that those requests made to us must be approved.

Therefore, having supplied for the consent, as far as necessary, of those whom it concerns or those who presume it to be of concern, by the fullness of our apostolic power, We constitute the

praerogativas, quae ipsis pertinent ex iure communi, et iuxta legitimas praescriptiones et legitimas consuetudines Ecclesiae Syro-Malabaricae, imprimis vero facultatem pro Archiepiscopis Pallio iuxta liturgicas leges utendi, in sacro Consistorio tamen antea postulando.

Tres alias sedes, *Changanacherensem* videlicet, *Trichuriensem* et *Kottayamensem* ad Ecclesiarum Cathedralium gradum et dignitatem pariter evehimus, ipsisque propterea, earumque pro tempore Episcopis, tribuentes iura, privilegia, honores et praerogativas, quae eisdem competunt ex iure communi et iuxta praescriptiones et legitimas consuetudines Ecclesiae Syro-Malabaricae. Quas cathedrales Ecclesias, earumque pro tempore Episcopos, suffraganeas constituimus metropolitanae Ecclesiae Ernakulamensi.

Limites tum archidioecesis Ernakulamensis, tum dioecesium Changanacherensis, Trichuriensis et Kottayamensis, iidem erunt ac limites qui hucusque singulis vicariatus apostolicis, in sedes residentiales modo evectis, proprii erant.

Ad clericorum et fidelium iura et onera quod attinet, ac tum archidioecesis, tum dioecesium, sede vacante, regimen, aliaque huiusmodi, servanda iubemus quae sacri canones et legitimae consuetudines Ecclesiae Syro-Malabaricae statuunt ac praescribunt.

Tum Archiepiscopi Ernakulamensis, tum Episcoporum Changanacherensis, Trichuriensis et Kottayamensis cura erit aptiorem ecclesiam in urbibus *Ernakulam*, *Changanacherry*, *Trichur* et *Kottayam* eligere, in qua sedes et cathedra, sive archiepiscopalis, sive episcopalis, sit constituenda. Quas proinde ecclesias Nos, ex nunc, ad gradum et dignitatem sive Metropolitanae sive Cathedralium extollimus; simulque iubemus eas ecclesias, si parochiales fuerint, eandem etiam in posterum parochialitatem servare.

Praesentes autem Litteras et in eis contenta quaecumque, etiam ex eo quod quilibet, quorum interest, vel sua interesse praesumant, auditi non fuerint, vel praemissis non consenserint, etiam si expressa, specifica et individua mentione digni sint, nullo unquam tempore de subreptionis, vel obreptionis, aut nullitatis vitio, seu intentionis Nostrae, vel quolibet alio, licet subalterni et inexcogitato defectu

four Syro-Malabar vicariates apostolic into so many residential sees, of which one, namely that of Ernakulam, we promote and raise to the rank and dignity of metropolitan Church thus granting to it, and to its bishops, every single right, privilege, honour and prerogative, which belongs to them by common law and according to legitimate prescriptions and lawful customs of the Syro-Malabar Church, but especially the faculty for archbishops to use the pallium according to liturgical laws after having asked for it beforehand in a sacred consistory.

We likewise promote to the rank and dignity of cathedral Churches, the three other sees, namely those of Changanacherry, Trichur and Kottayam, and We grant to them and their bishops, the rights, privileges, honours and prerogatives which belong to them by common law and according to the legitimate prescriptions and lawful customs of the Syro-Malabar Church. And these cathedral Churches and their bishops, we constitute suffragans to the metropolitan Church of Ernakulam.

The boundaries, both of the archdiocese of Ernakulam and of the dioceses of Changanacherry, Trichur and Kottayam, shall be the same as hitherto belonged to each of the vicariates apostolic, now promoted to residential sees.

As regards the rights and obligations of clerics and faithful, as well as the government of both the archdiocese and the dioceses, in case of a vacancy and other similar matters, we order the observance of what the sacred canons and the lawful customs of the Syro-Malabar Church determine and prescribe.

It will then be the responsibility of the archbishop of Ernakulam and the bishops of Changanacherry, Trichur and Kottayam to choose the more suitable church in the cities of Ernakulam, Changanacherry, Trichur and Kottayam, in which should be set up the see and cathedra, whether of the archbishop or of the bishop. And therefore we raise from now on those churches to the rank and dignity whether of metropolitan or of cathedrals; and we order at the same time to keep those churches as parochial in the future as well, if they have hitherto been parochial.

We wish and decide that the present letter and whatever is contained in it, also because any of those whom it concerns or those

notari, impugnari vel in controversiam vocari posse, sed eas, tamquam ex certa scientia ac potestatis plenitudine factas et emanatas, perpetuo validas existere et fore, suosque plenarios et integros effectus sortiri et obtinere, atque ab omnibus ad quos spectat inviolabiliter observari debere, et si secus super his a quocumque, quacumque auctoritate, scienter vel ignoranter contigerit attentari, irritum prorsus et inane esse et fore volumus ac decernimus.

Hisce itaque, ut supra, constitutis, ad eadem omnia exsequenda deputamus Nostrum in India Orientali Apostolicum Delegatum, ei propterea tribuentes necessarias et opportunas facultates, etiam subdelegandi, ad effectum de quo agitur, alium virum, in officio vel ecclesiastica dignitate constitutum, ac definitive sententiam dicendi de quavis difficultate vel oppositione in executionis actu oritura, facto insuper eidem onere ad Sacram Congregationem pro Ecclesia Orientali, infra sex menses a praesentibus Litteris datis, authenticum exemplar mittendi peractae executionis huius Nostri mandati.

Volumus denique ut harum Litterarum transumptis, etiam impressis, manu tamen alicuius Notarii publici subscriptis et sigillo alicuius viri in ecclesiastica dignitate constituti munitis, eadem prorsus tribuatur fides, quae hisce Litteris tribueretur, si originaliter exhibitae vel ostensae forent.

Non obstantibus, quatenus opus sit, regulis in synodalibus, provincialibus, generalibus universalibusque Conciliis editis, specialibus vel generalibus constitutionibus et ordinationibus Apostolicis, et quibusvis aliis Romanorum Pontificum praedecessorum Nostrorum dispositionibus, ceterisque contrariis quibuscumque.

Nemini ergo quae hisce Litteris Nostris erectionis, evectionis, statuti, mandati, derogationis et voluntatis Nostrae decreta sunt, infringere, vel iis contraire liceat.

who presume it to be of concern, have not been heard or have not consented to the aforementioned matters, even if deserving express, specific and particular mention, cannot be censured, impugned or brought into controversy at any time, by defect of subreption or deception, or by defect of nullity or of our intention or by any other defect even if a substantial and not thought out one, but this letter, which has been prepared and emanated with a sure knowledge and from the plenitude of power, is and will be perpetually valid and will obtain and maintain its complete and full effect and it shall be inviolably observed by all those whom it concerns; and it is and will be certainly null and void, if anyone shall presume to do otherwise over these matters, by any authority, knowingly or unknowingly.

After having constituted these matters as is described above, we appoint our apostolic delegate in the East Indies for the execution of all such provisions, granting him, therefore, all the necessary and opportune faculties, even of sub-delegating, as to the effect of the matter concerned, another man constituted in ecclesiastical office or dignity, and of pronouncing definitive sentence on any difficulty or opposition which may arise in the act of execution and of sending to the Sacred Congregation for the Oriental Church, after the task having been accomplished, within six months from the date of this letter, an authentic exemplar of the completed execution of our present mandate.

Finally we wish the same faith which would be given to this letter, if the original were exhibited or shown, must be accorded to the transcriptions of this letter, but signed by any public notary and sealed by anyone constituted in ecclesiastical dignity.

Notwithstanding as far as it is necessary, regulations promulgated in synods as well as in provincial, general and universal councils, special or general constitutions and apostolic ordinances, and whatsoever other dispositions of our predecessors the Roman Pontiffs and whatsoever else to the contrary.

Let it be unlawful for anyone to infringe upon or contradict the provisions which have been decreed in this letter of erection, elevation, statute, mandate, derogation, and of our will.

Si quis autem, ausu temerario, hoc attentare praesumpserit, in indignationem omnipotentis Dei ac beatorum Petri et Pauli Apostolorum Eius sciat se incursum.

Datum Romae apud Sanctum Petrum, anno Domini millesimo nongentesimo vigesimo tertio, die vigesima prima mensis decembris, Pontificatus Nostri anno secundo.

If anyone, however, by any temerarious act, should presume to attempt such a thing, let him know that he will incur the wrath of Almighty God and of his blessed Apostles Peter and Paul.

Given in Rome, at St. Peter's, on 21 December 1923, the second year of our Pontificate.

2. DECRETUM QUO IURISDICTIO EPISCOPI CHANGANACHERENSIS EXTENDITUR

Multorum fidelium ritus chaldaici Malabarensium in latini ritus dioecesis Quilonensi, Trivandrensi et de Kottar degentium necessarium omnino visum est huic Sacrae Congregationi bono spirituali aptius atque efficacius consulere.

De eorumdem autem fidelium praesenti statu Ssmus Dominus Noster Pius Divina Providentia Pp. XII per infrascriptum Cardinalem a Secretis Sacrae Congregationis pro Ecclesia Orientali in Audientia diei 28 mensis Aprilis vertentis anni certior factus et habito voto Excmi Internuntii Apostolici in India, benigne indulisit fideles orientalis ritus in illis tribus dioecesis commorantes iurisdictioni et vigilanti curae pastorali Excmi Episcopi dioeceseos Changanacherensis submittere, huius dioeceseos finibus mutatis.

Qua de re, vi huius Decreti iussu Ssmi Domini Nostri Papae editi, fines dioeceseos Changanacherensis chaldaici Malabarensium ritus ita extenduntur ut complectantur districtus civiles Quilon (nonnullis exceptis pagis in subdivisione "taluk" Shenkotta, Pathanamthitta, Tiruvalla, Ampalapuzha), Chirayinkit, Nedumangad, Trivandrum, Neyyatinkara, Thovala, Agasteeswaram, Kalkulam, Vilavankode.

Ad haec autem executioni mandanda Sanctitas Sua deputare dignata est Excmum P. D. Augustinum Kandathil, Archiepiscopum Ernakulamensem et Metropolitanam, eidem tribuens facultates necessarias et oportunas — haud excepta facultate subdelegandi ad effectum de quo agitur virum in ecclesiastica dignitate constitutum — cum onere certiore faciendi hanc Sacram Congregationem de peracta executione.

Contrariis quibuscumque minime obstantibus.

Datum Romae, ex Aedibus Sacrae Congregationis pro Ecclesia Orientali, die 29 m. Aprilis a. 1955.

E. Card. Tisserant, a Secretis

2. DECREE EXTENDING THE JURISDICTION OF THE BISHOP OF CHANGANACHERRY

It seemed absolutely necessary to this Congregation to provide more adequately and efficaciously for the spiritual good of the many Malabar faithful of the Chaldean rite residing in the dioceses of Quilon, Trivandrum and Kottar of the Latin rite.

Our most Holy Lord Pius XII, by divine providence Pope, having been informed of the present situation of the same faithful by the undersigned Cardinal, Secretary of the Congregation for the Oriental Church at the Audience of 28 April of this year and having obtained the vote of His excellency the Apostolic Inter-nuncio in India, has benignly permitted to subject the faithful of the Eastern rite dwelling in those three dioceses to the jurisdiction and vigilant pastoral care of His Excellency the bishop of Changanacherry, after modifying the boundaries of this diocese.

Concerning this matter, by the force of this decree, issued on the order of our most Holy Lord Pope, the diocesan boundaries of Changanacherry of the Chaldean rite of the Malabar faithful are so extended that they comprise the civil districts of Quilon (with the exception of some villages in the subdivision "taluk" Shenkotta, Pathanamthitta, Tiruvalla, Ampalapuzha), Chirayinkizh, Nedumangad, Trivandrum, Neyyatinkara, Thovala, Agasteeswaram, Kalkulam, Vilavankode.

For the execution of these, His Holiness has deigned to delegate His Excellency Lord Augustine Kandathil, metropolitan archbishop of Ernakulam, granting him the necessary and appropriate faculties, not excepting the faculty of sub-delegating as to the effect of the matter concerned any man constituted in ecclesiastical dignity, obliging the same metropolitan to transmit to this Congregation an authentic copy of the accomplished execution.

Notwithstanding whatsoever else to the contrary.

Given in Rome, at the office of the Sacred Congregation for the Oriental Church, on 29 April 1955.

E. Cardinal Tisserant, Secretary

3. DECRETUM QUO IURISDICTIO EPISCOPI TELLICHERRIENSIS AMPLIATUR

Pro fidelibus qui e dioecesis chaldaici Malabarensium ritus postremis hisce annis in septentrionalem partem Malabariae turmatim emigraverant, erecta est anno 1953 dioecesis Tellicherriensis. At mox compertum est migratorium fluxum, laboris et panis quotidiani quaerendi causa, haud cessasse nec paucos ex iisdem emigratis fidelibus rursus extra fines praedictae dioeceseos versari. Necessarium ideo visum est Tellicherriensis dioeceseos fines ita ampliare ut omnes eiusmodi emigratos fideles chaldaici Malabarensium ritus, Episcopus Tellicherriensis pastorali vigilantia et iurisdictione amplecti posset.

