

# Quaestiones Selectae in Secundam Secundae S. Thomae: Hoc est De Fide, Spe, et Charitate (*Selected Questions on the Second Part of the Second Part of St. Thomas: That is, On Faith, Hope, and Charity*)

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## Quaestio V, Article II

### Latin

*Utrum fit de fide immediate, quod Clemens XI. modo regnans, sit verus Petri successor in Papatu, supposita legitima eius electione.*

1. Dico, supposita legitima eius electione; ad quam quid requiratur infra examinabitur; & si de eius legitima electione dubitetur, plane hoc in dubium etiam vertet, quod sit verus Petri successor in Papatu; ea ergo supposita, tres modos dicendi invenio inter Theologos. Primus docet hoc non esse de fide, nec immediate, nec mediate, hoc est, non esse immediate revelatum, aut tanquam de fide ab Ecclesia propositum; nec deduci virtualiter ex reuelatis, nec ad fidem pertinere, sed solum morali certitudine certum esse hunc hominem in particulari esse verum Papam; pro qua opinione Suarez disp. 10. sect. 5. citat plures Theologos ex antiquioribus, Castrum, Albertinum, Cordubam, aliosque etiam ex Thomistis. Secundus modus dicendi

### English

*Whether it is immediately of faith that Clement XI, now reigning, is the true successor of Peter in the Papacy, presuming his legitimate election.*

1. I speak, supposing his legitimate election; what is required for this will be examined below; and if his legitimate election is doubted, this will certainly cast into doubt whether he is the true successor of Peter in the Papacy. Therefore, with this supposed, I find three modes of speaking among Theologians. The first teaches that this is not a matter of faith, neither immediately nor mediate, that is, it is neither immediately revealed, nor proposed by the Church as a matter of faith; nor is it virtually deduced from revealed truths, nor does it pertain to faith, but it is only morally certain that this particular man is the true Pope. For this opinion, Suarez in disputation 10, section 5, cites many theologians from among the older authorities: Castro, Albertinus, Corduba, and others also from among the Thomists. The second mode of speaking affirms that it is indeed a matter of faith, but only mediate, namely that it is a

affirmat esse quidem de fide, sed tantum mediate, videlicet esse veritatem Theologicam, eo quod hunc numero hominem Papam esse deducitur ex vna praemissa de fide, & altera cognita morali certitudine, seu naturali experientia; pro quo citatur Bannez hic q. 1. art. 10. Azorius tom. 2. lib. 4. c. 5. §. in hac controuersia, Arauius q. 1. art. 10. dub. 2. concl. 2., & 3. Turrecremata lib. 4. sum. p. 2. c. 9. Cano lib. 2. de locis c. 8. in resp. ad 10. Corduba lib. 1. q. 17. §. 2. item Caietanus 2. 2. q. 1. art. 3. ad 4. verum, non omnes hi Doctores in re ita sentiunt, sed etiam plures pro hac opinione citantur, non quia hanc expresse doceant, sed quia sustinent, quod negare Papam legitime electum esse legitimum Petri successorem esse quidem errorem in fide, seu erroneum esse, aut scandalosum, aut pro Schismatico haberi, non tamen haereticum esse; ex quo videtur inferri de fide immediate non esse, sed tantum de fide mediate, seu fidei proximum, & ex principijs fidei illatum, quae tamen illatio non tenet, cum plures Doctores expresse docentes de fide esse Papam hunc legitime electum esse legitimum Petri successorem, non propterea doceant haereticum esse hoc negare, vt inter caeteros Gonet. hic disp. 4. num. 4. à num. 117. & constabit in soluendis argumentis. Tertius modus constanter docet hoc esse de fide immediate, qui modus temporibus nostris satis communis est, vnde traditur frequenter à Doctoribus huius saeculi, Suarez loc. cit. & infra sect. 8. Io. à S. Th. hic disp. 8. art. 2. Gonet. loco cit. Lugus. disp. 1. sect. 13. §. 5. Ripalda disp. 8. sect. 5. num. 79. Ferre q. 11. §. 6. Salmat. disp. 4. dub. 2. Cacheranus hic cap. 3. §. 4. Madernus q. 1. art. 18. & caeteri communiter, quibus accedit Valentia disp. 1. q. 1. p. 7. §. 38. limitans per hanc conditionem postquam ex Cathedra aliquod definierit, aut ministeria aliqua propria Summi Pontificis execuerit.

2. Dicendum tamen absolute de fide esse

theological truth, because the fact that this specific man is Pope is deduced from one premise of faith and another known with moral certainty or by natural experience. For this position are cited Bannez on this question 1, article 10; Azorius, volume 2, book 4, chapter 5, § “in this controversy”; Araujo, question 1, article 10, doubt 2, conclusions 2 and 3; Turrecremata, book 4 of his Summa, part 2, chapter 9; Cano, book 2 on theological topics, chapter 8, in response to argument 10; Corduba, book 1, question 17, § 2; likewise Cajetan in Summa Theologica II-II, question 1, article 3, response to objection 4. However, not all these Doctors truly think this way on the matter, but many are cited for this opinion not because they explicitly teach it, but because they maintain that to deny that a legitimately elected Pope is the legitimate successor of Peter is indeed an error in faith, or erroneous, or scandalous, or they hold it to be schismatic, but not heretical. From this it seems to be inferred that it is not immediately of faith, but only mediately of faith, or proximate to faith, and inferred from principles of faith. This inference, however, does not hold, since many Doctors explicitly teaching that it is a matter of faith that this legitimately elected Pope is the legitimate successor of Peter do not thereby teach that to deny this is heretical, as among others Gonet here in disputation 4, number 4 from number 117, and this will be established in resolving the arguments. The third mode consistently teaches that this is immediately a matter of faith, which mode in our times is quite common, and hence is frequently taught by the Doctors of this century: Suarez in the place cited and below in section 8; John of St. Thomas here in disputation 8, article 2; Gonet in the place cited; Lugo in disputation 1, section 13, § 5; Ripalda in disputation 8, section 5, number 79; Ferre, question 11, § 6; the Salmanticenses in disputation 4, doubt 2; Cacheranus here in chapter 3, § 4; Modernus, question 1, article 18; and others commonly, to whom Valencia adds himself in disputation 1, question 1, part 7, § 38, limiting it by this condition: after he has defined something from the Chair, or has executed some ministries proper to the Supreme Pontiff.

