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Whether the Pontiff is by divine right the head of the Church and the successor of Peter: and whether it is a matter of faith that this particular Pontiff is truly the Pontiff and head of the Church; and whether he can ever fall from that power.

On St. Thomas, Summa Theologiae II-II, q. 1, a. 5 & 10.

Concerning the first question, we establish the following assertions. Assertion I. Although in a certain sense it is a matter of faith that the Roman Pontiff succeeds Peter by divine right and is the head of the whole Church; nevertheless, it is not so certain from faith that the Roman Pontiff, by the very fact that he is Roman Pontiff, is the successor of Peter by divine right in that universal care of the Church; such that that supreme authority of governing the Church would be inseparably annexed to the Roman See by direct institution and divine law; although this cannot be denied without rashness. This assertion is proved and defended by Turrecremata in book 2 of *De Ecclesia* chapter 4, Canus in book 6 of *Loci Theologici* chapters 4, 5, and 6, Driedo in book 4 of *De variis dogmatibus* chapter 4, part 3, Bellarmine in book 2 of *De Pontifice* chapter 12, and Gregory of Valencia here in question 1, point 7, § 38, and others commonly against Domingo de Soto in book 4 of the *Sentences*, distinction 24, question 2, article 5, who taught that that supreme authority is annexed to the Roman See by ecclesiastical law alone.

The same assertion is proved as to the first part. For that the Roman Pontiff has succeeded Peter by divine right, and thus by the same divine right is the head of the entire Church, can be

understood in three ways. First, and in a certain sense, it can be understood thus: that only the succession itself, by which someone ought to succeed Peter in the government of the universal Church, is of divine right and proceeded from the institution of Christ; namely by this very fact, that that power was handed down by Christ not to Peter alone, but also to his successors; and that this very office of governing the whole Church, as ordinary and destined to endure perpetually in the Church, was instituted by Christ. And in this sense it is certain beyond doubt from the faith that the Roman Pontiff succeeds Peter by divine right, as is evident from what has been said.

Secondly, this can be understood concerning the conjunction of that power with the person of the Roman Pontiff, not absolutely and in a divided sense, but in a composite sense and *ex hypothesi*—namely, that he, after the death of Peter, with the consent of the Church, has been legitimately elected as the successor of Peter and Pastor of the entire Church. And in this sense also, it cannot be denied by any Catholic that the Roman Pontiff, as the successor of Peter, possesses by divine right the power over the universal Church; since this clearly follows from the prior sense of the same proposition; nor is it any less true and certain than the fact that John, for example, supposing that he is a priest, possesses by divine right the power of consecrating, as Báñez correctly stated here in question 1, article 10, doubt 4. And for both reasons, it must be stated and confessed absolutely that the Bishop of Rome is by divine right the Successor of Peter and the head of the entire Church, as Bellarmine noted in the aforementioned chapter 12. From these considerations, therefore, the first part of the assertion is sufficiently evident.

Thirdly, however, this can be understood concerning the conjunction of that power with the person of the Roman Pontiff absolutely: and the second part of the assertion pertains to this sense. This indeed is proved from the following. Because all those opinions of the Holy Fathers, by which they assert that the Bishop of the Roman See has succeeded Peter by the institution of Christ, could be understood absolutely, according to the sense of the first part of the assertion; namely, either concerning the very institution of that Power abstractly; or even from a certain hypothesis, that is to say, given that the Roman Pontiff is he whom the Church herself constitutes as the successor of Peter, whether she does this by her own judgment, or by a particular institution of Christ: from which it could be understood that it is still not sufficiently determined whether in reality the Roman Pontiff, by the very fact that he is such, succeeds the Apostle Peter by divine right, or only by ecclesiastical right.