His omnibus Ssmo Domino Nostro Pio Divina Providentia Pp. XII a me infrascripto Cardinali a Secretis huius Sacrae Congregationis pro Ecclesia Orientali in Audientia diei 28 mensis Aprilis h. a. expositis, et audito voto Excmi Internuntii Apostolici in India, Idem Summus Pontifex iurisdictioni Episcopi Tellicherriensis submittere dignatus est fideles omnes ritus chaldaici Malabarensium qui in vicinis dioecesis Mysuriensi et Mangalorensi degunt vel degent, finibus idcirco dioeceseos Tellicherriensis ita immutatis, ut iisdem totum civilem districtum South Kanara, Mysore, Mandya, Hassan, Chikmagalur, Shimoga, una cum provincia Coorg, Nilgiris et partem districtus civilis Coimbatorensis comprehendant.

Idcirco, vi huius Decreti auctoritate Ssmi Domini Nostri Papae lati, fines dioeceseos Tellicherriensis ita immutantur, ut omnes regiones quarum mentio nuper facta est, complectantur.

Ad haec autem executioni mandanda Sanctitas Sua deputare dignata est Excmum P. D. Augustinum Kandathil, Archiepiscopum Ernakulamensem et Metropolitanam, eidem tribuens facultates necessarias et opportunas — haud excepta facultate subdelegandi ad effectum de quo agitur virum in dignitate ecclesiastica constitutum — imposito eidem Metropolitanae onere remittendi ad hanc Sacram Congregationem authenticum exemplar peractae executionis.

3. DECREE EXTENDING THE JURISDICTION OF THE BISHOP OF TELlichERRY

For the faithful who from the dioceses of the Chaldean rite of the Malabarians emigrated in large numbers in these last years to the northern part of Malabar, the diocese of Tellicherry was erected in 1953. But soon it was verified that the flux of migrants, seeking work and daily bread, has not ceased but some of them still set out for places outside the boundaries of the said diocese. Therefore it seemed necessary to amplify the boundaries of the diocese of Tellicherry in such a way that the bishop of Tellicherry could embrace all such emigrated faithful of the Chaldean rite of the Malabarians within his pastoral vigilance and jurisdiction.

Whereas I, the undersigned Cardinal Secretary of the Congregation for the Oriental Church, exposed all these matters to our most holy Lord Pius XII, by divine providence Pope, at the Audience on 28 April of this year, having heard the opinion of His Excellency the Apostolic Inter-nuncio in India, the same Supreme Pontiff deigned to subject to the jurisdiction of the bishop of Tellicherry all the faithful of the Chaldean rite of the Syro-Malabarians who are residing or will reside in the neighbouring dioceses of Mysore and Mangalore, after modifying the boundaries of the diocese of Tellicherry in such a way as to encompass the whole of the civil districts of South Kanara, Mysore, Mandia, Hassan, Chikmagalur, Shimoga, together with province of Coorg, Nilgiri and part of the civil district of Coimbatore.

Therefore, by the force of this decree given on the authority of His Holiness Our Lord Pope, the boundaries of the diocesan of Tellicherry are so modified that they embrace all the regions just mentioned above.

For the execution of these, His Holiness has deigned to delegate His Excellency Lord Augustine Kandathil, metropolitan archbishop of Ernakulam, granting him the necessary and appropriate faculties, not excepting the faculty of sub-delegating, as to the effect of the matter concerned, any man constituted in ecclesiastical dignity, but obliging the same Metropolitan to transmit to this Congregation an authentic exemplar of the accomplished execution.

Contrariis quibuscumque minime obstantibus.

Datum Romae, ex Aedibus Sacrae Congregationis pro Ecclesia Orientali, die 29 mensis Aprilis a. 1955.

E. Card. Tisserant, a Secretis

4. DECRETUM QUO IURISDICTIONE EPISCOPI TRICHURIENSIS EXTENDITUR

Saepe fideles ritus chaldaici Malabarensium, qui degunt in territorio dioeceseos Coimbatorensis, hanc Sacram Congregationem pro Ecclesia Orientali adprecati sunt ut spiritualem adistentiam haberent quae — ritu orientali peracta — eorum pietati et animarum bono plenius satis faceret.

Quin imo, rerum adiunctis perspectis, Ordinarius ipse Coimbatorensis latini ritus, iurisdictionem proposuerat extendendam vicini Episcopi Trichuriensis Malabarici ritus quo aptius provideretur ruricolis orientalis ritus in territorio suae dioeceseos commorantibus, qui magnum efficiunt numerum.

Quae cum ita essent Ssmus Dominus Noster Pius Divina Providentia Pp. XII, in Audientia infrascripto Cardinali a Secretis huius Sacrae Congregationis pro Ecclesia Orientali concessa die 28 mensis Aprilis h. a., habito voto Excmi Internuntii Apostolici in India, statuit ac decrevit Episcopum Trichuriensem ritus chaldaici Malabarensium iurisdictionem ordinariam et plenam habere et exercere, nunc et futuro tempore, super fideles huius ritus in districtu quod "Coimbatore" appellatur (excepta regione "taluk" Kollegal et parte regionis "taluk" Gobichettypalaam quae ad septentrionem est fluminum Bhavani et Moyar) et in regionibus "taluk" quibus nomen est Palghat, Malluvanad, Chittur, Nelliampathy, ac Karur: quibus omnibus locis hodierna Coimbatorensis latini ritus dioecesis constat.

Quapropter, vi praesentis Decreti, auctoritate Ssmi Domini Nostri Papae lati, fines dioeceseos Trichuriensis ita immutati decernuntur, ut territoria quorum mentio supra facta est, complectantur.

Notwithstanding whatsoever else to the contrary.

Given in Rome, at the office of the Sacred Congregation for the Oriental Church, on 29 April 1955.

E. Cardinal Tisserant, Secretary

4. DECREE EXTENDING THE JURISDICTION OF THE BISHOP OF TRICHUR

Often the faithful of the Chaldean rite of the Malabarians who reside in the territory of the diocese of Coimbatore, have requested this Congregation for the Oriental Church to have spiritual assistance which - accomplished in the oriental rite - might fully satisfy their piety and the good of their souls.

Indeed, having examined the circumstances of things, the Latin rite Ordinary of the diocese of Coimbatore himself proposed to extend the jurisdiction of the neighbouring bishop of Trichur of the Malabar rite, so that he might more aptly cater for the faithful of the oriental rite dwelling in the territory of his diocese, who count a great number.

The matters being thus, our most holy Lord Pius XII, by divine providence Pope, at the Audience granted to the undersigned Cardinal Secretary of this Congregation for the Oriental Church on 28 April of this year, having obtained the opinion of His Excellency the Apostolic Inter-nuncio in India, has decided and decreed that the bishop of Trichur of the Chaldean rite of the Syro-Malabarians obtains and exercises full and ordinary jurisdiction, now and in the future, over the faithful of this rite in the district called Coimbatore (except in the region of taluk of Kollegal and part of the region or taluk of Gobichettypalam in the north of the rivers Bhavani and Moyar) and in the regions or taluks of Palghat, Malluvanad, Chittur, Nelliampathy and Karur, namely in all those places within the present Coimbatore diocese of the Latin rite.

Wherefore, by the force of the present decree, given on the authority of the our most holy Lord Pope, the boundaries of the diocese of Trichur are decided to be modified in such a way that they include the territories mentioned above.

Ad haec autem executioni mandanda Sanctitas Sua deputare dignata est Excmum P. D. Augustinum Kandathil, Archiepiscopum Ernakulamensern et Metropolitanam, eidem tribuens facultates necessarias et opportunas — haud excepta facultate subdelegandi ad effectum de quo agitur quemlibet virum in ecclesiastica dignitate constitutum — facto onere remittendi ad hanc Sacram Congregationem authenticum exemplar actorum peractae executionis.

Contrariis quibuscumque minime obstantibus.

Datum Romae, ex Aedibus Sacrae Congregationis pro Ecclesia Orientali, die 29 mensis Aprilis a. 1955.

E. Card. Tisserant, a Secretis

5. DECRETUM QUO IURISDICTIO EPISCOPI KOTTAYAMENSIS EXTENDITUR

“Suddistica Gens” quam vocant, cuius gratia a. 1911 Apostolica Sedes erexit Vicariatum Apostolicum Kottayamensem, anno deinde 1923 ad gradum dioeceseos evectum, partim magisque in annos extra fines provinciae ecclesiasticae ritus chaldaici Malabarensium transmigravit.

Novissime autem Ssmus Dominus Noster Pius Divina Providentia Pp. XII, habito voto Excmi Internuntii Apostolici in India, audita relatione ab infrascripto Cardinali a secretis Sacrae Congregationis pro Ecclesia Orientali in Audientia diei 28 mensis Aprilis h. a. peracta, fines provinciae ecclesiasticae ritus chaldaici Malabarensium in commodum huius ritus fidelium benigne indulisit immutare.

Agendum porro supererat negotium iurisdictionis extendendae Episcopi Kottayamensis, cuius curae “Suddistica Gens” commissa est. Cui quidem negotio ut apte consuleretur, Idem Summus Pontifex in Audientia ipsa, de qua supra mentio facta est, dignatus est Kottayamensis Episcopi — cuius residentiae sedes est in urbe Kottayam — iurisdictionem ad novos fines universae provinciae

For the execution of these, His Holiness has deigned to delegate His Excellency Lord Augustine Kandathil, metropolitan archbishop of Ernakulam, granting him the necessary and appropriate faculties, not excepting the faculty of sub-delegating, as to the effect of the matter concerned, any man constituted in ecclesiastical dignity, but obliging the same Metropolitan to transmit to this Congregation an authentic exemplar of the acts of the accomplished execution.

Notwithstanding whatsoever to the contrary.

Given in Rome, at the office of the Sacred Congregation for the Oriental Church, on 29 April 1955.

E. Cardinal Tisserant, Secretary

5. DECREE EXTENDING THE JURISDICTION OF THE BISHOP OF KOTTAYAM

The “Southist people” as they are called, for whom in 1911 the Apostolic See erected the apostolic vicariate of Kottayam, which was then elevated to the rank of diocese in 1923, partly and in the course of the years more increasingly migrated to the places outside the ecclesiastical province of the Chaldean rite of the Malabarians.

Recently our most Holy Lord Pius XII, by divine providence Pope, having obtained the vote of His Excellency the Apostolic Internuncio in India, after learning the report made by the undersigned Cardinal, secretary of the Sacred Congregation for the Oriental Church at the Audience of 28 April of this year, benignly permitted to modify the boundaries of the ecclesiastical province of the Chaldean rite of the Malabarians for the convenience of the faithful of this rite.

But the question of extending the jurisdiction of the bishop of Kottayam, to whose care “the Southist people” have been committed, remained to be resolved. Indeed, for providing adequately for this, the same Supreme Pontiff at the aforementioned Audience itself, has deigned to extend the jurisdiction of the bishop of Kottayam - whose

ecclesiasticae chaldaici Malabarensium ritus extendere, edito de re speciali decreto.

Quapropter, vi praesentis decreti, iussu Ssmi dato, personalis iurisdictio Episcopi Kottayamensis pro "Suddistica Gente" extenditur ad totam provinciam ecclesiasticam ritus chaldaici Malabarensium, auctam videlicet novis limitibus descriptis in decretis nuper editis pro dioecibus Tellicherriensi, Trichuriensi, Changanacherensi.

Ad haec autem executioni mandanda Sanctitas Sua deputare dignata est Excmum P. D. Augustinum Kandathil, Archiepiscopum Ernakulamensem et Metropolitam, eidem tribuens facultates necessarias, haud excepta facultate subdelegandi, ad effectum de quo agitur, quemlibet virum in dignitate ecclesiastica constitutum, facto eidem Metropolitae onere remittendi ad hanc Sacram Congregationem authenticum exemplar actorum peractae executionis.

Contrariis quibuscumque minime obstantibus.

Datum Romae, ex Aedibus Sacrae Congregationis pro Ecclesia Orientali, die 29 mensis Aprilis a. 1955.

E. Card. Tisserant, a Secretis

residence is in the city of Kottayam - to the new boundaries of the whole ecclesiastical province of the Chaldean rite of the Malabarians, issuing a special decree on the matter.

Wherefore, by the force of the present decree, given on the order of His Holiness, the personal jurisdiction of the bishop of Kottayam over the "Southist people" is extended to the whole ecclesiastical province of the Chaldean rite of the Malabarians, namely to the new limits set forth in the decrees recently issued for the dioceses of Tellicherry, Trichur and Changanacherry.