2. It must be said, however, that it is absolutely a

immediate Clementem XI. nunc regnantem post legitimam eius electionem, & ea supposita, de qua dubitari non potest, vt infra num. 5. explicabo, esse verum Petri successorem in Papatu. Probatur primo ex Bulla Martini V. edita in Concil. Constantiensi ses. 45. & ult. in qua recensitis erroribus Ioannis Vuicleph, & Ioannis Hus, ordinat, & proponit interrogationes faciendas suspectis in fide ad recognoscendum utrum legitime credant, inter quas haec legitur: *Item autem credat, quod Papa canonice electus, qui pro tempore fuerit, eius nomine proprio expresso, sit successor B. Petri, habens supremam auctoritatem in Ecclesia Dei.* Per quod haec sententia ingens robur accepit, & cautiore facti sunt Theologi in hac materia.

3. Probatur insuper, quia propositio particularis contenta formaliter in propositione universali formaliter revelata, & de fide Divina immediate credenda est de fide immediate, ut quaest. 3. dictum est; sed haec propositio: *Clemens XI. legitime electus, est verus Petri successor in Papatu*, est propositio particularis contenta formaliter in propositione formaliter revelata, & fide Divina immediate credenda; ergo est de fide immediate, supposita eius legitima electione. Minor in qua est difficultas, non uniformiter probatur a Theologis, inter se divisus in statuenda propositione universali, in qua haec particularis revelata est, frequentius tamen, & certo solidius ita suadetur; haec propositio: *Clemens XI. legitime electus est verus Petri successor in Papatu*, continetur in his propositionibus universalibus, *Tu es Petrus, & super hanc Petram aedificabo Ecclesiam meam: Pasce oves meas: confirma fratres tuos.* Sed hae sunt formaliter revelatae; ergo illa propositio est particularis contenta formaliter in universali formaliter revelata. Maior probatur, quia verba illa non sunt relata ad Petrum, ut personam particularem, sed ut personam universalem usque ad finem

matter of faith that Clement XI, who now reigns after his legitimate election (and assuming this election, about which one cannot doubt, as I will explain below in number 5), is the true successor of Peter in the Papacy. This is proven firstly from the Bull of Martin V issued in the Council of Constance, session 45 and the last, in which, after enumerating the errors of John Wycliffe and John Hus, he ordains and proposes interrogations to be made to those suspected in faith to recognize whether they believe legitimately, among which this is read: *“Likewise let him believe that the canonically elected Pope, whoever he may be at the time, his proper name being expressed, is the successor of Blessed Peter, having supreme authority in the Church of God.”* Through this, this position has received great strength, and theologians have become more cautious in this matter.

3. It is further proven because a particular proposition formally contained in a universal proposition that is formally revealed and to be believed by Divine faith immediately is itself immediately of faith, as was stated in question 3; but this proposition: *“Clement XI, legitimately elected, is the true successor of Peter in the Papacy”*, is a particular proposition formally contained in a proposition formally revealed and to be believed immediately by Divine faith; therefore it is immediately of faith, presuming his legitimate election. The minor premise, in which lies the difficulty, is not proven uniformly by Theologians, who are divided among themselves in establishing the universal proposition in which this particular one is revealed. However, most commonly, and certainly more solidly, it is argued thus: this proposition: *“Clement XI, legitimately elected, is the true successor of Peter in the Papacy”*, is contained in these universal propositions: *“You are Peter, and upon this Rock I will build my Church: Feed my sheep: strengthen your brethren.”* But these are formally revealed; therefore that proposition is a particular one formally contained in a universal that is formally revealed. The major premise is proven because those words were not directed to Peter as a particular person, but as a universal person meant to remain until the end of the World in the person of

Mundi permansuram in persona aliorum Pastorum legitime succedentium, sicuti, ut notat Cachéranus ly, *Ecclesiam meam, oves meas, fratres tuos*, non extenditur solum ad Ecclesiam, oves, & fratres existentes, eo tempore, quo Christus ita loquebatur, sed simul ad omnes imposterum, successive exituros; unde Deus in illa propositione universali revelavit, & hunc, & illum, & successive quemlibet legitime electum in Papatum esse legitimum Petri successorem in eodem Papatu & Petram esse, supra quam Christus Ecclesiam aedificavit, & Petri auctoritatem supremam, nec non onus Apostolicum pascendi oves, & fratres confirmandi; unde illae propositiones universales, & locutiones Christi Petro, quo ad substantiam aequivalent huic locutioni, *quilibet rite electus in successorem Petri est Petra supra quam Ecclesia est fundata, est suprema auctoritatis ad pascendas oves, & ad confirmandos fratres*, propterea est legitimus Petri successor in Papatu, sed in hac universali continetur haec particularis, *hic homo rite electus in successorem Petri est legitimus Petri successor in Papatu*, eo modo, quo in hac universali, *omnes in Adam peccaverunt*, continetur haec particularis *Petrus in Adam peccavit*, ergo si illa est immediate de fide, etiam haec.