The third part of the assertion is proven from this: that the Holy Fathers speak simply and absolutely in this manner, that the Roman Pontiff, by this very fact, namely, that he is the Roman Pontiff, is the successor of Peter by divine right and institution; and they apply the testimonies of Scripture to prove this very matter: who are therefore more correctly and appropriately understood in this absolute sense. In this category, that statement of the Lateran Council in the chapter *Damnamus*, concerning the Most Holy Trinity and the Catholic Faith, is especially to be noted. There the Roman Church is said to be, *by God Himself disposing it, the mother and teacher of all Churches*. There is added to this what Pope Marcellus writes in his epistle to the Antiochenes, that Peter, at the Lord's command, transferred his See from Antioch to Rome.

This same fact is also confirmed by that history according to which Peter, about to depart from Rome, by a special admonition of Christ, ended his life at Rome, as Ambrose in his oration against Auxentius, which is extant in book 5 of the Epistles, after Epistle 32, and Hegesippus in book 3 of the destruction of Jerusalem, chapter 2, testify. By this very fact it is indicated that Christ willed that no one other than the Roman Pontiff should be the successor of Peter after his

death. Wherefore also Gregory de Valentia in the cited §. 38 says that the contrary opinion of Soto, in so grave a matter, seems too *singular*, and not truly *sufficiently safe*.

For indeed it matters not a little whether the Roman Pontiff is the Successor of Peter by human or by divine law, as Gregory of Valencia rightly noted in the place cited. For if he succeeds Peter by human law alone, it could come about by that same human and ecclesiastical law that the Successor of Peter would not be the Roman Pontiff, but rather the Bishop of another see, or of no certain see. If, however, it has been instituted by divine law that the Roman Pontiff himself succeeds Peter, then that institution is entirely fixed and immutable by the Church. Furthermore, if that power is entirely immutable from the Roman see, then the particular Church of Rome will also be absolutely indefectible; otherwise not, as will be said below.

ASSERTION II. It must nevertheless be certain and indubitable that the Roman Pontiff receives that supreme authority for governing the entire Church not from men, but from God, and therefore that the Roman Pontiff is constituted Pastor and head of the entire Church not by men, but by God. Thus, according to the common opinion of Catholics, after Torquemada [Juan de Torquemada] book 2, chapters 38 and 44, Cajetan [Thomas Cajetan] opusculum 1, *On the Authority of the Pope*, chapter 13, and part 2 of the *Apology*, chapter 22, Torriano [Giovanni Maria Tolosani] book 1, *Against the Centuriators*, chapter 18, Gregory of Valencia [Gregorius de Valentia] rightly teaches at question 1, point 7, from section 26, and others. This is proved and explained as follows: For whether the Roman Pontiff, because he is such, succeeds Peter absolutely by divine right, or by ecclesiastical right, it is nevertheless certain that the Roman Pontiff, after he has been elected by the Church, receives jurisdiction immediately from Christ. For he does not receive it from his electors, the Cardinals; nor from the whole community of the Church, although an election of this kind is required at least as a condition *sine qua non* in order that the supreme power be conferred upon the Pontiff: because that pontifical power is greater than either the power of the Cardinals or that of the rest of the entire Church, the Pontiff being excluded, as will become more evident below in doubt 8.

Therefore, that power is derived from the law and from a certain divine decree, by which God has firmly established that He will confer that authority and power of the universal Pastor and Head upon a person rightly elected, and at the same time will assist the same person with a certain infallible guidance in those matters pertaining both to faith and to morals which must be determined for the common salvation of the faithful and the integrity of the faith: which divine decree, indeed, is sufficiently manifest of itself that it cannot be supplied by any human authority and power. Hence, for this reason also, the Supreme Pontiff is held to stand above the other Prelates of the Church, because all others, according to the truer opinion, receive their jurisdiction from the Pontiff, whereas the Pontiff receives his immediately from Christ, as Bellarminus [Robert Bellarmine] teaches after others in Book 2, *On the Pontiff*, chapter 17, and Book 4, chapter 24.