For the execution of these, His Holiness has deigned to delegate His Excellency Lord Augustine Kandathil, metropolitan archbishop of Ernakulam, granting him also the necessary faculties, not excepting the faculty of sub-delegating, as to the effect of the matter concerned, any man constituted in ecclesiastical dignity, but obliging the same Metropolitan to transmit to this Congregation an authentic exemplar of the acts of the accomplished execution.

Notwithstanding whatsoever to the contrary.

Given in Rome, at the office of the Sacred Congregation for the Oriental Church, on 29 April 1955.

E. Cardinal Tisserant, Secretary

6. DIOECESIS "CHANGANACHERRENSIS" IN ORDINEM ARCHIDIOECESIUM REDIGITUR. NOVA PRAETEREA PROVINCIA ECCLESIASTICA CONSTITUITUR, EIUSDEM NOMINIS

IOANNES EPISCOPUS
 Servus servorum Dei
 Ad perpetuam rei memoriam

Regnum caelorum, hoc est Ecclesia, quod Christi ipsius voce grano sinapis assimilatum est, minimo quidem at laetissimae spei semini, Dei munere et apostolicorum praeconum labore ita fines protulit ut nulla iam sit gens, quam non christiana fides renovaverit, populus quem non splendida veritatis fax illuminaverit, natio quam evangelicae praedicationis virtus non auxerit. Quod cum singulari ratione in regione Indica, quae Kerala vocatur, evenerit, censuit atque statuit Pius Pp. XII, venerabilis Decessor Noster, ibi loci novam nonnullarum dioecesium ordinationem esse faciendam, eo sane consilio ut fidelium christianorum chaldaici-malabarici ritus utilitatibus inserviret. Quae cum ita sint, de sententia venerabilis Fratris Nostri S. R. E. Cardinalis S. Congregationis pro Ecclesia Orientali a Secretis, deque Nostra apostolica auctoritate, post eorum consensum suppletum qui in hac re aliquid iuris haberent, ea quae Decessor Noster decrevit ad exitum adducentes, haec quae sequuntur sancimus et iubemus. Dioecesim Changanacherrensem in ordinem archidioecesium redigimus, cum iuribus et honoribus, oneribus atque obligationibus, quae ad tales Ecclesias respiciunt; simul novam provinciam ecclesiasticam constituimus, cuius caput erit ipsa Changanacherrensis Sedes, suffraganae vero Palaiensis et Kottajamensis dioeceses. Sacer autem huius archidioecesis Praesul, sive primus sive successores, omnia iura et onera habebit datae dignitatis propria. Inter privilegia vero hoc annumerare placet; posse eum scilicet et Crucem ante se ferre intra fines provinciae, et Pallio uti, dummodo in publico Consistorio illud impetraverit. Ceterum, haec omnia quae mandavimus dilectus Filius Noster Valerianus

6. PROMOTION OF THE DIOCESE OF CHANGANACHERRY TO THE RANK OF ARCHDIOCESE AND THE CONSTITUTION OF A NEW ECCLESIASTICAL PROVINCE UNDER THE SAME NAME

JOHN BISHOP
 Servant of the servants of God
 For perpetual memory

The Kingdom of Heaven, namely the Church, which Christ himself compared to a seed of mustard, indeed the smallest seed but the one of the most joyful hope, with the grace of God and the labour of the apostolic heralds, has so extended its boundaries that by now there is no population that the Christian faith has not renewed, no people which the shining torch of truth has not enlightened, no nation that the virtue of evangelical preaching has not enriched. Wherefore, for a particular reason, in a region of India called Kerala, it happened that Pius XII, our venerable predecessor, decided and decreed that a new arrangement should be effected for some dioceses with the sure resolution that it might benefit the Christian faithful of the Chaldeo-Malabar rite. These matters being so, according to the sentence of our venerable brother cardinal of the Holy Roman Church, the secretary of the Sacred Congregation for the Oriental Church and by our apostolic authority, after the consent of those who had any right in this matter was obtained, by bringing to effect those measures which our predecessor decreed, we ratify and order what follows. We promote the diocese of Changanacherry to the rank of archdiocese, with all rights and honours, duties and obligations which belong to such Churches; at the same time we constitute a new ecclesiastical province, whose capital shall be the see of Changanacherry itself and Palai and Kottayam shall be suffragan dioceses. The sacred Prelate of this archdiocese, both the first and his successors shall have all the rights and obligations proper to that dignity. We wish to enumerate this privilege among others; namely that he can have the cross carried in front of him within the boundaries of the province and use the

S. R. E. Cardinalis Gracias, Archiepiscopus Bombajensis exsequi curabit vel quem ipse delegaverit, onere facto documenta rei actae conscribendi, quorum sincera exempla ad S. Congregationem pro Ecclesia Orientali cito mittet.

Has vero Litteras nunc et in posterum efficaces esse et fore volumus; ita quidem ut quae per eas decreta sunt ab iis quorum res est religiose servantur, atque igitur vim suam obtineant. Quarum Litterarum efficacitati nulla, cuiusvis generis, contraria praescripta officere poterunt, cum per has Litteras iisdem derogemus omnibus. Quapropter si quis, quavis praeditus auctoritate, sive sciens sive insciens contra egerit ac Nos ediximus, id prorsus irritum atque inane haberi iubemus. Nemini praeterea haec voluntatis Nostrae documenta vel scindere vel corrumpere liceat; quin immo harum Litterarum exemplis et locis, sive typis impressis sive manu exaratis, quae sigillum viri praeferant in ecclesiastica dignitate constituti simulque ab aliquo publico tabellione sint subscripta, eadem omnino habenda erit fides, quae hisce haberetur, si ostenderentur. Quae Nostra decreta in universum si quis vel spreverit vel quoquo modo detrectaverit, sciat se poenas esse subiturum iis iure statutas, qui Summorum Pontificum iussa non fecerint.

Datum Roma, apud S. Petrum, die decimo mensis Ianuarii, anno Domini millesimo nongentesimo quinquagesimo nono, Pontificatus Nostri primo.

pallium, provided that he has obtained it in a public consistory. Moreover, our beloved son Valerian Cardinal Gracias, cardinal of the Holy Roman Church, archbishop of Bombay or someone he has delegated, will take care of the execution of all these matters which we have decreed and of the transcription of the documents of the acts, after fulfilling the mandate, whose authentic exemplars he will promptly send to the Congregation for the Oriental Church.

We wish that this letter is and will be effective now and in the future; in such a way that those matters which have been decreed by means of it shall be scrupulously observed by those whom it concerns and they shall thus obtain their effectiveness. Contrary prescriptions of any kind could not hinder the efficacy of this letter, since by means of this letter itself we derogate from them all. Wherefore, if anyone endowed with any authority has acted against what we have decreed, either knowingly or unknowingly, we order that it be considered absolutely null and void. Besides let it be unlawful for anyone to infringe or vitiate these documents of our will; but indeed, the copies and the content of this letter, whether they are printed or written by hand, and which bear the seal of anyone constituted in ecclesiastical dignity and at the same time affixed in any public place, must be accorded the same credence, which would be given to this, if it were demonstrated. If anyone either despises or disparages generally our decisions in any manner, let him know that he shall incur the penalties stipulated in law for those persons who have not obeyed the orders of the supreme pontiffs.

Given in Rome, at St. Peter's, on 10 January 1959, in the first year of our Pontificate.

7. ARCHIEPISCOPATUS MAIOR ERNAKULAMENSIS- ANGAMALIENSIS CONSTITUITUR

IOANNES PAULUS EPISCOPUS

Servus servorum Dei

Ad perpetuam rei memoriam

Quae maiori Christifidelium bono proficiunt, ea, pro gravissimo Nostro munere Pastoris totius Dominici gregis, sedula navitate nitimur praestare. Qua re, cum Ecclesia Syro-Malabarensis a sancti Thomae Apostoli praedicatione, ut constans fert traditio, genita ac proprio venerabili et spirituali patrimonio ditata, saeculorum decursu per tot rerum discrimina in dies firmata creverit, peropportunum Nobis videtur eandem constitui Ecclesiam archiepiscopalem maiorem. De consilio igitur Venerabilis Fratris Nostri Achillis S.R.E. Cardinalis Silvestrini, Praefecti Congregationis pro Ecclesiis Orientalibus, Apostolica Nostra usi potestate Ecclesiam Syro-Malabarensis constituimus Ecclesiam archiepiscopalem maiorem Ernakulamensem-Angamaliensem nomine appellandam, omnibus factis iuribus et officiis, quae ad normam sacrorum canonum Ecclesiarum Orientalium eidem competunt, mandantes ut eius territorium circumscribatur finibus Provinciarum Ecclesiasticarum Ernakulamensis et Changanacherrensensis atque Archiepiscopi Maioris stabilis residentiae sedes in ipsa urbe Ernakulamensi ponatur. Quae vero iussimus ad effectum rite adducantur deque absoluto negotio sueta documenta exarentur et ad Congregationem, quam diximus, mittantur. Hanc denique Apostolicam Nostram Constitutionem nunc et in posterum ratam esse volumus, contrariis quibuslibet rebus non obstantibus.

Datum Romae, apud S. Petrum, die sexto decimo mensis Decembris anno Domini millesimo nongentesimo nonagesimo secundo, Pontificatus Nostri quinto decimo.

7. THE CONSTITUTION OF THE MAJOR ARCHIEPISCOPATE OF ERNAKULAM-ANGAMALY

JOHN PAUL BISHOP

Servant of servants of God

For perpetual memory

In virtue of our most important office as pastor of the entire flock of the Lord, we, with sedulous assiduity, endeavour to do whatever is helpful for the greater advantage of the Christian faithful. Therefore, since the Syro-Malabar Church, as the constant tradition holds, owed its origin to the preaching of the Apostle St Thomas, and having been enriched by a proper, venerable and spiritual patrimony, has grown up to a firm stature by tiding over crises of every kind throughout the course of centuries, it seemed to us quite opportune to upgrade the same as a major archiepiscopal Church. In consultation therefore with our venerable brother Achille Silvestrini, Cardinal of the Holy Roman Church, Prefect of the Congregation for the Oriental Churches, and making use of our apostolic authority we constitute the Syro-Malabar Church as a major archiepiscopal Church under the title of Ernakulam-Angamaly, along with all the rights and duties incumbent on the same in terms of the Sacred Canons of the Eastern Churches; it is ordered that the territory of the same shall be limited to the confines of the ecclesiastical provinces of Ernakulam and Changanacherry; and the permanent residential see of the major archbishop shall be situated in the very same town of Ernakulam. What we have ordered shall be duly put into effect, and after discharging the task the customary documents shall be drawn up and transmitted to the Congregation we have mentioned. Finally we wish to confirm and ratify this apostolic constitution of ours for the present and the future, notwithstanding whatsoever to the contrary.

Given in Rome at St. Peter's, on the 16th day of the month of December, in the year of the Lord 1992, the fifteenth year of our Pontificate.

8. NOVA PROVINCIA ECCLESIASTICA TRICHURIENSIS CONSTITUITUR

IOANNES PAULUS EPISCOPUS

Servus servorum Dei

Ad perpetuam rei memoriam

Ad augendum spirituale bonum Christifidelium Ecclesiae Syro-Malabarensis haec Apostolica Sedes anno millesimo octingentesimo octogesimo septimo constituit Exarchiam Apostolicam Trichuriensem, quae deinceps, anno videlicet millesimo nongentesimo vicesimo tertio, gradum Eparchiae est consecuta. Anno autem millesimo nongentesimo septuagesimo quarto, quadam parte seiuncta ab eadem Eparchia, nova Eparchia Palghatensis est condita atque quattuor post annos, Eparchia Trichuriensi denuo divisa, alia Eparchia Irinjalakudensis constituita est. Quo aptius ergo Eparchiae, quas diximus, artioribus vinculis coalescant itemque consociata et efficaci actione pastoralis operentur, opportunum est visum eas in novam ecclesiasticam Provinciam erigere. Nos, igitur, pro gravissimo, quo fungimur munere de totius Dominici gregis salute solliciti, audito Venerabili Fratrem Nostro Achille S.R.E. Cardinali Silvestrini, Praefecto Congregationis pro Ecclesiis Orientalibus, summa Nostra potestate Provinciam ecclesiasticam *Trichuriensem* constituimus, cuius Ecclesia princeps erit Eparchia hucusque Trichuriensis, quam ad gradum et dignitatem Metropolitanæ Sedis evehimus, omnibus tributis iuribus, officiis ac privilegiis huiusmodi Sedium propriis, assignates eidem uti suffraganeas Eparchias Palghatensem et Irinjalakudensem. Quae vero iussimus ad effectum adducantur secundum normas Codicis Canonum Ecclesiarum Orientalium. Insuper de hoc absoluto negotio sueta documenta exarentur et ad memoratam Congregationem mittantur. Hanc denique Apostolicam Constitutionem nunc et in posterum ratam esse volumus, contrariis rebus nihil obstantibus.