4. Eadem minor potest etiam suaderi alia ratione, qua utitur Lugus *loc. cit.* videlicet hanc particularem esse contentam in ea universali formaliter revelata, qua constat Ecclesiam non posse decipi universaliter in rebus fidei, cum sit columna, & firmamentum veritatis, teste Apost. 2. ad Timoth.2. in hoc enim non minus contineri videtur, quod Ecclesia non possit errare in cognoscenda vera regula visibilis suae fidei, quam in rebus alijs proponendis, ut credendis fide Divina, plus enim noceret Ecclesiae error circa regulam visibilem veritatis, & fidei, utpote error circa fundamentum, quam circa caetera obiecta ab ipsa proposita, sicuti plus nocet in speculativis error circa prima principia, quam circa conclusiones.

other Pastors legitimately succeeding him, just as, as Cachéranus notes, the phrases “*my Church, my sheep, your brethren*” do not extend only to the Church, sheep, and brethren existing at the time when Christ spoke thus, but simultaneously to all who would successively exist thereafter. Hence, in that universal proposition, God revealed that this one, and that one, and successively anyone legitimately elected to the Papacy is the legitimate successor of Peter in the same Papacy and is the Rock upon which Christ built His Church, and possesses Peter’s supreme authority, as well as the Apostolic duty of feeding the sheep and strengthening the brethren. Therefore, those universal propositions and Christ’s words to Peter substantially equate to this statement: “*whoever is duly elected as successor to Peter is the Rock upon which the Church is founded, possesses supreme authority to shepherd the sheep and to strengthen the brethren*,” and is therefore the legitimate successor of Peter in the Papacy. But in this universal proposition is contained this particular one: “*this man duly elected as successor to Peter is the legitimate successor of Peter in the Papacy*,” in the same way that in this universal proposition, “*all have sinned in Adam*,” is contained this particular one: “*Peter sinned in Adam*.” Therefore, if the former is immediately of faith, so is the latter.

4. The same minor [premise] can also be supported by another argument, which Lugus [De Lugo] uses in *the cited passage*, namely that this particular [truth] is formally contained in that universal [truth] which has been revealed, by which it is established that the Church cannot be universally deceived in matters of faith, since it is “the pillar and foundation of truth,” as the Apostle testifies in 2 Timothy 2. For in this it seems to be contained no less that the Church cannot err in recognizing the true visible rule of its faith, than in proposing other matters to be believed by Divine faith. Indeed, an error concerning the visible rule of truth and faith would harm the Church more, being an error concerning the foundation, than [an error] concerning other objects proposed by it, just as in speculative matters an error concerning first principles is more harmful than [an

**5.** Dixi, *supposita legitima eius electione*, haec enim est conditio, ut haec particularis in ea universali contineatur, supra enim *loc. cit.* diximus, quod, ut propositio particularis credatur fide Divina in universali formaliter revelata, constare debet de formali eius continentia in universali, & quidem moraliter evidenter; & recolantur ibi dicta, quaedam enim ibi fuerunt resoluta, quae hic aequaliter urgent; eam autem electionem personae particularis in Papam rite, legitime, & canonice esse factam, & pro ita rite facta habendam esse constanter, & sine omni formidine, constat evidenter moraliter evidenter sensibili, & experimentaliter, tunc quando a tota Ecclesia est facta, approbata, & recepta, constat autem Pontificem hunc Clementem XI. factum esse a tota Ecclesia, approbatum, & receptum, factum scilicet a Cardinalibus, quibus Ecclesia dedit potestatem eligendi Summum Pontificem, acceptatus autem, & approbatus tot solemnitatibus, non solum ab ipsis Cardinalibus electione iam peracta per vota secreta, sed etiam ab universali Ecclesia in se ipsa considerata, & non solum secundum potestatem datam Cardinalibus, quae quidem universalis approbatio, & acceptatio supplet defectus, & sanat electionem in ijs, quae forte contingere potuerunt contra legitimitatem eiusdem electionis.

**§. I. Solvuntur argumenta contra praedicta.**

**6.** Primo obijcitur. Negare Clementem XI. de cuius legitima electione dubitari non potest, nisi ab amentibus, & haereticis, esse verum Petri successorem in Papatu, non est haeresis, ergo nec est de fide immediate esse legitimum Petri successorem in Papatu, patet hoc, opponi enim directe propositioni de fide immediate est haeresis, & non solum error in fide; antecedens probatur, quia illud tantum haereticum est formaliter, quod se opponit Ecclesiae definitionibus, & propositionibus, tanquam de fide credendis immediate, sed negare

error] concerning conclusions.

**5.** I have said, *supposing his legitimate election*, for this is a condition, such that this particular instance is contained in the universal proposition. Indeed, above in *the cited passage*, we said that, in order for a particular proposition to be believed with Divine Faith as formally revealed in a universal proposition, its formal containment within the universal must be established, and indeed with moral certainty. Let what was said there be recalled, for certain matters were resolved there which apply equally here. That the election of a particular person as Pope has been performed properly, legitimately, and canonically, and that it is to be regarded as so properly conducted constantly and without any doubt, is established with moral certainty—a certainty that is sensible and experiential—when it has been performed, approved, and received by the whole Church. It is evident that this Pope Clement XI has been made, approved, and received by the whole Church: made, namely, by the Cardinals to whom the Church gave the power of electing the Supreme Pontiff; and accepted and approved with many solemnities, not only by the Cardinals themselves once the election was completed through secret votes, but also by the universal Church considered in itself, and not merely according to the power given to the Cardinals. Indeed, this universal approval and acceptance remedies defects and heals the election in those matters which perhaps could have occurred contrary to the legitimacy of the same election.