From which it is also clearly refuted as false what the Innovators of this age say, namely that the Roman Pontiff received that power of his and the excellence of his primacy from Emperors—whether from Constantine, or from Charlemagne, or from Phocas—as Bellarminus demonstrates at greater length in book 2 of *De Pontifice*, chapter 17, and as I have disputed more fully against the Sectarians in book 3, chapter 8 of *Dioptra fidei*. For if properly speaking the Roman Pontiff is head and pastor of the whole Church, or Primate, not even by Apostolic authority or by the statutes of Councils, much less can he be such by Imperial authority: since it does not belong to

Emperors to confer upon others an ecclesiastical and spiritual power of which they themselves are devoid, as we have proven in doubt 1. Certainly, that the Pontiff does not hold that supreme power of his from any other source than that from which Peter held it; nor that Peter held it from any other source than from Christ and by the institution of Christ, we have sufficiently proven from Scripture, from the Fathers, and from the history of all antiquity in the preceding doubt.

As to the second question, whether it is a matter of faith that this particular Pontiff, whom the whole Church acknowledges and receives as legitimately elected, is truly the Pontiff and head of the whole Church: the following points are certain. I. That which, in a matter of doubtful faith, is duly defined by public authority by this particular Pontiff, whom the whole Church acknowledges and receives as legitimately elected, and is proposed to the whole Church for belief, must be received by all as certain in faith; no less than if God had specially revealed that he is truly the Pontiff. Thus from the common teaching Báñez teaches here q. 1. a. 10. dub. 2. ad 2. Gregorius de Valentia q. 1. punct. 7. §. 39. and Lessius l. 2. c. 35. dub. 25. n. 146, who at the same time also correctly adds that such a one, even if perhaps in actual fact invalidly elected, by reason of colorable title, with common error concurring, has infallible authority in his definitions, God assisting him for the common good of the Church. The reason is: because the whole Church in such matters which pertain to faith and religion cannot err or be deceived; since it is the pillar and foundation of truth 1 Timothy 3, and is taught by God all truth: therefore, since the Church in doubtful questions of faith is bound to acquiesce in the definition of him who by all is rightly and deservedly held to be Pontiff, it is impossible that what is thus proposed by the same Pontiff be false; God, namely, by singular assistance infallibly directing him lest he err; whether meanwhile he is in actual fact the Pontiff or not.

II. Not only can he who would deny that he whom the Church has once proposed and accepted as such, with no intervening dissent, is truly the Pontiff and head of the Church be punished as very rash and scandalous, but also as suspect of heresy, indeed as erring against the faith. So also, with no one dissenting, teaches Báñez in the place cited, who nevertheless adds: unless perhaps someone were to show that he was not baptized, or was not a man; but this hypothesis is not possible in the case of an accepted Pontiff, as will be said. The reason is: both because such a person could be presumed to deny universally the authority of the Supreme Pontiff, and because such a proposition by its nature tends toward inciting schism and grave and dangerous disturbance of the Church.

III. Indeed, also in a certain sense, it is of the faith that this individual Pontiff is truly the Pontiff and head of the Church; namely, both because in the abstract it is of the faith that the Roman Pontiff rightly promoted is the head of the Church, and because it is of the faith that even this individual Pontiff is the head of the Church, at least under the condition that he is in fact legitimately elected and promoted; where at the same time are also presupposed the suitability of the person and the other conditions required for the validity of such an election. This is gathered from what was said, in a similar matter, regarding the preceding part of the doubt.

Whether this is absolutely a matter of faith, there are two opinions among the Doctors. The first absolutely denies that it is a matter of faith. Thus Bañez here, article 10, doubt 4, where he states: *Even after the definition of the Supreme Pontiff and of a Council, it is held only from human prudence and evident investigation, or even from infused prudence—under which there can be speculative falsehood—that this man is the Supreme Pontiff, and that this is a Council rightly confirmed and assembled.* Alfonso de Castro teaches the same in *De hæresibus* book 1, chapter

9, where he says: *Although we are bound to believe that the true Successor of Peter is the supreme Pastor of the whole Church, nevertheless we are not bound by the same faith to believe that Leo or Clement is the true Successor of Peter; since we are not bound by Catholic faith to believe that any one of them was rightly and canonically elected.* And before these, Juan de Torquemada in book 4 of the *Summa*, chapter 9, says that it is not a matter of faith, but savors of faith, that this is a true Council, that this man is Pope.