Datum Romae, apud S. Petrum, die duodevicesimo mensis Maii, anno Domini millesimo nongentesimo nonagesimo quinto, Pontificatus nostri septimo decimo.

8. THE CONSTITUTION OF THE NEW ECCLESIASTICAL PROVINCE OF TRICHUR

JOHN PAUL BISHOP

Servant of servants of God

For perpetual memory

For augmenting the spiritual good of the Christian faithful of the Syro-Malabar Church this Apostolic See constituted the apostolic exarchate of Trichur in 1887, which afterwards in the year 1923, obtained the status of an eparchy. Yet in the year 1974, some part of the same eparchy having been separated, the new eparchy of Palghat was established and after four years the eparchy of Trichur was again divided and the eparchy of Irinjalakuda was constituted. In order that the aforementioned eparchies, which we have mentioned, quite fittingly coalesce by more skilful bonds and thus united may engage in effective pastoral action, it seemed opportune to constitute them into a new ecclesiastical province. We, therefore, in virtue of the most important office which we exercise, in our solicitude for the salvation of the entire flock of the Lord, after hearing our venerable brother Achille Silvestrini, Cardinal of the Holy Roman Church, Prefect of the Congregation for the Oriental Churches, with our supreme power constitute the ecclesiastical province of Trichur, the principal church of which shall be the eparchy of Trichur, which we raise to the status and dignity of metropolitan see, granting it all rights, offices and privileges proper to such sees, having assigned to the same the eparchies of Palghat and Irinjalakuda as suffragans. What we have ordered shall be put into effect according to the norms of the Code of Canons of the Eastern Churches. Moreover after discharging this affair the customary documents shall be drawn up and sent to the aforementioned Congregation.

Finally we wish to ratify this apostolic constitution for the present and the future, notwithstanding whatsoever to the contrary.

Given in Rome, at St Peter's on the 18 May, in the year of the Lord 1995, the seventeenth year of our pontificate.

9. NOVA PROVINCIA ECCLESIASTICA TELLICHERRIENSIS CONSTITUITUR

IOANNES PAULUS EPISCOPUS
Servus servorum Dei
Ad perpetuam rei memoriam

Spirituali bono Christifidelium Ecclesiae Syro-Malabarensis providere cupiens, haec Apostolica Sedes ano millesimo nongentesimo quinquagesimo tertio Eparchiam Tellicherriensem constituit. Anno quidem millesimo nongentesimo septuagesimo tertio, memorata Eparchia divisa, nova Eparchia Manantoddiensis est condita. Anno autem millesimo nongentesimo octogesimo tertio, quadam parte distracta ex eadem Eparchia Tellicherriensi, Eparchia Thamarasserrensis efformata est. Cum nunc opportunum videatur eas, quas diximus, Eparchias in ecclesiasticam Provinciam erigere quo ipsae Ecclesiae artiore inter se cohaereant vinculo debitoque honore augeantur, Nos, gravissimo fungentes munere Supremi Pastoris, hanc sententiam accipiendam esse censemus. Audito igitur Venerabili Fratre Nostro Achille S.R.E. Cardinali Silvestrini, Praefecto Congregationis pro Ecclesiis Orientalibus, summa Nostra potestate Provinciam ecclesiasticam *Tellicherriensem* constituimus, cuius Ecclesia princeps erit Eparchia hucusque Tellicherriensis, quam ad gradum et dignitatem Metropolitanæ Sedis evehimus, omnibus tributis iuribus, officiis ac privilegiis huiusmodi Sedium propriis, assignantes eidem uti suffraganeas Eparchias Manantoddiensem et Thamarasserrensem. Quae mandavimus ad effectum adducantur secundum normas Codicis Canonum Ecclesiarum Orientalium atque negotii congrua documenta ad memoratam Congregationem mittantur. Hanc denique Apostolicam Constitutionem nunc et in posterum efficacem esse foreque volumus, contrariis quibus libet rebus minime obstantibus.

Datum Romae, apud S. Petrum, die duodevicesimo mensis Maii, anno Domini millesimo nongentesimo nonagesimo quinto, Pontificatus nostri septimo decimo.

9. THE CONSTITUTION OF THE NEW ECCLESIASTICAL PROVINCE OF TELLICHERRY

JOHN PAUL BISHOP
Servant of servants of God
For perpetual memory

Wishing to provide for the spiritual good of the Christian faithful of the Syro-Malabar Church, in the year 1953 this Apostolic See constituted the eparchy of Tellicherry. Indeed, in the year 1973 the said eparchy was divided and the new eparchy of Mananthavady was established. Moreover, in the year 1983, some parts of the same eparchy of Tellicherry having been separated, the eparchy of Thamarassery was formed. Since now it seems opportune to erect those eparchies which we have indicated, as an ecclesiastical province so that those Churches may cohere together with a more adept bond and grow in due honour, we, exercising the most important office of the Supreme Pastor, have judged that this sentence should be made. Therefore, after hearing our venerable brother Achille Silvestrini, Cardinal of the Holy Roman Church, Prefect of the Congregation for the Oriental Churches, with our supreme power we constitute the ecclesiastical province of Tellicherry, whose principal Church shall be the eparchy of Tellicherry, which we raise to the rank and dignity of metropolitan see, granting it all the rights, offices and privileges proper to such sees, having been assigned to the same, the eparchies of Mananthavady and Thamarassery as suffragans. What we have enjoined shall be put into effect according to the norms of the Code of Canons of the Eastern Churches and after discharging this affair congruent documents shall be sent to the aforementioned Congregation. Finally we wish that this apostolic constitution is and shall be efficacious for the present and the future, notwithstanding whatsoever else to the contrary.

Given in Rome, at St Peter's on 18 May, in the year of the Lord 1995, the seventeenth year of our pontificate.

Chapter Seven

PASTORAL CARE OF THE CHRISTIAN FAITHFUL OF THE SYRO-MALABAR CHURCH OUTSIDE THE PROPER TERRITORY

The delimitation of the proper territory of the Syro-Malabar Church adversely affected not only the advancement and growth of this Church, but also the evangelization of India itself, a country with a non-Christian population of 98%. As a consequence of the territorial restriction, especially before Vatican II, the St Thomas Christians had to abandon their Church and spiritual heritage and to enrol in the Latin Church, adapting the Latin rite if they had to respond to their missionary call. Normally, the Christian faithful of the Syro-Malabar Church who were found outside the delimited territory were gradually indoctrinated, separated from their mother Church and integrated into the Latin Church.

The Second Vatican Council unambiguously proclaimed the fundamental equality of the Churches of the East and West, even as regards evangelization in the whole world (OE 3) and stipulated various provisions for the pastoral care of the Christian faithful who live outside the territory of their Church. Such provisions include the appointment of priests of the same rite, the erection of personal parishes, the appointment of episcopal vicars with appropriate faculties, who could also have episcopal rank, and even the establishment of a special hierarchy (CD 23). These provisions are fully in agreement with the teaching of the Council concerning proper pastoral care, authentic liturgical life and preservation of the patrimony and heritage of each Church (cf. CD 30-34; AG 15-18; SC 18-19 & OE 1, 5 & 6). Even long after the Council, no action was taken to implement the conciliar principles in India, since some doubted their applicability in the socio-cultural missionary context of the country. Therefore, on 28 May 1987, twenty-two years after the closing of the Council, the Pope, by virtue of his office as the Supreme Pastor of the

Universal Church, “after much prayer and reflection” personally intervened with a letter addressed to the bishops of India “to ensure a just and fair settlement” of the inter Church problems.

In the aforementioned letter itself the Pope pointed out that “Given the number of the Catholics of the Syro-Malabar Rite in the Bombay-Pune region of India, the situation presently existing there can be considered mature enough now for the establishment of an Eparchy of the Syro-Malabar Rite”. On 30 April 1988 with the apostolic constitution *Pro Christifidelibus*, the Pope established the eparchy of Kalyan “so that the faithful may benefit by the preservation of their rite” and because of his earnest desire that “the Syro-Malabar Church makes the greatest progress and that its rite be carefully fostered”. The eparchy of Kalyan has great importance, since it is the first eparchy of the Syro-Malabar Church erected outside the proper territory for the pastoral care of the Christian faithful.

Under the aegis of a few ecclesiastics a group of the Christian faithful of the Syro-Malabar Church in the Bombay, Pune-Nasik region opposed the erection of the eparchy of Kalyan and expressed their desire to continue in the Latin Church without entering into the new eparchy of Kalyan. They formed an association called “United Laity Front” and continuously troubled the peace and harmony in the eparchy of Kalyan and sent petitions to the Holy See through His Eminence Cardinal Simon Ignatius Pimenta, Archbishop of Bombay. In the letter dated 31 January 1991 addressed to the same Cardinal the Holy See once more confirmed its well known position concerning the preservation of one’s own rite and clarified some of the misconceptions of the “United Laity Front”.

Even after the said letter, the “United Laity Front” and its supporters never refrained from exerting pressure on the Holy See through some powerful and prominent ecclesiastics, who wanted to demonstrate that the erection of the eparchy of Kalyan, whose members number at present 100.000, was a mistake which should not be followed in other cities where several thousands of Christian faithful of the Syro-Malabar Church live without proper pastoral care. The Roman Pontiff, acceding “to the repeated requests” made to him

by the faithful of the Syro-Malabar Eparchy of Kalyan, with the purpose of promoting “peace in the community” granted a general indult on 18 April 1993, which permitted them “to receive the sacraments in the parishes of the Latin Church”, but without losing their membership in the Syro-Malabar Church.

After affirming the right and obligation to preserve the spiritual heritage of each individual Church and the equality of Churches in the Catholic communion, *Orientalium Ecclesiarum* specified that “Steps should therefore be taken for the preservation and enlargement of all the individual Churches throughout the world, and so parishes and their own hierarchy should be set up wherever the spiritual good of the faithful requires it” (OE 4). Similarly the Christian faithful have the right to worship God according to the prescriptions of their own *sui iuris* Church and to follow their own form of spiritual life anywhere in the world (cf. CCEO c. 17; CIC c.214). Consonant with these principles on 16 February 2001 with the apostolic constitution *Congregatio pro* Pope John Paul II erected the eparchy of “Saint Thomas the Apostle of Chicago of the Syro-Malabarians” for the pastoral care of the Christian faithful of the Syro-Malabar Church in the United States of America. The Eparchy of Chicago has particular relevance since it is the first eparchy of the Syro-Malabar Church outside India.

In this section we present the following documents:

1. Pope John Paul II, Letter to the Bishops of India, 28 May 1987, confirming the applicability of the teachings of Vatican II in India concerning the pastoral care of the Christian faithful outside the proper territory;
2. Pope John Paul II, apostolic constitution *Pro Christifidelibus*, 30 April 1988, the erection of the Eparchy of Kalyan for the pastoral care of the Syro-Malabar Christian faithful in the Bombay, Pune-Nasik region;
3. Angelo Card. Sodano (directed by the Holy Father), Letter to Cardinal Simon Ignatius Pimenta, 31 January 1991, confirming the official position of the Holy See concerning the preservation of one’s own rite;

4. Pope John Paul II, Indult to the Syro-Malabar faithful of the eparchy of Kalyan to receive the Sacraments in the Latin rite;
5. Pope John Paul II, apostolic constitution *Congregatio pro*, 16 February 2001, the erection of the eparchy of "Saint Thomas the Apostle of Chicago of the Syro-Malabarians".

1. LETTER OF HIS HOLINESS POPE JOHN PAUL II TO THE BISHOPS OF INDIA

To my venerable Brothers, the Bishops of India.

As you are aware, for some time a study has been going on with regard to the inter-ritual questions, which have arisen in India in recent years. On the occasion of my visit to your country, the happy memory of which still remains deeply engraved in my mind and heart, I spoke to all of you assembled in New Delhi about this matter and assured you of the Holy See's desire to be of assistance to you in this regard. I mentioned that the final stage of this study would be carried out as soon as possible and that I myself would do everything possible to ensure a just and fair settlement of the issues, one that would take into account all the pastoral exigencies of unity and truth (cf. Address to the Bishops of India, 1 February 1986, Nos. 5 & 7).

To this end I appointed a Pontifical Commission under the Presidency of the Cardinal Secretary of State, composed of the Cardinal Prefects of the two Roman Congregations directly concerned in the matter, the Apostolic Pro-Nuncio in India, Archbishops representing the three Rites in India, and others. This Commission met more than once in order to exchange, in an atmosphere of frank and fraternal dialogue, various viewpoints concerning issues which had been brought forward both in the inter-ritual meetings that had taken place in India and in correspondence sent to the Holy See. These meetings were characterized by a desire on the part of all to arrive at a just and fair pastoral response to the various issues in question, but such as also to take into account the various elements and dimensions - historical, theological and canonical - which are inseparable from any truly pastoral policy that respects the manifold ways in which God's plan becomes realized through history. In this study, the wealth of the Conciliar teaching was given an eminent place, particularly those documents which bear most directly on the issues that were discussed, namely the Decree *Christus Dominus* on the Pastoral Office of Bishops in the Church, and the Decree *Orientalium Ecclesiarum* on the Catholic Eastern Churches.