**§. I. Arguments Against the Aforementioned are Resolved.**

**6.** First objection. To deny that Clement XI, whose legitimate election cannot be doubted except by madmen and heretics, is the true successor of Peter in the papacy, is not heresy. Therefore, it is not immediately a matter of faith that he is the legitimate successor of Peter in the papacy. This is evident because to directly oppose a proposition of immediate faith constitutes heresy, not merely an error in faith. The antecedent is proven because only that which formally opposes the Church's definitions and propositions that must be immediately believed as a matter of faith is heretical. But to deny that

Clementem XI. esse legitimum Petri successorem in Papatu non se opponit &c. non enim hoc hucusque definitum est, licet maximum pondus habeat probabilitatis; suadet hoc, quia inter Theologos hoc controvertitur, & innumeri Doctores Catholici oppositum docent, & quidem ducti gravissimis fundamentis; nec haeresi notantur, nec qualificantur; ergo non se opponunt &c. Argumentum hoc occasionem praebet latius explicandi positam conclusionem, quae duplicem sensum habere potest; primo de fide quidem esse, & sustineri hunc numero Pontificem rite electum esse legitimum Petri successorem, de fide tamen non esse hoc esse de fide quasi reflexe; secundo non solum hoc esse de fide, sed etiam reflexe de fide esse hoc esse de fide, sic Deum esse unum in Essentia, & Trinum in Personis non solum de fide est, sed etiam est de fide hoc esse de fide; & cum proportionem, dupliciter stat aliquam propositionem haereticam esse, vel quod tanquam haeretica sustineatur, & quidem fundamentis gravissimis, vel quod de fide sit haereticam esse, eo quod ita ab Ecclesia definitum. Hoc praemisso, ad argumentum distinguo antecedens, non est haeresis reflexe, hoc est, non est de fide esse de fide eam negationem continere haeresim formalem concedo, non est haeresis directe, hoc est, licet hoc de fide non sit, tamen magno, & gravi fundamento dicitur eam negationem haeresim formalem continere, nego antecedens, & consequentiam, sub eadem distinctione, & doctrina; qua ratione Gonet. loc. cit. & cum eo Salmat., referentes alios Doctores, licet sustineat de fide esse hominem hunc legitime electum Papam esse, negat tamen de fide esse hoc esse de fide, additque negantem hoc non haberi pro haeretico, sed pro Schismatico, quia non constat inter omnes Catholicos id esse de fide, sed plures id negant existimantes tantum morali certitudine id constare.

7. Contra tamen arguitur, quia fundamenta posita non tantum probant hoc esse de

Clement XI is the legitimate successor of Peter in the papacy does not oppose such definitions, etc., since this has not been defined thus far, although it carries the greatest weight of probability. This is supported because this matter is debated among theologians, and innumerable Catholic doctors teach the opposite, guided indeed by very serious foundations; yet they are neither noted for heresy nor qualified as such. Therefore, they do not oppose, etc. This argument provides an occasion to more broadly explain the conclusion stated, which can have two meanings: First, it is indeed a matter of faith and should be maintained that this particular Pope, who was duly elected, is the legitimate successor of Peter, yet it is not a matter of faith that this is a matter of faith, as if reflexively. Second, not only is this a matter of faith, but it is also reflexively a matter of faith that this is a matter of faith. Thus, that God is One in Essence and Three in Persons is not only a matter of faith, but it is also a matter of faith that this is a matter of faith. Similarly, a proposition can be heretical in two ways: either that it is maintained as heretical on very serious grounds, or that it is a matter of faith that it is heretical because the Church has defined it as such. With this premise, I distinguish the antecedent in response to the argument: it is not heresy reflexively—that is, it is not a matter of faith that this negation contains formal heresy—I concede; it is not heresy directly—that is, although this may not be a matter of faith, it is nonetheless said with great and serious foundation that this negation contains formal heresy—I deny the antecedent and the consequence, under the same distinction and doctrine. For this reason, Gonet in the cited location, and with him the Salmanticenses, referencing other doctors, although maintaining that it is a matter of faith that this man legitimately elected Pope is the Pope, nevertheless denies that it is a matter of faith that this is a matter of faith. He adds that one who denies this is not considered a heretic but a schismatic, because it is not established among all Catholics that this is a matter of faith, but many deny it, believing it to be established only with moral certainty.

7. It is argued, however, against this position, because the foundations already established prove

fide, sed etiam de fide hoc esse de fide, hoc enim suadet Bulla Martini V. supra relata, nec non alterum fundamentum positum, plane enim non solum de fide est propositio particularis contenta in universali reuelata, sed etiam de fide est eam esse de fide, eodem enim modo est de fide particularis, quo de fide est uniuersalis reuelata, in qua ea particularis includitur; sed haec non solum est de fide, sed etiam de fide est eam esse de fide, ut contingit in ly, *Tu es Petrus, & super hanc Petram fundabo Ecclesiam meam, Pasce oues meas, confirma fratres tuos.* Item & in exemplo adducto de peccato originali; ergo etiam particularis inclusa erit eodem modo inclusa.

Secundo. Vel constat euidenter euidentia morali summa hunc particularem, *videlicet Clemens XI. legitime electus est verus Petri successor in Papatu*, includi in illa uniuersali, quae non solum de fide est, sed etiam de fide est reflexe eam esse de fide, vel non; si primum dicatur, non solum ea particularis erit de fide, sed etiam de fide erit eam esse de fide, hac enim ratione de fide est, esse de fide Petrum contraxisse peccatum originale, & reuelatio propositionis uniuersalis veritatem habet in suis particularibus, ut loc. cit. dictum est; si vero secundum dicatur, nec erit de fide directe, quomodo enim dici potest de fide propositio illa, & obiectum, quod non est euidenter prudenter credibile reuelationi substat; unde imprudenter crederet, qui illam crederet.