All those who deny that a theological conclusion only mediately revealed, or deduced from revealed truths, is a matter of faith necessarily hold the same view. The foundation is this: because it cannot infallibly be established that an election was valid in every respect; since the election could be null both on account of incapacity of the person—if perchance it were a woman, or one not truly baptized—and on account of intervening simony. For although it is highly probable that an election made by concordant agreement of two parts of the Cardinals is valid, notwithstanding simony, as some hold according to the chapter *Licet*, concerning election: nevertheless the opposite seems truer to others, according to the chapter *si quis pecunia*, distinction 79, and the decree of the Lateran Council under Julius II, session 5. This also Lessius [Leonardus Lessius] seems to prove more fully in book 2, chapter 35, doubt 25, number 145.

The second opinion asserts that it is a matter of faith. Thus Gregorius de Valentia [Gregory of Valencia], question 1, point 7, § 39, who nevertheless limits this, provided that such a Pontiff has defined something concerning the faith. The same opinion is taught by Salmeron [Alphonsus Salmeron], tome 13, part 3, on the Epistle to the Romans, page 185, and Michael Vasquez [Miguel Vázquez] in a certain disputation proposed at Valladolid on July 10, in the year 1602, and dedicated to the Pontiff, where he says that this opinion was defended by our Society in the Salamancan, Complutensian, Ingolstadtian, Roman, and other Academies.

This opinion has always seemed to me the more true. The reason is as follows: A theological conclusion deduced from one proposition of faith and another that is at least morally evident is a matter of faith, according to what was said in question 1, doubt 3. But this conclusion is of such a kind: Therefore, etc. The minor premise can be proved first by this syllogism: Every one canonically promoted to the Apostolic See of Peter is the true and universal Pastor of the Church; this man has been canonically promoted and elected: Therefore, etc. Here the major premise appears to be a matter of faith; the minor premise, however, is at least morally evident from human testimony indeed, but testimony so certain and established that one rightly believes that there can be no falsehood underlying it, inasmuch as it is presupposed that the legitimate election is established by the irrefragable testimony of the universal Church. Whence it will also follow as a consequence that it is likewise certain from faith that this particular Pontiff possesses all the conditions required for the validity of such an election, and therefore that he is not a woman but a man, and truly baptized; and this whether he has defined anything concerning the faith or not, provided it is established that he has been legitimately elected and promoted. For even if, speaking absolutely and metaphysically, it could happen that a woman, or even a man not baptized, might be elected Pontiff, yet according to the customary manner of proceeding, this is so incredible that it is morally judged to be impossible.

But in truth this argumentation, drawn from election alone, does not seem sufficient; because by canonical promotion and election is understood either that which is deemed legitimate by external appearance and in the external forum, or that which simultaneously also includes and presupposes all conditions, however hidden, required for the validity of such an election, as for

example that the person elected is a man, not a woman; is baptized, etc. If the first is meant, that major proposition is not *de fide*; because notwithstanding such a legitimate election and promotion, it could happen that its effect is impeded by a hidden impediment. If the second is meant, then the minor is not even morally evident. For even granted that it can sometimes be morally evident that this person is a man, not a woman; nevertheless it cannot be even morally evident that this person is truly baptized; certainly no more so than for any other man raised among Catholics.

Therefore the other argument, which is drawn from the acceptance of the Church, is more solid. For it is impossible for the universal Church to err in matters pertaining to the common Religion of the whole Church, since she is the pillar of truth: but the judgment by which the Church accepts someone and holds him as Pontiff is a matter pertaining to the Religion of the whole Church: Therefore it is impossible for the Church to err in that judgment; and consequently it is *de fide* that he whom the universal Church has accepted as Pontiff is truly Pontiff and head of the Church. Where both the major and the minor proposition is *de fide*, it follows therefore that the conclusion is also *de fide*.