Since very ancient times a considerable community of Christians, known as the "St Thomas Christians", has existed in southern India. Indeed, there is a very strong tradition that St Thomas the Apostle himself visited and laboured in India, both in the extreme south and in what is known today as the Madras-Mylapore area. There is even a tomb in Mylapore which is venerated as his resting place. Later on, at various times, the Church in India was strengthened by other groups of Christians from the Middle East who became assimilated into the Church already there.

The coming of Latin missionaries can be traced back to at least the thirteenth century. With their arrival in the present area of Calicut, the missionary activity of the Church began to extend. The centre of this activity was first located at Cochin, and then at Goa, and from there it spread throughout the region, and into areas which today are themselves independent neighbouring countries. In this process of evangelization there has always existed a generous collaboration on the part of priests, religious and laity baptized in the Syro-Malabar Rite, and in recent years also on the part of the Syro-Malabar Church itself in certain areas of the north. This collaboration should not be forgotten, for it points to a willingness, on the part of all concerned, to accept the age-old adage: "salus animarum suprema lex".

Since the celebration of the Second Vatican Council, the Catholic Eastern Churches have manifested an ever greater desire to undertake, wherever possible, the pastoral care of the Eastern Rite faithful in accordance with their ecclesial traditions and heritage. In India this desire has intensified in recent years in the face of the ever-increasing phenomenon of the migration of Eastern Rite Catholics to areas covered by Latin Rite dioceses in the northern part of the country, such that at times they form a considerable number of the faithful of these ecclesiastical territories, as for example in the area of Bombay-Pune.

The Second Vatican Council, in speaking of the pastoral duties of Bishops, declared that where there are faithful of a different Rite, the diocesan Bishop should provide for their spiritual needs, either through priests or parishes of that Rite, or through an Episcopal Vicar

endowed with the necessary faculties. Moreover, wherever it would be fitting, the latter could also have Episcopal rank (cf. *Christus Dominus*, 23, 3). The same document went on to say that if, on account of some special circumstances, none of these alternatives was practicable, a special hierarchy could be established for each different Rite, should the Apostolic See judge this to be opportune (ibid.).

This last provision - to be employed where circumstances should so warrant - was enlarged upon in the Conciliar document on the Catholic Eastern Churches. There we read: "Attention should everywhere be given to the preservation and growth of each individual Church. For this purpose, parishes and a special hierarchy should be established for each where the spiritual good of the faithful so demands... All Eastern Rite members should know and be convinced that they can and should always preserve their lawful liturgical rites and their established ways of life" (*Orientalium Ecclesiarum*, 4 & 6).

This need to be faithful to the traditions and heritage of one's own Rite can in no way be considered as interfering with the task of the Church to "gather into one all the children of God who are scattered abroad" (Jn 11:52), or with the mission of the Church to bring about the communion of all persons with the Redeemer. For as the same Decree rightly remarks: "That Church, Holy and Catholic, which is the Mystical Body of Christ, is made up of the faithful who are organically united in the Holy Spirit through the same faith, the same sacraments and the same government and who, combining into various groups held together by a hierarchy, form separate Churches or Rites. Between these, there flourishes such an admirable brotherhood that this variety within the Church in no way harms her unity, but rather manifests it" (*Orientalium Ecclesiarum*, 2).

In fidelity then to the documents of the Second Vatican Council, and in view of the present circumstances prevailing in the Indian context, after having closely examined all the documentation which has been presented to the Holy See, as well as the results of the meetings of the Pontifical Commission appointed at my direction to study the inter-ritual problems existing in India, by virtue of my office as Supreme Pastor of the Universal Church I wish to state the following:

(a) The bishops of each of the three Rites have the right to establish their own Episcopal bodies in accordance with their own ecclesiastical legislation. The National Conference of all Catholic Bishops of India is to continue for questions of common concern and of a national and supra-ritual character, e.g. Doctrine and Morals, Organizations of a national and supra-ritual character, questions involving the Catholic Church and the Government, etc. These areas are to be determined in the National Conference's new Statutes, to be approved by the Holy See (cf. *Christus Dominus*, 38; *Code of Canon Law*, canons. 449 ff.).

(b) As the Decree on the Catholic Eastern Churches points out, all the Churches under the pastoral governance of the Roman Pontiff have the same rights and obligations, including what concerns the preaching of the Gospel, always "under the guidance of the Roman Pontiff" (*Orientalium Ecclesiarum*, 3). It will be the task of the Catholic Bishops of India, if necessary through a special Commission of the National Conference referred to above, to organize and co-ordinate the missionary activity in the country in such a way as to promote an evangelization that will be truly effective and yet avoid all danger of confusion and any spirit of rivalry.

(c) Regarding the pastoral care of the faithful of the Eastern Rites who are living in Latin Rite dioceses, in accordance with the spirit and letter of the Conciliar Decrees *Christus Dominus*, 23, 3 and *Orientalium Ecclesiarum*, 4, the Latin Ordinaries of such dioceses are to provide as soon as possible for an adequate pastoral care of the faithful of these Eastern Rites, through the ministry of priests, or through parishes of the Rite, where this would be indicated, or through an Episcopal Vicar endowed with the necessary faculties, where circumstances would so indicate (cf. *Christus Dominus*, 23, 3; *Code of Canon Law*, canons 383, § 2; 476; 518). This latter may even have Episcopal rank should this be determined as fitting (*Christus Dominus* 23, 3). Where circumstances would so indicate, the Apostolic See will establish a proper hierarchy for such faithful.

This will be done through the two Roman Congregations responsible for the affairs of the Eastern and Latin Rites, and after consultation with the Latin Bishops involved.

Given the number of the Catholics of the Syro-Malabar Rite in the Bombay-Pune region of India, the situation presently existing there can now be considered mature enough for the establishment of an Eparchy of the Syro-Malabar Rite. Hence I am authorizing the Congregation for the Eastern Churches to proceed accordingly.

My dear Brothers in the Episcopate, let us continue to reflect on the marvellous mystery of the Universal Church and all the Churches or Rites which make up her variety in unity. May the centre of all your pastoral solicitude be the Church's unity and communion. For in this we recognize the greatest of blessings, the desire of the heart of Jesus, the expression of fidelity to the Lord, the sign of credibility of his Church and of the very mission of Christ. As you know, the Second Vatican Council emphasized the Church's vocation to be a sign of the unity of mankind, so often divided by ethnic, political, cultural and linguistic rivalries, and thus oppressed by all sorts of tensions. This vocation brings with it the need for reconciliation where unity has been impaired or damaged. Hence there is the need for the closest possible communion and collaboration between the different Rites in your beloved country.

In stating the above after much prayer and reflection, I have every confidence that it will be given the full support of all the Bishops of the country, and that you will do everything possible to educate and form your priests, religious and faithful to accept and cooperate fully in its implementation.

In conclusion I once again commend you and your ministry to the loving care of Mary the Mother of the Church, and I pray that she will sustain you all in joy until the day of Christ Jesus.

From the Vatican, 28th May 1987

John Paul II

2. NOVA EPARCHIA PRO FIDELIBUS RITUS SYRO-MALABARENSIS IN REGIONE BOMBAYENSI-POONENSI-NASHIKENSI DEAGENTIBUS CONDITUR

IOANNES PAULUS EPISCOPUS

Servus servorum Dei

Ad perpetuam rei memoriam

Pro Christifidelibus in regione Mombayensi-Poonensi-Nashikensi frequentioribus factis probe novimus per Apostolicas Litteras, quas superiore anno ad Indiae Venerabiles in episcopatu Fratres die XXVIII mensis Maii dedimus, aperte Nos ipsos statuere novam ritus Syro-Malabarensis Eparchiam illic iam nunc condendam esse. Probatum enim morem sequimur huius Sanctae Sedis, quae, ut plane constat, etiam Eparchias hic illic constituere consuevit constitutasque ita tueretur, ut et in servando ritu eis sit auxilio. Qui, igitur, vehementer cupimus ut Ecclesia Syro-Malabarensis quam maxime provehatur prospereque ritus eius colatur, Nos de consilio Congregationis pro Ecclesiis Orientalibus Nobiscum hodie collato deque plenitudine Apostolicae potestatis Nostrae necnon harum Litterarum virtute novam in regione quam diximus pro Christifidelibus ritus syro-malabarensis Eparchiam nomine Callianensem condimus, eiusque constitutionem lege sancimus, cuius ipsius sedes, una cum Ecclesia Cathedrali, ipsa in urbe "Kalyan" erit. Primusque proinde eiusmodi Ecclesiae particularis sacrorum Antistes ac Pastor hac ipsa die eligitur quidem, altaris tamen Litteris Nostris. Qui demum haec ita iubentes statuimus, Apostolicas ipsas has Litteras et hoc tempore et in posterum ratas esse volumus, quibuslibet contrariis rebus minime obfuturis.

Datum Romae, apud S. Petrum, die tricesimo mensis Aprilis anno Domini millesimo nongentesimo octogesimo octavo, Pontificatus Nostri decimo.

2. APOSTOLIC CONSTITUTION ERECTING THE EPARCHY OF KALYAN FOR THE FAITHFUL OF THE SYRO-MALABAR RITE RESIDING IN THE BOMBAY, PUNE-NASHIK REGION

JOHN PAUL BISHOP

Servant of servants of God

For perpetual memory

For the sake of the Christian faithful now grown to a considerable number in the Bombay, Pune-Nashik region, we let it be known clearly through our apostolic letter written last year on the 28th of May to the Venerable brothers of Episcopate in India that we have already decided to establish in the abovementioned region a new Eparchy of the Syro-Malabar rite. By doing this we follow the usage of this Holy See, which as is well-known has been accustomed to establish and protect in certain places such Eparchies so that the faithful may benefit by the preservation of their rite. Therefore, as we eagerly desire both that the Syro-Malabar Church makes the greatest progress and that its rite be carefully fostered, having taken the advice of the Congregation for Oriental Churches and using the fullness of our apostolic power, in virtue of this letter we establish, and sanction by law, the constitution of a new Eparchy for the Christian faithful of the Syro-Malabar Church in the above mentioned region, under the name of Kalyan. Its see, together with its cathedral will be in Kalyan. The first prelate and pastor of this particular Church is chosen this very day by a separate letter. In order that this decree be definitely established we desire that this apostolic letter be considered valid now and in the future, notwithstanding whatever else to the contrary.

Given in Rome, at St Peter's, on 13 April, in the Year of our Lord 1988, the tenth year of our Pontificate.

3. LETTER OF THE SECRETARY OF STATE CARDINAL ANGELO SODANO TO CARDINAL SIMON IGNATIUS PIMENTA, ARCHBISHOP OF BOMBAY

Secretariat of State

No. 270.661/G.N. From the Vatican, 31 January 1991

Your Eminence,

I have been directed by the Holy Father to respond to your letter of September 23 last, concerning a group of faithful of the Syro-Malabar Church who have requested permission to maintain their membership in the Archdiocese of Bombay or the Dioceses of Pune or Nashik, rather than be placed under the jurisdiction of the Bishop of Kalyan.

As your Eminence is aware, the Eparchy of Kalyan was established on 30 April 1988 in conformity with the directives given by the Holy Father in his *Letter to the Bishops of India* of 28 May 1987. In this Letter His Holiness, after recalling the relevant teaching of the Council and the applicable juridical norms, and having judged that the pastoral situation in the Bombay-Pune-Nashik region was mature enough, authorized the Congregation for the Oriental Churches to proceed with the establishment of an Eparchy of the Syro-Malabar Rite.

In general, on the basis of information received by the Holy See, it would seem that the establishment of the Eparchy of Kalyan was received with satisfaction and joy by the majority of Syro-Malabar faithful in the region. Some time later, Your Eminence made a plea on behalf of a group of faithful who appealed for permission to continue to be members of the local Latin Rite parishes, as they had done before the Eparchy of Kalyan was inaugurated.

In responding to your letter, I feel bound to renew the Holy Father's confident appeal to all the Bishops of India to "do everything possible to educate and form your priests, religious and faithful to accept and cooperate in its (the letter's) implementation" (*Letter to the Bishops of India*, 28 May 1987, no. 6).

Furthermore, because of their theological implications and their effect on ecclesial life, on spirituality and ecumenical activity, certain statements made by the petitioners cannot be left unanswered. In one place it is asserted: "Even in Vatican II documents on Oriental Churches, we read that the Rite-system of the Orientals are permitted as a temporary phase only: the ultimate aim being unity in the Church". While unity is an essential note of the Church, the Conciliar documents also make it clear that this unity is not to be confused with uniformity and that the variety of individual Churches, whether of the East or of the West, within the Catholic Church, "in no way harms her unity, but rather manifests it" (*Orientalium Ecclesiarum*, no. 2, and passim).