Tertio. Impossibile est credere rem definitam a Pontifice non solum tanquam de fide directe, sed etiam reflexe, & rem illam de fide esse eam esse de fide, ni etiam eodem modo credatur definitionem esse legitimam, & a legitimo Petri successore in Papatu; sed rem tanquam immediate de fide a Papa definitam non solum est immediate de fide, sed etiam de

not only that this is a matter of faith, but also that it is a matter of faith that this is a matter of faith. This is supported by the Bull of Martin V cited above, as well as by the other foundation that was established. For clearly not only is a particular proposition contained in a universal revelation a matter of faith, but it is also a matter of faith that it is a matter of faith. For a particular proposition is a matter of faith in the same way that the universal revelation in which that particular is included is a matter of faith. But this universal is not only a matter of faith, but it is also a matter of faith that it is a matter of faith, as occurs in the statement, "*Thou art Peter, and upon this Rock I will build my Church,*" "*Feed my sheep,*" "*Strengthen thy brethren.*" Likewise in the example brought forward concerning original sin. Therefore, the particular proposition that is included will be included in the same manner.

Second. Either it is evidently clear with the highest moral certainty that this particular proposition, *namely that Clement XI was legitimately elected as the true successor of Peter in the Papacy*, is included in that universal proposition which is not only a matter of faith, but is also reflexively a matter of faith that it is a matter of faith, or it is not; if the first is asserted, not only will that particular proposition be a matter of faith, but it will also be a matter of faith that it is a matter of faith, for by this reasoning it is a matter of faith that it is a matter of faith that Peter contracted original sin, and the revelation of a universal proposition holds true in its particular instances, as was stated in the cited passage; if, however, the second is asserted, it will not be a matter of direct faith, for how can that proposition and object be called a matter of faith when it is not evidently and prudently credible that it is subject to revelation; hence, one who would believe it would believe imprudently.

Third. It is impossible to believe a matter defined by the Pontiff not only as a matter of direct faith, but also reflexively, and that this matter is of faith that it is of faith, unless it is also believed in the same manner that the definition is legitimate and comes from a legitimate successor of Peter in the Papacy; but a matter defined by the Pope as immediately of faith is not only immediately of faith, but it is also a

fide est eam esse de fide; ergo eodem modo de fide erit reflexe Pontificem hunc definientem, esse legitimum Petri successorem, & legitimum definientem.

Quarto. Omne id, quod est de fide directe, videtur quod etiam sit de fide reflexe, & quod de fide sit esse de fide; ergo praefata propositio, aut de fide non est, aut si de fide est, de fide est eam esse de fide, antecedens probatur. Fides non stat cum formidine Diuinae reuelationis, est enim damnata sub Innocentio XI. haec propositio, quae est 21. *Assensus fidei supernaturalis, & utilis ad salutem, stat cum notitia solum probabili reuelationis, immo cum formidine, qua quis formidet, an non sit locutus Deus* sed si de fide esset directe, & non reflexe, staret fides cum formidine, &c. ergo non stat haec distinctio, quod sit de fide directe, & non reflexe. Minor probatur, ideo enim est de fide tantum directe, & non reflexe, quia certo non constat hoc cadere sub Divina reuelatione, sed disputatur, & probabiliter hoc sustinetur; sed hoc admittit formidinem, quum sola certitudo evacuet: ergo fides staret cum formidine, an ne Deus locutus sit. Quod amplius promovetur, nam, dum dicimus praefatam propositionem esse de fide, vel habetur formido circa hoc, quod est eam esse de fide, vel non; si primum dicatur; ergo ea propositio non est de fide, haec enim non stat cum probabilitate tantum reuelationis, unde oritur illa formido, & quod est de fide, credi potest fide Divina, credi autem non potest id, de cuius reuelatione adest tantum probabilitas, & non certitudo; si secundum dicatur; ergo etiam est de fide reflexe; si enim de hoc, eiusque reuelatione nulla habetur formido, habetur certitudo, quae sola formidinem evacuat, certitudo autem de Divina reuelatione facit rem reuelatam de fide reflexe, & non solum directe; ut ex dictis colligi potest, & amplius urgetur. Obiectum aliquod esse de fide directe, & non reflexe est obiectum illud esse de fide tantum probabiliter, & non certo, sed obiectum probabiliter de fide, absolute non est de

matter of faith that it is of faith; therefore, in the same reflexive manner, it will be a matter of faith that this defining Pontiff is the legitimate successor of Peter and a legitimate definer.

Fourth. Everything that is directly of faith seems also to be reflexively of faith, and that what is of faith is recognized as being of faith; therefore, the aforementioned proposition is either not of faith, or if it is of faith, it is of faith that it is of faith. The antecedent is proven. Faith does not coexist with doubt concerning Divine revelation, for this proposition was condemned under Innocent XI, which is the 21st: *“Assent of supernatural faith, useful for salvation, is compatible with merely probable knowledge of revelation, and even with the fear that God might not have spoken.”* But if something were directly of faith but not reflexively, faith would coexist with doubt, etc. Therefore, this distinction does not stand, that something is directly of faith but not reflexively. The minor premise is proven: something is said to be of faith only directly, and not reflexively, because it is not certainly established that it falls under Divine revelation, but is disputed and only probably maintained; but this admits doubt, which only certainty can eliminate: therefore faith would coexist with doubt about whether God has spoken. This is further advanced, for when we say the aforementioned proposition is of faith, either there is doubt about this claim that it is of faith, or there is not; if the first is asserted, then that proposition is not of faith, since faith does not coexist with mere probability of revelation, from which such doubt arises, and what is of faith can be believed with Divine faith, but that cannot be believed for which there is only probability, not certainty, regarding its revelation; if the second is asserted, then it is also reflexively of faith; for if concerning this matter and its revelation there is no doubt, then there is certainty, which alone eliminates doubt, and certainty regarding Divine revelation makes the revealed matter reflexively of faith, and not merely directly, as can be gathered from what has been said, and is further emphasized. For an object to be directly of faith but not reflexively means that object is only probably of faith, not certainly; but an object that is probably of faith is not