Nor does it stand as an objection that it is not believed by divine faith that this particular host is truly consecrated, not only because, as even Báñez admits, it is far more uncertain that this host is consecrated than that this particular person is the true Pontiff; but also because, since for a proposition of faith it is required either that it be immediately revealed in itself, or that it be evidently deduced from two revealed truths, or from at least one revealed truth and another evident truth, therefore it is rightly judged to be a matter of faith that this particular Pontiff is the true Pontiff, as has been said; but not that this particular host is consecrated, inasmuch as this proposition is neither immediately revealed in itself, nor is it deduced from at least one revealed truth and another evident truth, since the minor proposition, which is subsumed after the major proposition concerning faith, is always manifestly non-evident and uncertain, as will be clear to one who reasons through it.

The same, however, which has been said concerning this particular Pope, also has application to this particular Council, for example the Nicene [Council], preserving due proportion. For we know with a certain moral certitude, from the consensus of all history, that some Council of Nicaea was held, and that it was also legitimately convoked and celebrated, and confirmed by the authority of the Roman Pontiff: but that it was itself infallible, we believe by faith, on the basis of a similar kind of reasoning presupposed. We admit, however, that the opposing opinion is also probable; nor is it in any way dangerous to the faith, inasmuch as it prejudices neither the true faith nor good morals, as may be gathered from what has been said: especially since many deny that any proposition not immediately revealed is a matter of faith, as has been said in its proper place.

As to the third question, whether, and by what reasoning, a Pontiff can lose this power of his, I state briefly the following. I. A Pontiff can, by his own will, renounce and lay down that dignity; and this even without the consent of the Church and the Cardinals. This is contained in cap. 1. de renuntiat. in 6. [sexta] and the Gloss there: and that this has in fact sometimes occurred, is established by the histories.

II. If a Pontiff should fall into perpetual insanity, then by divine law itself he loses that power. This seems to be the common opinion: because the foundation of jurisdiction is the use of

reason; so that perpetual insanity, as regards the capacity for jurisdiction and dignity, is equivalent to death.

III. Outside the case of heresy or apostasy, nor on account of any crimes, however notorious, nor on account of other disadvantages or calamities, can the Pontiff ever be deprived of his power. Thus Antoninus [of Florence], 3rd part, title 22, chapter 4, §3; Juan de Torquemada, book 2 of *De Ecclesia*, chapter 98 and following, and book 4, part 1, chapter 9; Albert Pighius, book 6 of *Hierarchiae Ecclesiasticae*, chapter 19; Cajetan [Thomas de Vio], in his work *De Auctoritate Papae*, part 1, chapter 27; Francisco de Torres, in his book *De Papa et Conciliis*; [Antonio de] Córdoba, book 4, question 6—although the Glossa on the chapter *Si Papa*, distinction 40, holds the contrary view, as does Panormitanus [Nicolaus de Tudeschis] in the chapter *Significasti, De electione*; these teach that the Pope can be deposed on account of notorious crimes which give rise to grave scandal in the Church, if indeed he remains incorrigible. These [latter opinions] are also refuted by Bellarmine in book 2 of *De Romano Pontifice*, from chapter 27 [onward].

This is proven from Canon Law, in the chapter *Si Papa*, distinction 40; and the chapter *Electionem*, distinction 79; and the chapter *Oues*, question 2, chapter 7; and the chapter *Nemo*, the chapter *Aliorum*, the chapter *Cuncta*, question 9, chapter 3; and in many other places, as found in Torquemada [Juan de Torquemada], book 2, chapter 102. The reason is this: First, because outside the case of heresy and apostasy, the pontiff is a member of the Church—why then could he not also be and remain the head of the Church? since otherwise he has no superior by whom he might be judged, as will be stated. Second, because otherwise the door would easily be opened to calumnies and to numerous occasions for schisms.

IV. But not even in the case of heresy can he be stripped and deprived of his power by the Church, or by a general Council, through its own authority acting directly and per se. This is likewise the more common opinion, especially of those whom we shall adduce in support of the following pronouncement; although neither does this seem to be contrary to other Theologians, who commonly teach that, supposing the cognizance and sentence of the Church concerning the notorious heresy of the Pontiff, he is deprived of his power by GOD Himself. The reason is this: First, because the Pontiff has and receives his power not from the Church, but immediately from GOD Himself, presupposing however a legitimate election as a required condition, as has been stated and as all commonly acknowledge. Second, because the Pontiff has no superior on earth by whom he might be directly judged; since he himself is the head over the universal Church, and consequently also over the general Council itself, as will be stated in doubt 8.