Again, in another place, the petitioners seem to oppose "Rite" to "Faith" as when they declare: "we are more concerned with our living as Christians in true faith, and not as spirituals as the protagonists of the Rite system propagate and preach people to practise". The issue is not one of faith, for the faithful of Kalyan Eparchy remain in the bosom of Holy Mother Church: the traditions they dutifully maintain form part of "the divinely revealed and undivided heritage of the Universal Church" (*Orientalium Ecclesiarum*, no. 1). What is referred to as "Rite system" actually stands for an essential and constitutive element of the Mystery of the Church: "this entire heritage of spirituality and liturgy, of discipline and theology, in their various traditions, belongs to the full catholic and apostolic character of the Church" (*Unitatis Redintegratio*, no. 17). Hence, there is no question of being separated from the Universal Church, as the petitioners in another place suggest, nor of being separated "from the local Catholic community", since the bonds of full ecclesial communion are real and far reaching.

The petitioners also allude in general terms to negative consequences of the "establishment of Kalyan Eparchy: It is not possible to explain the dangerous consequences that are taking place...". And yet the balance of achievement at the end of the first two years of the Eparchy's existence seems very encouraging: while in 1988 there was a team of only seven priests, there are now no less than forty-five priests looking after the faithful in over a hundred centres; already fifteen convents and a number of schools have been started; thirty seminarians are in various stages of clerical formation;

there is wide participation of the laity at all levels of diocesan life. Special efforts involving personal sacrifice will still be necessary, before the Eparchy is provided with adequate pastoral structures and services. These difficulties of a foundational nature were foreseen: yet the Holy Father, in taking his well-known decision "after much prayer and reflection" (*Letter to the Bishops of India*, no. 6), was confident that they would be overcome through the cooperation of all in a brotherly spirit. And here I would like to assure Your Eminence that the Holy Father is aware of, and deeply appreciates, all that you and your devoted clergy are doing on behalf of your Eastern Rite brethren in this delicate, formative phase of the Eparchy of Kalyan.

It is the desire of the Holy Father that, in dutiful adherence to his directives, the Bishops of India support the Eparchy of Kalyan with all the weight of their moral authority, to enable it to achieve stability and develop its institutions. It would be appropriate, therefore, that the Bishops directly concerned continue to enlighten the faithful as to the significance of Rites within the Church, striving to dissipate undue anxiety as to schools, cemeteries, use of churches, and the like; to foster inter-ritual cooperation, especially in matters of common interest and advantage; and to encourage Catholics to know each other better, both individually and collectively, as brothers and sisters of the one Church of Christ.

It is also perhaps useful to recall that Syro-Malabar and Syro-Malankara faithful have been settling in various parts of the Indian Motherland and beyond, and in recent decades also in North America where they are being pastorally served by priests of their own Rite. Everywhere they have been able to adapt to local conditions, languages, ways of life, without feeling that their newly acquired civil status interferes or is incompatible with their ecclesial heritage, which the Church, on her part, keenly desires that they maintain, cherish and observe to the best of their ability (cf. *Orientalium Ecclesiarum*, no. 4). And where these faithful, through historical or personal circumstances, have fallen away from their legitimate traditions, they are earnestly exhorted to return to them (cf. *ibid.*, no. 6).

The Syro-Malabar Catholics resident in the Bombay-Pune-Nashik areas should therefore be exhorted and encouraged to attend

Church services in the newly established ecclesiastical jurisdiction of Kalyan, and they should be afforded fraternal understanding and ample assistance in renewing and deepening knowledge of their ecclesial heritage. However, those Syro-Malabar faithful who for serious reasons wish to continue to belong to Latin Rite parishes, may request permission for transfer from the Syro-Malabar to the Latin Church. At the same time, I would hasten to point out that the Holy See does not grant permission for transfer of Rite to groups of faithful but only to individual persons or family units "singillatim". Taking into account the positive achievement of the Eparchy of Kalyan and considering it its duty not to compromise the development of this local Church, the Congregation for the Oriental Churches will nevertheless give consideration to the well-founded and documented requests presented by individuals or family units.

On the pastoral level, it was to be foreseen that the foundational period of the Eparchy of Kalyan would bring with it some misunderstanding and even tension, which all must actively contribute to overcome. Pastoral experience teaches that in this period a certain amount of flexibility and good will should prevail in cases where the correspondents, as well as their children, have been accustomed for several decades to attending Church services in the Latin Rite. They should not be constrained to leave the parishes which they have been attending for decades if it is clearly against their will and if there is a danger that they will drift altogether from the Faith. This temporary pastoral provision is meant only to allow time for such Syro-Malabar faithful to regularize their situation. Difficulties will be overcome if the Ordinaries, priests and laity of both Rites act with a profound sense of responsibility, mutual support and love of the Church.

While informing Your Eminence of this decision, the Holy Father warmly invites you to contribute, with your customary tact and prudence, to the enlightenment and spiritual serenity of the faithful and to encourage all to build and cherish harmony and good relations between the various Rites.

With fraternal good wishes, I am

Yours sincerely in Christ,
Angelo Card. Sodano

4. CALLIANENSIS EPARCHIAE FIDELIBUS SYRI-MALABARENSIS RITUS FACULTAS CONCEDITUR, SI ID VOLUERINT, SACRAMENTA RITUS LATINI RECIPIENDI

Secretaria Status
Rescriptum ex Audientia

Postulationibus, quas Eparchiae Callianensis ritus Syri-malabarensis fideles iterum iterumque Summo Pontifici admoverunt, benigne Ipse concessit, qui quidem, post constitutam Eparchiam, in ritu Latino deserendo, in quo sunt instituti suamque religionem et pietatem explicaverunt, multis difficultatibus afficiuntur.

Quapropter, Summus Pontifex Ioannes Paulus PP. II, ut communitatis paci faveat, supra memoratis fidelibus indultum concedit sacramenta recipiendi apud ritus Latini paroecias, qui pariter minime ascriptionem amittunt suo ritui, firmo quoque canone 747 manente Codicis Ecclesiarum Orientalium. Ascriptos esse eos ritui Syro-malabarensi rite constare debet in paroecialibus albis Baptismorum, Confirmationum et Matrimoniorum paroeciarum Latinarum.

Indultum porro hoc validam licitamque Matrimonii sacramenti celebrationem includit, dummodo Codicis Canonum Ecclesiarum Orientalium normae servantur; ad parochum legitimum idcirco Latinum, ad iuris normam, pertinet prescripta adimplere, quae ad liberi status declarationem emittendam spectant.

Indultum hoc fideles solummodo comprehendit, qui ad hunc usque diem infra designatum in paroeciarum ritus Latini albis inscripti sunt.

Ex Aedibus Vaticanis, die XVIII mensis Septembris, anno MCMXCIII.

Angelus Card. Sodano
Secretarius Status

4. THE FACULTY IS GIVEN TO THE SYRO-MALABAR RITE FAITHFUL OF THE EPARCHY OF KALYAN TO RECEIVE, IF THEY SO WISH, THE SACRAMENTS IN THE LATIN RITE

Secretariate of State
Rescript ex Audientia

The Holy Father has kindly acceded to the repeated requests made to him by the faithful of the Syro-Malabar Eparchy of Kalyan, who in consequence of the establishment of the said Eparchy, find it very difficult to give up the Latin rite in which they have been brought up and have been practising their faith.

Therefore, in order to promote peace in the community, the Holy Father grants an Indult to the abovementioned faithful, to receive the Sacraments in parishes of the Latin rite. This concession does not imply that they lose their Syro-Malabar rite; and it does not apply to Canon 747 of the *Code of Canons of the Eastern Churches*. The adscription to the Syro-Malabar rite of these faithful must be clearly mentioned in the registers of Baptisms, Confirmations and Marriages of the Latin rite parish in which they receive these sacraments.

This Indult includes the licit and valid reception of the Sacrament of Marriage (in a Latin rite parish), provided the norms of the *Code of Canons of the Eastern Churches* are observed in this regard. The legitimate Latin rite Parish Priest must observe the requirements of the law to establish the free state of the parties.

This Indult applies to those faithful who actually belonged to the Latin rite parishes till the under-mentioned date.

Given from the Vatican Palace on September 18, 1993.

Angelo Cardinal Sodano
Secretary of State

**5. IN FOEDERATIS CIVITATIBUS AMERICAE
SEPTENTRIONALIS NOVA EPARCHIA CONDITUR
NOMINE SANCTI THOMAE APOSTOLI CHICAGIENSIS
SYRORUM-MALABARENSIUM**

IOANNES PAULUS EPISCOPUS

Servus servorum Dei

Ad perpetuam rei memoriam

Congregatio pro Ecclesiis Orientalibus, cuius est praesertim sub lumine doctrinae Concilii Oecumenici Vaticani II consulere quoque communitatibus Christifidelium Orientalium per orbem terrarum versantium, sollicita de spirituali salute atque maiore unitate regiminis fidelium Ecclesiae Syrorum-Malabarensium. qui decursu temporum varias ob vicissitudines, propriis regionibus relictis, se contulerunt ad hospitaes terras Foederatarum Civitatum Americae Septentrionalis, praehabito consilio Venerabilis Praesulis Varkey Vithayathil, C.S.S.R., Archiepiscopi Maioris Ernakulamensis-Angamaliensis Syrorum-Malabarensium atque omnibus mature perpensis, censuit ut pro memoratis fidelibus nova Eparchia constitueretur. Nos igitur qui ut beati Petri Successores diligentissimam curam gerimus de universo grege Dominico, ratam habentes talem sententiam a Praefecto Congregationis pro Ecclesiis Orientalibus in Audientia hodie ad Nos relatam, summa Apostolica potestate condimus Eparchiam *Sancti Thomae Apostoli Chicagiensei Syrorum-Malabarensium* pro fidelibus eiusdem ritus in Foederatis Civitatibus Americae Septentrionalis commorantibus, cunctis tributis propriis iuribus atque obligationibus. Quae quidem ceteraque secundum normas Codicis Canonum Ecclesiarum Orientalium temperentur. Insuper de eodem absoluto negotio sueta documenta exarentur et ad Congregationem, quam diximus, mittantur. Hanc denique Apostolicam Constitutionem nunc et in posterum ratam esse volumus, contrariis quibuslibet rebus nihil obstantibus.

Datum Romae, apud Sanctum Petrum, die decimo sexto mensis Februarii, anno Domini bis millesimo primo, Pontificatus Nostri vicesimo tertio.

**5. ERECTION OF THE EPARCHY OF SAINT THOMAS
THE APOSTLE OF CHICAGO OF THE SYRO-
MALABARIANS IN THE UNITED STATES OF NORTH
AMERICA**

JOHN PAUL BISHOP

Servant of servants of God

For perpetual memory

The Congregation for the Oriental Churches, whose special responsibility it is, in the light of the doctrine of the Second Vatican Ecumenical Council, to provide for the communities of the Eastern Christian faithful in the whole world, being solicitous of the spiritual good and greater unity of governance of the faithful of the Syro-Malabar Church, who in the course of time, on account of various vicissitudes, abandoned their own regions and emigrated to the hospitable lands of the United States of North America, after consultation with the venerable Presul Varkey Vithayathil C.S.S.R., Major Archbishop of Ernakulam-Angamaly of the Syro-Malabar Church and after due consideration of all things, judged that a new eparchy should be constituted for the said faithful. We, therefore, who as the successor of blessed Peter, exercise the most diligent care for the entire flock of the Lord, ratify such decision, presented to us by the Prefect of the Congregation for the Oriental Churches at the Audience today, and with our supreme power, establish the Eparchy of St Thomas the Apostle of Chicago of the Syro-Malabarians for the faithful of the same rite residing in the United States of North America, granting it appropriate rights and obligations. Indeed these and other matters shall be regulated according to the norms of the Code of Canons of the Eastern Churches. Moreover after discharging this affair the customary documents shall be drawn up and sent as soon as possible to the aforementioned Congregation. Finally we wish to ratify this apostolic constitution for the present and the future, notwithstanding whatsoever else to the contrary.

Given in Rome, at St Peter's, on 16 February, in the year of the Lord 2001, the twenty-third year of our pontificate.

Chapter Eight

THE SYRO-MALANKARA CATHOLIC CHURCH

From the time of the Apostle Thomas until 1653 the St Thomas Christians remained united under one head, without any division or schism among them. After the imposition of Portuguese Padroado jurisdiction in 1600, the attempts at the westernisation of the Indian Eastern Church gained momentum, which finally led to the “revolt” of the St Thomas Christians under the leadership of archdeacon Thomas against the agents of Padroado on 3 January 1653, generally known as the *Coonan Cross Oath*. After receiving reports about the tragic events in Malabar the Congregation of Propaganda Fide sent two Carmelites, Sebastiani Joseph of Holy Mary and Hyncint of St Vincent, endowed with special faculties from Pope Alexander VII to investigate and settle the problems of the Malabar Church. Although many Christian faithful returned to the true fold, the attempts of the apostolic Commissaries did not succeed in re-composing the broken unity because archdeacon Thomas and his party required that he be consecrated bishop. Since such a demand was unacceptable, on 1 February 1663 Sebastiani excommunicated the archdeacon and his group from the Catholic Church. Thus the schism initiated in 1653 was officially ratified, perpetuating the division of the St Thomas Christians into Catholic and non-Catholic groups.