fide, nec directe, id enim solum pertinet ad fidem, quod certo revelatum est, nec quod est tantum probabiliter revelatum, dici potest absolute de fide, ea ratione, quia non potest inferri aliquod esse de fide, ex quo probabiliter continetur in Sacra Scriptura, qua ratione de fide non sunt tot opiniones Theologicae, quae ex Scripturis tantum probabiliter inferuntur; ergo quod tantum probabiliter est de fide, de fide non est, nec directe, nec ad fidem Divinam pertinere potest immediate.

Quinto tandem videtur hoc esse de fide, etiam reflexe, quia Clemens VIII. referente Petro Hurtado disp.37. sect.2. iussit nonnullos Doctores carcerari, opposita docentes, & Romam adire rationem reddituros, quod tamen factum non fuisset, si hoc esset tantum de fide directe, seu probabiliter de fide.

**8.** Ad primum dicendum Bullam illam Martini V. maximi ponderis esse ad persuadendam sententiam, quam propugnamus, non sufficere tamen, ut absolute concludatur de fide esse hoc esse de fide, & oppositam sententiam esse in statu, & gradu haeresis formalis; & ratio est multiplex, quia ly, credere, non solum se extendit ad credere immediate, sed etiam ad credere mediate; & non solum ad id, quod directe opponitur haeresi formali, sed etiam errori contra fidem, & Martinum hunc sensum intendere, colligi potest ex contextu eiusdem Bullae, quae dirigitur contra errores haereticorum, quos supra retulimus, & suspectos de iisdem erroribus, quibus enumeratis in relato Concilio sess. 8. omnia, & singula damnantur, respective tamen, & non eadem censura, sed aliqui, ut notorie haeretici, aliqui, ut erronei, alii, ut scandalosi, aut blasphemii, aut piarum aurium offensivi, aut temerarii, aut seditiosi; ex quo deduci non potest determinate, negantem Romanum Pontificem legitime electum esse verum Petri successorem in Papatu, haeticum esse formaliter, sed tantum errare in fide, & negationem hanc subiacere gravi

absolutely of faith, not even directly, since only what is certainly revealed pertains to faith, nor can what is only probably revealed be called absolutely of faith, for the reason that one cannot infer something to be of faith merely because it is probably contained in Sacred Scripture, for which reason so many theological opinions that are only probably inferred from Scripture are not of faith; therefore, what is only probably of faith is not of faith, neither directly, nor can it pertain immediately to Divine faith.

Fifth and finally, this seems to be a matter of faith, even reflexively, because Clement VIII, as reported by Pedro Hurtado in disputation 37, section 2, ordered certain Doctors who taught contrary opinions to be imprisoned and to go to Rome to give an account of themselves. This, however, would not have been done if this were only directly a matter of faith, or probably a matter of faith.

**8.** To the first question, it must be said that that Bull of Martin V is of the greatest weight in persuading us of the position we advocate; however, it is not sufficient to absolutely conclude that this is a matter of faith, and that the opposite opinion is in the state and degree of formal heresy. The reason for this is manifold: because the word “to believe” extends not only to believing immediately but also to believing mediate; and not only to that which is directly opposed to formal heresy, but also to error against the faith. That Martin intended this sense can be gathered from the context of the same Bull, which is directed against the errors of heretics, which we have related above, and those suspected of these same errors. These errors were enumerated in the aforementioned Council, Session 8, where all and each are condemned, though respectively, and not with the same censure, but some as notoriously heretical, some as erroneous, others as scandalous, or blasphemous, or offensive to pious ears, or rash, or seditious. From this, it cannot be specifically deduced that one who denies that the legitimately elected Roman Pontiff is the true successor of Peter in the Papacy is formally a heretic, but only that he errs in faith, and that this negation is subject to grave censure. Hence, from this it can indeed be deduced with substantial foundation that this is a matter of

censurae, unde ex hoc deduci quidem potest non sine magno fundamento hoc esse de fide, non tamen de fide esse hoc esse de fide. In quantum autem ad alterum fundamentum, quod adducitur, certum est propositionem particularem in universali revelata contentam certo, & evidenter, vel ex ipsis terminis apprehensis, vel ex Ecclesiae propositione, & declaratione, eo modo, & gradu esse de fide, qua de fide est ea universalis revelata; at quando haec inclusio particularis in universali, aut ex ipsis terminis omnibus non se manifestat, aut ab Ecclesia proposita non est, nec declarata, etsi ea continentia pro certa, & indubitata a pluribus censeatur, non propterea est de fide in eo gradu, quo est propositio universalis, tanquam formaliter revelata ab Ecclesia proposita, ex quo enim haec continentiae certitudo mihi constet, & a me penetretur, deducitur quidem mihi esse de fide, at non deducitur absolute, & simpliciter de fide esse hoc esse de fide; & ex eo, quod plures Ecclesiae definitionem penetrantes, aut certo sibi persuadentes, se Ecclesiae definitionem penetrare, eam credant fide Divina, nihilominus de fide non est eam esse de fide, quia existere hanc Ecclesiae propositionem, liquido, & universaliter, etiam adhibita diligentia, & examine a viris Theologis, & quidem Catholicis, pluribusque, non constat, sicuti constat de Ecclesiae propositione quo ad propositionem universalem, quae propterea non solum de fide est, sed etiam de fide est, eam esse de fide reflexe, & non solum directe.