V. In the case, however, of a notorious heresy openly divulged in the Church, which can be concealed by no evasion, it seems more probable that the Pontiff falls from his power by that very fact (*ipso facto*) and by divine law itself (*ipsoque iure divino*), even before the declaratory sentence and cognizance of the Church regarding the crime. This is the view held by the more common opinion of the older Theologians, especially Juan de Torquemada (*Turrecremata*) book 2, chapter 102, and book 4, part 2, from chapter 18; Peter de Palude (*Paludanus*) in his *Opusculum de potestate Papae*; Johannes Driedo (*Driedo*) *De libertate Christiana* chapter 14; Alfonso de Castro book 2, *De iusta haereticorum punitione* chapters 22 and 23; Alfonso Salmerón (*Salmeron*) tome 12, treatise 83; and among the Canonists, Augustine of Ancona (*Augustinus de Ancona*) *De potestate Papae* question 5; Diego de Simancas (*Simancha*) *Institutiones Catholicae* chapter 21; Giacomo Giacobazzi (*Iacobatus*) book 7, *De Conciliis* annotation 1; whom Gregory of Valencia (*Gregorius de Valentia*) follows here in question 1,

point 7, § 41. Although the contrary opinion is held by Thomas de Vio Cajetan (*Caietanus*) *De auctoritate Papae* chapters 18 and 19; Domingo de Soto (*Sotus*) in book 4, distinction 22, question 2, article 2; Melchor Cano (*Canus*) book 4 of the *Loci theologici*, final chapter at argument 12; Antonio de Córdoba (*Corduba*) book 4, question 11; and other more recent authors, who teach that the Pontiff does not fall from his power even in the case of heresy, before the declaratory sentence of the Church regarding the crime.

They rely, among other things, also on the saying of Clement in epistle 1, as if he had said that *a heretical Pope ought to be deposed*. But I find nothing more in that epistle than this: *But those Bishops themselves, if they should go astray, are not to be reproved or corrected by those (subjects); but they are to be borne with, unless they should err in the faith*. This pronouncement, made generally concerning Bishops, can easily be applied also to the Supreme Pontiff, in its own manner and according to the sense of our assertion.

The reason ought to be: because in the case of notorious heresy, it is necessary—both on account of the precept of Christ and the Apostles, commanding that heretics are to be avoided, as will be said in question 8, doubt 6, and on account of avoiding the public danger to the whole Church—that the Pontiff be deprived of his power, as all acknowledge. But this can in no way be done through a sentence of the Church, even one merely declaratory of the crime. Therefore it must be judged that he is then deprived of his power by that very fact and by divine law, in the same manner in which, even in a similar case of insanity, he is judged to lose this power by divine law, as has been said.

The minor premise is proved thus: because even a declaratory sentence of a crime requires jurisdiction and the power to cite and examine the accused. But the Church, or a Council, has no jurisdiction over the Supreme Pontiff so long as he possesses this power, as has been stated. Nor is it therefore necessary that any inconveniences follow; since in such a case of notorious heresy, as has been said, the cause of such a Pontiff cannot probably be defended by anyone; nor indeed, even in the opposite opinion, is it sufficiently established by whom, and by what procedure, that sentence can and ought to be pronounced; and many years often pass while the convocation of a general Council is being discussed; granted that, if he should repent in timely fashion, by the tacit consent of the Church, that dignity may return to him.

VI. But even a doubtful Pontiff, when it cannot be certainly established by the Church whether he was truly and legitimately elected, ought to resign his right; otherwise, once he has been removed, another is rightfully elected. All agree on this. The reason: because a doubtful Pontiff is in reality not a true Pontiff in the face of the Church; inasmuch as the Church is not bound to obey him; which therefore rightfully proceeds to a new election. More on this below concerning Schism.