In the course of time the separated community entered into communion with the Jacobite Syrian patriarch of Antioch, gradually accepting the Orthodox Jacobite faith, the jurisdiction of the Antiochean patriarch as well as the Antiochean liturgy and canonical discipline. However it was only in the Synod of Mavelikara in 1836 that the community officially and formally accepted the Antiochean liturgy and canon law. This Orthodox community began to be known in common parlance as the Malankara Church. In 1876 patriarch Peter III convoked a synod of the Malankara Church at Mulanthuruthy, in which the supremacy and jurisdiction of the Antiochean patriarch were officially accepted and acknowledged. With this synod the Malankara Church was definitively and completely brought under

the supremacy of the Antiochean patriarch. Practically, the Malankara Church was annexed to the Antiochean patriarchate.

The dispute concerning the nature of the authority and jurisdiction of the Antiochean patriarch led to the division of the Malankara Church into the patriarch's party and the bishop's party, which became formal in 1912 with the erection of the Catholicate in Kottayam. Later the patriarch's party took the name Malankara Syrian Orthodox Church and the Catholicos' party assumed the title Malankara Orthodox Syrian Church. The Malankara Syrian Orthodox Church (the patriarch's party) remained a part of the Antiochean patriarchal structure, the patriarch of Antioch thus having full supremacy and jurisdiction in spiritual and temporal affairs. The Malankara Orthodox Syrian Church (Catholicos' party) became an autocephalous Church, independent of the patriarch of Antioch. The holy synod of the Catholicate, composed of the Katholikós and other bishops of the same Church, even today consecrates bishops and metropolitans and performs all patriarchal functions.

With the Malankara Church there always remained a nostalgia for full communion with the Catholic Church. Efforts for re-union began from the very moment of separation itself. Before definitively accepting the Orthodox faith and Antiochean liturgy, serious attempts were made especially by Mar Thomas IV (1686-1728), Mar Thomas V (1728-1764) and Mar Thomas VI (1761-1808) for a reunion with the Catholic group. All such attempts failed mainly because of the negative attitude of the Padroado and Propaganda authorities and their representatives in India who considered the reception of the separated group with their head as a bishop with jurisdiction over his people would be detrimental to their own authority and power over the St Thomas Christians because the presence of a native Catholic bishop from among the flock might have signified the reunion of all the St Thomas Christians under one head.

It was only in the twentieth century that the attempts of the Malankara Church for full communion with the Catholic Church retaining their own hierarchy, liturgy, discipline and ecclesial traditions, became a reality. On 20 September 1930 Geevarghese Mar Ivanios, metropolitan of Bethany and bishop Jacob Mar

Theophilos, of the autocephalous Orthodox Syrian Church, together with the representatives of their followers, were received into the Catholic Church. This event marked the beginning of the present Syro-Malankara Catholic Church. Subsequently several priests, religious and Christian faithful from the Orthodox Churches flocked into the Syro-Malankara Church.

On 13 February 1932 through the apostolic constitution *Magnum Nobis* two ordinariates were established for the Malankara Church, each one separated from the other by the course of the Pampa river. To Mar Ivanios was assigned the titular see of "Phasiensis", with residence in Trivandrum and to bishop Theophilos the titular see of "Aradensis" with residence in Tiruvalla. After evaluating the rapid growth of the reunited community, on 11 June 1932 Pope Pius XI constituted the Syro-Malankara hierarchy through the apostolic constitution *Christo Pastorum Principi*. The Pope constituted the reunited community as an ecclesiastical province with two sees having definite external territorial boundaries: Trivandrum as the metropolitan see and Tiruvalla as its suffragan. Mar Ivanios became the first metropolitan of Trivandrum and Mar Theophilos the first bishop of Tiruvalla. On 28 October 1978 Pope John Paul II bifurcated the diocese of Tiruvalla and erected the diocese of Battery with the apostolic constitution *Constat Paulum*. The civil regions of Malapuram, Kozhikode, Cannanore, Nilgiri, Mysore, Coorg, Mandya, Hassan, South Canara, Chikmagalur and Shimoga, became the territory of the new eparchy of Battery. On 18 December 1996 the Pope dismembered the region of Kanyakumari from the archdiocese of Trivandrum and constituted the eparchy of Marthandom as its suffragan. On 19 December 2002 through the apostolic constitution *Communitates terrarum* the eparchy of Muvattupuzha was created with the territory dismembered from the eparchy of Tiruvalla. Thus at present the Syro-Malankara Church has an archdiocese and four suffragan sees.

With regard to the Syro-Malankara Church we present the apostolic constitutions *Christo Pastorum Principi*, erecting the Syro-Malankara hierarchy and *Constat Paulum* creating the eparchy of Battery, considering its importance with regard to the specification of territory.

**1. CONSTITUTIO APOSTOLICA DE NOVAE
ECCLESIASTICAE ANTIOCHENI RITUS PROVINCIAE PRO
FIDELIBUS SYRO-MALANKARENSIBUS ERECTIONE IN
MALABARICA INDIARUM ORIENTALIUM REGIONE**

PIUS EPISCOPUS
Servus servorum Dei
Ad perpetuam rei memoriam

Christo pastorum Principi humillimas ferventesque persolvimus gratias cum duo praeclarissimi antiocheni ritus Syromalankarenses Antistites, Mar Ivanios nempe Archiepiscopus et Mar Theophilos Episcopus, pluresque sacerdotes ac ingens de eorum grege incolarum numerus, suorum Pastorum, divina operante gratia, vestigia secuti, in Sanctae Matris Catholicae Ecclesiae gremium feliciter ingressi sunt: ipsisque Praesulibus ex animo gratulati sumus, quod pientissimo Patri luminum, qui eorum mentes et corda illuminare dignatus est, dociles praeberunt aures, omnique ope atque opera in Christi regno inter fideles illos magis dilatando assidue elaborarunt. Paucis itaque transactis mensibus ex quo fideles illi catholicam amplexi sunt unitatem, Nos, eorum spirituali bono consulere cupientes, duplicem interea ordinariatum intra fines Malabaricae regionis, cursu Pampae fluminis unum ab altero seiunctum, Apostolicis sub plumbo Litteris *Magnum Nobis*, die tertiadecima Februarii vertentis anni datis, constituimus ac venerabilibus praefatis Praesulibus concedidimus. Cum vero istorum fidelium Syromalankarensium antiocheni ritus numerus fauste feliciterque magis in dies auctus sit ac brevi tempore, auctore Domino, ad nonnulla millia iam pervenerit, opportunum et salutare visum est res ecclesiasticas aptiore ac firmitate ratione disponere et ordinare, novam erigendo in regione illa Malabarica ecclesiasticam ritus antiocheni provinciam. Quapropter Nos, praefatorum Praesulum faventes votis ac novum erga nobilissimas orientales Ecclesias Nostrae dilectionis testimonium praebere

**1. APOSTOLIC CONSTITUTION CONCERNING THE
ERECTION OF A NEW ECCLESIASTICAL PROVINCE OF
ANTIOCHEAN RITE FOR THE SYRO-MALANKARA
FAITHFUL IN THE MALABAR REGION OF THE EAST
INDIES**

Pius Bishop
Servant of the servants of God
For perpetual memory

We rendered most humble and fervent thanks to Christ, the Prince of Pastors, when two most distinguished Syro-Malankara bishops of Antiochean rite, namely archbishop Mar Ivanios, and bishop Mar Theophilos and several priests and a large number of inhabitants from their flock, by the grace of God, following in the footsteps of their pastors, gladly entered into the womb of the holy mother Catholic Church. We heartily congratulated these bishops because they offered their docile ears to the most compassionate Father of lights who deigned to illuminate their minds and hearts; and they endeavoured assiduously with all their might and strength to spread the Kingdom of Christ more widely among those faithful. A few months after those faithful embraced Catholic unity, wishing to provide for their spiritual good, with the apostolic letter *Magnum Nobis*, given under seal on 13 February of this year, we established in the meantime two ordinariates within the boundaries of the Malabar region, each one separated from the other by the course of the Pampa river, and entrusted them to the abovementioned bishops. Since the number of Syro-Malankara faithful of Antiochean rite happily and auspiciously increased daily and because of the Lord's help, in a short period of time amounted to several thousands, it seemed to us opportune and advantageous to arrange and regulate the ecclesiastical affairs in a more suitable and stable manner by the erection of a new ecclesiastical province of Antiochean rite in the Malabar region. Hence we, favouring the desires of the afore-mentioned bishops and willing to offer a new testimony of our affection towards the noblest Oriental Churches, after obtaining the favourable vote of our venerable

volentes, praehabito favorabili voto venerabilis fratris Leonis Kierkels, Archiepiscopi titularis Salaminensis, in Indiis orientalibus Delegati Apostolici, de venerabilium fratrum Nostrorum S. R. E. Cardinalium Sacrae Congregationi pro Ecclesia Orientali praepositorum, suppleto, quatenus opus sit, quorum interest, vel eorum qui sua interesse praesumant consensu, ea quae sequuntur, Apostolicae potestatis plenitudine, decernimus ac statuimus:

I. Suppressis duobus quos supra diximus ordinariatibus in regione Malabaricae ad Pampae fluminis septentrionem et meridiem, ex eorum territorio novam ac distinctam ecclesiasticam provinciam pro fidelibus Syro-Malankarensibus antiocheni ritus erigimus, quae duabus constabit sedibus archiepiscopali nempe Trivandrensi et episcopali Tiruvallensi.

II. Trivandrensis archidioecesis, cuius fines iidem erunt ac dioecesium Quilonensis, de Kottar et dioecesis Coccinensis partis meridionalis fines, districtus *Trivandrum, Kottarakara, Adoor, Pathanamthitta, Mavelikara, Kayamkulam* et *Chengannoor* complectetur.

III. Archiepiscopi Trivandrensis sedem in urbe *Trivandrum*, a quo archidioecesis ipsa nomen mutuatur, constituimus.

IV. Archiepiscopalem Ecclesiam Trivandrensem novae huius ecclesiasticae provinciae metropolitanam constituimus; illi propterea, eiusque pro tempore Archiepiscopis omnia concedimus iura et privilegia, honores et praerogativas, quae iure communi et Ecclesiae Syro-Antiochenae legitimis consuetudinibus eisdem competunt; facultatem in primis pro Archiepiscopis pallio intra ecclesiasticae provinciae fines iuxta liturgicas leges utendi, postquam tamen ipsum ab Apostolica Sede in sacro Consistorio postulatum ac obtentum fuerit.

V. Dioecesis Tiruvallensis, cuius limites iidem erunt ac dioecesium Verapolitanae et de Vijayapuram, nec non dioecesis Coccinensis partis septentrionalis fines, districtibus *Tiruvalla, Niranam, Kottayam, Moovattupuzha, et Kunnankulam* constabit.

VI. Episcopi Tiruvallensis sedem in oppido *Tiruvalla* statuimus, a quo dioecesis ipsa nuncupatur.

brother Leon Kierkels, titular archbishop of Salamia, the apostolic delegate in the East Indies, upon the counsel of our venerable brothers the cardinals of the Holy Roman Church appointed to the Sacred Congregation for the Oriental Church, having supplied for the consent, as far as necessary, of those whom it concerns or those who presume it to be of concern, with the fullness of our apostolic power, we decide and decree what follows:

I. After having suppressed the two afore-mentioned ordinariates in the Malabar region at the north and the south of the Pampa river, from their territory we erect a new and distinct ecclesiastical province for the Syro-Malankara faithful of Antiochean rite, which will consist of two sees, namely the archiepiscopal see of Trivandrum and the episcopal see of Tiruvalla.

II. The archdiocese of Trivandrum, whose boundaries shall be the same as those of the dioceses of Quilon, Kottar and the southern part of the diocese of Cochin, embraces the districts of Trivandrum, Kottarakara, Adoor, Pathanamthitta, Mavelikara, Kayamkulam and Chengannoor.

III. We constitute the see of the archbishop of Trivandrum in the city of Trivandrum, from which the archdiocese itself takes its name.

IV. We constitute the archiepiscopal Church of Trivandrum as the metropolitan see of this new ecclesiastical province; moreover we grant to it and to its archbishops for the time being, all rights and privileges, honours and prerogatives which, by common law and legitimate customs of the Syro-Antiochean Church are due to them; especially the faculty for the archbishops to use the pallium within the boundaries of the ecclesiastical province according to the liturgical laws, but only after it has been requested and obtained from the Apostolic See in a sacred consistory.