9. Ad 2. dicendum, nobis, & propugnantibus hanc communem sententiam evidentiae summa constare de inclusione illius particularis in illa universali, ut affirmetur, eam particularem esse de fide, & fidei Divinae assensu ab iisdem credatur, licet de ea inclusione non satis constet, ut affirmetur de fide esse, eam esse de fide, uti colligitur ex doctrina nuper tradita; ex quo fit posse nos, & Doctores affirmantes prudenter credere hoc esse de fide, licet prudenter credere

faith, but not that it is a matter of faith that this is a matter of faith. As for the other foundation that is adduced, it is certain that a particular proposition contained in a universal revelation—whether known with certainty and evidently from the apprehended terms themselves, or from the Church's proposition and declaration—is a matter of faith in the same manner and degree as the revealed universal is a matter of faith. But when this inclusion of the particular in the universal is not manifest from the terms themselves to all, or has not been proposed or declared by the Church, even if this inclusion is considered certain and indubitable by many, it is not therefore a matter of faith in the same degree as the universal proposition, as if formally revealed and proposed by the Church. From the fact that this certainty of inclusion is evident to me, and is penetrated by me, it can indeed be deduced that it is a matter of faith for me, but it cannot be deduced absolutely and simply that it is a matter of faith that this is a matter of faith. And from the fact that many who penetrate the Church's definition, or who certainly persuade themselves that they penetrate the Church's definition, believe it with Divine faith, nevertheless it is not a matter of faith that it is a matter of faith, because the existence of this proposition of the Church is not clearly and universally established, even with diligence and examination applied by theological men who are indeed Catholic and numerous, as is established concerning the Church's proposition with respect to the universal proposition, which is therefore not only a matter of faith, but it is also reflexively a matter of faith that it is a matter of faith, and not just directly.

9. To the second point, it must be said that for us and for those defending this common opinion, it is evident with the highest degree of certainty that this particular proposition is included in that universal one, so that it may be affirmed that this particular proposition is a matter of faith, and is believed with the assent of Divine faith by the same persons, although there is not sufficient certainty about this inclusion to affirm that it is a matter of faith that it is a matter of faith, as is gathered from the doctrine recently handed down. From this it follows that we

non posse de fide esse hoc esse de fide, cum sint fundamenta ad prudenter fundandum iudicium directum, & obiectum eiusdem, non ad reflexum.

**10.** Ad tertium, quod est fundamentum Suarez ad suadendum de fide esse directe Pontificem hunc esse legitimum Petri successorem in Papatu promotum, & approbatum a pluribus Doctoribus, Io. a S. Th., Arriaga, Gonet., Ferre, Maderno, Cacherano, qui praefatos Auctores citat *loc. cit. nu. 62*. reprobatur tamen ab aliis Doctoribus, tanquam inefficax, & nimis probans, inter quos Amicus apud eundem Cacheranum, & Salmat. *loc. cit. num. 31*. quibus inhaerendo, nego maiorem, etenim certum est res definita a Summo Pontifice esse non solum de fide directe, sed etiam reflexe, de fide enim est eas esse de fide tenendas; & tamen, nec per hos Doctores eidem maiori adhaerentes de fide est, etiam reflexe, hunc numero Pontificem esse legitimum Petri successorem in Papatu, sed tantum directe; ex quo manifesto constat non in eodem gradu certitudinis fidei utrumque tenendum esse, licet utrumque ad fidem spectet; & Salmat. *loc. cit.* retorquent argumentum in hunc modum: *Impossibile est credere rem definitam a Pontifice, nisi credamus definitionem esse legitimam, & propterea procedere a legitimo Pontifice; sed non tenemur credere per assensum immediate a fide elicited hunc hominem definientem esse legitimum Pontificem; ergo non tenemur credere assensu fidei immediate res ab hoc Pontifice definitas; quod quidem consequens haereticum est, cum tamen consequentia sit legitima, unde oportet, quod aliqua ex praemissis sit falsa; certum autem est minorem falsam non esse, siquidem Ecclesia hoc nondum definivit, nec pro haereticis tenet Theologos adversantes communi opinioni, quam propugnamus; itaque dicendum est aut falsitatem, aut dubium de veritate esse in maiori, quae est eadem, quae assumitur in argumento; & propterea sufficere, ut sit*

and the Doctors who affirm this can prudently believe this to be a matter of faith, although we cannot prudently believe that it is a matter of faith that this is a matter of faith, since there are foundations for prudently establishing a direct judgment and its object, but not for a reflexive one.

**10.** To the third [argument], which is the foundation used by Suárez to persuade that it is directly of faith that this Pontiff is the legitimate successor of Peter in the Papacy—a position endorsed and approved by several Doctors, including John of St. Thomas, Arriaga, Gonet, Ferre, Maderno, and Cacherano, who cites the aforementioned authors *in the place cited, number 62*—but nevertheless rejected by other Doctors as ineffective and proving too much, among whom are Amicus, as cited by the same Cacherano, and the Salmanticenses *in the place cited, number 31*. Adhering to these latter authorities, I deny the major premise. Indeed, it is certain that matters defined by the Supreme Pontiff are not only directly of faith, but also reflexively of faith, for it is of faith that these matters are to be held as of faith. And yet, even according to these Doctors who adhere to this major premise, it is not of faith, even reflexively, that this specific Pontiff is the legitimate successor of Peter in the Papacy, but only directly so. From this it is manifestly clear that both positions are not to be held with the same degree of certainty of faith, although both pertain to faith. And the Salmanticenses, *in the place cited*, turn the argument around in this manner: *It is impossible to believe a matter defined by a Pontiff unless we believe the definition to be legitimate and therefore to proceed from a legitimate Pontiff; but we are not bound to believe through an assent immediately elicited from faith that this defining man is the legitimate Pontiff; therefore, we are not bound to believe with an assent of faith immediately the matters defined by this Pontiff*. This conclusion is indeed heretical, while the logical inference is legitimate; hence it is necessary that one of the premises be false. It is certain, however, that the minor premise is not false, since the Church has not yet defined this, nor does it consider as heretics those theologians who oppose the common opinion that we maintain. Therefore, we must say that either the falsity or the doubt about the