V. The diocese of Tiruvalla, whose boundaries will be the same as those of the dioceses of Verapoly and Vijayapuram, as well as the borders of the northern part of the diocese of Cochin, will consist of the districts of Tiruvalla, Niranam, Kottayam, Moovattupuzha and Kunnankulam.

VI. We establish the see of the bishop of Tiruvalla in the city of Tiruvalla, by which name the diocese itself shall be called.

VII. Cathedrali Ecclesiae Tiruvallensi eiusque pro tempore Episcopis iura omnia et privilegia concedimus honores et praerogativas, quae iure communi et legitima consuetudine Ecclesiae Syro-Antiochenae eisdem spectant.

VIII. Novam hanc cathedralem Tiruvallensem suffraganeam constituimus metropolitanae Ecclesiae Trivandrensi, eiusque pro tempore Episcopos metropolitico iuri Archiepiscopi Trivandrensis subicimus.

IX. Tum metropolitanam Ecclesiam Trivandrensem eiusque pro tempore Archiepiscopos, tum cathedralem Ecclesiam Tiruvallensem eiusque Episcopos iisdem adstringimus oneribus et obligationibus, quibus ceterae metropolitanae et cathedrales Ecclesiae earumque Antistites adstringuntur.

X. Antistitum Trivandrensis et Tiruvallensis cathedras, alteram in ecclesia B. Mariae Virginis Matris Dei in *Trivandrum* urbe, alteram in ecclesia S. Ioannis Evangelistae in *Tiruvalla* oppido figimus. Hisce itaque ecclesiis, donec aliter provideatur, omnia concedimus iura et privilegia quibus aliae metropolitanae et cathedrales ecclesiae fruuntur.

XI. Archiepiscopalem seu episcopalem mensam oblationes a fidelibus fieri solitae, redditus ac bona omnia constituent, quae Ecclesiis ipsis quocumque titulo in posterum pervenerint.

XII. Quod autem attinet ad Trivandrensis et Tiruvallensis Ecclesiarum administrationem et regimen, ad Consultorum Collegii ad iuris normam electionem, ad Seminariorum institutionem, ad clericorum et fidelium iura et onera, aliaque huiusmodi, servanda iubemus quae sacri canones statuunt. Quod vero ad clerum praecipue spectat, statuimus ut simul ac praedictarum archidioecesis et dioecesis erectio executioni mandata fuerit, eo ipso clerici omnes Ecclesiae illi censeantur adscripti in cuius territorio legitime exstant.

XIII. Nobis denique ac Sedi Apostolicae facultatem reservamus praefatas circumscriptiones pro temporum adiunctis immutandi et aliter definiendi quoties id in Domino expedire visum fuerit.

VII. We concede to the cathedral church of Tiruvalla and to its bishops for the time being all rights, privileges, honours and prerogatives which according to common law and the legitimate customs of the Syro-Antiochean Church belong to them.

VIII. We constitute this new cathedral of Tiruvalla as a suffragan of the metropolitan Church of Trivandrum and we subject its respective bishops to the metropolitan right of the archbishop of Trivandrum.

IX. We oblige both the metropolitan Church of Trivandrum and its respective archbishops, and the cathedral Church of Tiruvalla and its bishops by the same duties and obligations, by which other metropolitan and cathedral Churches and their bishops are bound.

X. We fix the cathedrals of the bishops of Trivandrum and Tiruvalla, one in the church of the Blessed Virgin Mary Mother of God in the city of Trivandrum, the other in the church of St. John the Baptist in the city of Tiruvalla. Hence we grant to these churches, until otherwise provided, all rights and privileges which other metropolitan and cathedral churches enjoy.

XI. The offerings which are accustomed to be made by the faithful, the revenues and all goods of any kind which will have come to these churches in the future under any title, will constitute the archiepiscopal or episcopal funds (*mensa*).

XII. With regard to the administration and governance of the Churches of Trivandrum and Tiruvalla, the election of the college of Consultors according to the norm of law, the institution of seminaries, the rights and obligations of the clergy and the faithful and other such matters, we order to observe what the sacred canons prescribe. Nevertheless, especially with regard to the clergy we determine that as soon as the erection of the abovementioned archdiocese and diocese has been committed to execution, by that itself, all clerics shall be considered ascribed to that Church, in whose territory they are legitimately found.

XIII. Finally we reserve to ourselves and the Apostolic See the faculty of changing and re-defining the above-made circumscriptions of the territories in accordance with the circumstances of time as often as in the Lord it will seem expedient.

Rebus itaque ut supra dispositis, ad eadem omnia executioni mandanda deputamus quem supra memoravimus venerabilem fratrem Leonem Kierkels, Indiarum Orientalium Delegatum Apostolicum; eique propterea necessarias et opportunas tribuimus facultates tum omnes dirimendi controversias in executionis actu quomodolibet orituras, tum etiam subdelegandi ad effectum de quo agitur alium virum in officio vel ecclesiastica dignitate constitutum, eidemque onus imponimus authenticum exemplar peractae executionis actus intra sex menses ab his Litteris acceptis ad Sacram Congregationem pro Ecclesia Orientali transmittendi.

Praesentes autem Litteras et in eis contenta quaecumque, etiam ex eo quod quilibet, quorum interest vel eorum qui sua interesse praesumant, auditi non fuerint ac praemissis non consenserint, etiam si expressa et individua mentione digni sint, nullo unquam tempore de subreptionis vel obreptionis aut nullitatis vitio seu intentionis nostrae, vel quolibet alio licet substantiali et inexcogitato defectu notari, impugnari vel in controversiam vocari posse; sed eas tamquam ex certa scientia ac potestatis plenitudine factas et emanatas perpetuo validas existere et fore, suosque plenarios et integros effectus sortiri et obtinere atque ab omnibus ad quos spectat inviolabiliter observari debere; et si secus super his a quocumque, quavis auctoritate, scienter vel ignoranter contigerit attentari, irritum prorsus et inane esse et fore volumus et decernimus. Volumus denique ut harum Litterarum transumptis, etiam impressis, manu tamen alicuius notarii publici subscriptis ac sigillo alicuius viri in ecclesiastica dignitate vel officio constituti munitis, eadem prorsus tribuatur fides, quae hisce Litteris tribueretur, si originaliter exhibitae vel ostensae forent. Non obstantibus, quatenus opus sit, regulis in synodalibus, provincialibus, generalibus universalibusque Conciliis editis, specialibus vel generalibus constitutionibus et ordinationibus Apostolicis, et quibusvis aliis Romanorum Pontificum praedecessorum Nostrorum dispositionibus, ceterisque contrariis quibuscumque.

After having arranged these matters as described above, we depute the aforementioned venerable brother Leon Kirkels, the apostolic delegate of the East Indies for the execution of all such provisions; therefore, we grant him all the necessary and opportune faculties, both of resolving all the controversies which may arise in any manner in the act of execution and even of sub-delegating, as to the effect of the matter concerned, another man constituted in office or ecclesiastical dignity, and we oblige him to transmit to the Sacred Congregation for the Oriental Church, within six months from the date of the reception of this letter an authentic exemplar of the completed execution of the act.

We wish and decide that the present letter and whatever is contained in it, also because any of those whom it concerns or those who presume it to be of concern, have not been heard or have not consented to the aforementioned matters, even if deserving express, specific and particular mention, cannot be censured, impugned or brought into controversy at any time, by defect of subreption or deception, or by defect of nullity or of our intention or by any other defect even if a substantial and not thought out one, but this letter, as it has been prepared and emanated with a sure knowledge and from the plenitude of power, is and will be perpetually valid and will obtain and maintain its complete and full effect and it shall be inviolably observed by all those whom it concerns; and it is and will be certainly null and void, if anyone shall presume to act otherwise over these matters, by any authority, knowingly or unknowingly. Finally we wish the same faith which would be given to this letter, if the original were exhibited or shown, must be accorded to the transcriptions of this letter, but signed by any public notary and sealed by anyone constituted in ecclesiastical dignity. Notwithstanding as far as it is necessary, regulations promulgated in synods as well as in provincial, general and universal councils, special or general constitutions and apostolic ordinances, and whatsoever other dispositions of our predecessors the Roman Pontiffs and whatsoever else to the contrary.

Nemini autem has Litteras Nostras erectionis, evectionis, concessionis, statuti, derogationis, mandati et voluntatis Nostrae infringere vel contraire liceat. Si quis vero ausu temerario hoc attentare praesumpserit, indignationem omnipotentis Dei et beatorum Petri et Pauli Apostolorum Eius se noverit incursum.

Datum Romae apud S. Petrum, anno Domini millesimo nongentesimo trigesimo secundo, die decima prima mensis Iunii, in festo S. Barnabae Apostoli, Pontificatus nostri anno undecimo.

Let it be unlawful for anyone to infringe up on or contradict those things which have been decreed in this letter of erection, elevation, statute, mandate, derogation, and of our will. If anyone, however, by any temerarious act, should presume to attempt such a thing, let him know that he shall incur the wrath of Almighty God and of his blessed Apostles Peter and Paul.

Given in Rome, at St. Peter's, 11 June 1932, the feast of St. Barnabas the Apostle, in the eleventh year of our Pontificate.

**2. QUIBUSDAM LOCIS AB EPARCHIA TIRUVALLENSI
DETRACTIS NOVA CONDITUR EPARCHIA NOMINE
BATTERIENSIS, IN INDIA**

IOANNES PAULUS EPISCOPUS
Servus servorum Dei
Ad perpetuam rei memoriam

Constat Paulum VI, Decessorem Nostrum bo.me., precibus auditis quas ei adhibuerat Sacra Congregatio pro Ecclesiis Orientalibus, haud ita pridem statuisset ut, quibusdam ab Eparchia Tiruvallensi detractis locis nominatim descriptis, nova iisdem Eparchia erigeretur proprio ac distincto nomine nuncupanda; neque Nos latet eandem rem etiam a postremo Decessore Nostro Ioanne Paulo I confirmatam esse. Hanc ob causam, decretum considerantes profuturum ad pastorales curas Christifidelium in illis regionibus degentium, non dubitavimus quin id Nosmet ipsi ratum omnino haberemus. Per has igitur Litteras Nostras haec, quae sequuntur, statuta decretaque habeantur. Confirmamus et iubemus ut civilibus regionibus, vulgo "Malapuram" et "Kozhikode" et "Cannanore" et "Nilgiris" et "Mysore" et "Coorg" et "Mandya" et "Hassan" et "South Canara" et "Chikmagalur" et "Shimoga" appellatis, dehinc ab Eparchia Tiruvallensi seiunctis, condatur nova Eparchia *Batteriense* nuncupanda, cuius sedes erit in ipsa urbe Battery, ubi et cathedralis sacra aedes constituetur. Nova ista Eparchia suum sibi habebit Seminarium minus, quod optandum est ut quam primum excitetur. Eadem praeterea, ut Ecclesia suffraganea, Sedi metropolitanae Trivandrensi posthac obnoxia erit. Has Nos Litteras Apostolicas et nunc et in posterum ratas esse volumus, contrariis quibuslibet minime obstantibus.

Datum Romae, apud S. Petrum, die duodevicesimo mensis Octobris anno Domini millesimo nongentesimo septuagesimo octavo, Pontificatus Nostri primo.

**2. AFTER SEPARATING SOME PLACES FROM THE
EPARCHY OF TIRUVALLA, A NEW EPARCHY NAMED
BATTERY IS ESTABLISHED IN INDIA**

JOHN PAUL BISHOP
Servant of servants of God
For perpetual memory

It results that Paul VI, our predecessor of good memory, after hearing the supplications which the Sacred Congregation for the Oriental Churches had made to him, not so very long ago decreed that, after some places - which were indicated expressly - had been dismembered from the eparchy of Tiruvalla, a new eparchy should be erected with its own proper and distinct name; nor is it unknown to us that the same provision was also confirmed by our former predecessor John Paul I. On account of this, as we consider this decision to be beneficial for the pastoral care of the Christian faithful dwelling in those regions, we ourselves did not doubt to consider it fully ratified. Therefore by means of this letter of ours what follows must be considered decided and decreed. We confirm and order that henceforth after the civil regions called Malapuram, Kozhikode, Cannanore, Nilgris, Mysore, Coorg, Mandya, Hassan, South Canara, Chikmagalur and Shimoga having been dismembered from the eparchy of Tiruvalla a new eparchy to be called Battery is to be founded, whose see will be in the same city of Battery itself, where a sacred cathedral shall be built. This new diocese will have its own minor seminary, which is hoped to be erected as soon as possible. Moreover the same (eparchy), as a suffragan Church will hereafter be subject to the metropolitan see of Trivandrum. We wish that this apostolic letter of ours is to be considered valid now and for the future, notwithstanding whatsoever else to the contrary.

Given in Rome, at St. Peter's, on 28 October 1978, the first year of our Pontificate.

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