de fide rem definitam a legitimo Papa esse de fide tenendam, aliquo modo certum esse, aut ad fidem aliquo modo spectare hunc hominem definientem esse legitimum Pontificem; unde ex hoc argumento non solum non deducitur de fide esse, hoc esse de fide, sed neque deducitur hoc esse de fide, & ideo ab hoc fundamento abstinuimus in probanda conclusione. Hoc etiam patet in aliis materiis, de fide enim non est hominem hunc esse Sacerdotem, esse Parochum, habere intentionem absoluendi, consecrandi, & tamen de fide est Hostiam ab eo rite consecratam continere Corpus Christi, & paenitentem ab eo rite absolutum gratiam reportare, & remissionem peccatorum; sed contra replicatur infra n. 13.

**11.** Ad quantum nego antecedens, ad probationem concedo maiorem, nego minorem; ad cuius probationem distinguo maiorem, certo non constat, universaliter concedo, mihi, & affirmantibus hoc esse de fide, nego maiorem; itaque Theologi absolute affirmantes hoc esse de fide immediate, hoc non affirmant probabiliter, sed certo, & ex principiis intrinsicis formant iudicium certum de veritate obiecti exclusivum omnis formidinis, sibi enim constanter persuadent sufficienter revelationem propositam ab Ecclesia. Qui vero negant hoc esse de fide immediate, ideo negant, quia ea veritas eis non est sufficienter proposita, forte, quia non satis penetrant motiva credibilitatis, & hoc inter caetera ob naturalem ingeniorum varietatem, quae bene efficere potest haec iudicia diversa circa sufficientiam propositionis Divinae revelationis. Itaque, quatenus Theologi affirmantes, sibi certo persuadent ex principiis intrinsicis sufficientiam propositionis revelationis Divinae, adiudicant hoc esse de fide, quatenus vero vident ex principiis extrinsicis inter Doctores, & quidem Catholicos de hac sufficientia disputari, non possunt adiudicare de fide esse hoc esse de fide; & per hoc ad rationem contrariam, qua primo argumentum

truth lies in the major premise, which is the same as that assumed in the argument. And therefore it suffices for it to be of faith that a matter defined by a legitimate Pope is to be held as of faith, [and] in some way it is certain, or in some way it pertains to faith, that this defining man is the legitimate Pontiff. Hence from this argument not only is it not deduced that it is of faith that this is of faith, but neither is it deduced that this is of faith, and therefore we abstained from this foundation in proving our conclusion. This is also evident in other matters, for it is not of faith that this man is a Priest, is a Parish Priest, has the intention of absolving, of consecrating, and yet it is of faith that the Host properly consecrated by him contains the Body of Christ, and that the penitent properly absolved by him receives grace and the remission of sins. But a replication against this is made below in number 13.

**11.** To the fourth [objection], I deny the antecedent. To the proof I concede the major premise but deny the minor. To the proof of this, I distinguish the major premise: it is not universally certain, I concede; it is not certain to me and to those who affirm this to be a matter of faith, I deny the major premise. Indeed, theologians who absolutely affirm this to be immediately of faith do not affirm it merely probably, but with certainty, and from intrinsic principles they form a certain judgment about the truth of the object, excluding all apprehension. For they are firmly persuaded that revelation has been sufficiently proposed by the Church. Those who deny this to be immediately of faith deny it because that truth has not been sufficiently proposed to them, perhaps because they do not adequately comprehend the motives of credibility, and this among other things due to the natural variety of intellects, which can well produce these diverse judgments concerning the sufficiency of the proposition of Divine revelation. Therefore, insofar as the affirming theologians are certainly persuaded from intrinsic principles of the sufficiency of the proposition of Divine revelation, they judge this to be of faith; but insofar as they see from extrinsic principles that this sufficiency is disputed among doctors, even Catholic ones, they cannot judge it to be of faith that this is of faith. And by this

promovetur. Ut enim aliquod sit de fide reflexe, non sufficit, ut de eo plures Theologi certitudinem habeant, eiusque revelationis propositione, exclusiva formidinis, sed oportet certitudinem hanc universalem esse, & extra omnem controversiam inter Catholicos, quae certitudo hic non habetur. Et dum secundo argumentum promovetur, nego maiorem, esse enim mihi aliquod de fide directe, est certo mihi esse de fide, & non solum probabiliter, unde *ly*, probabiliter, vel considerari potest, ut cadit supra obiectum, de quo agitur, an sit de fide, pluribus affirmantibus, & pluribus negantibus; vel ut cadere potest supra iudicium eorum, qui ex intrinsicis principijs adstruunt hoc esse de fide; in primo sensu verum est, quod obiectum illud, inhaerendo auctoritati extrinsecae, est tantum probabiliter de fide, in altero sensu certo, si cadat etiam supra iudicium, nec directe obiectum ita iudicatum est de fide, ut bene probat argumentum; constat autem *ly*, *probabiliter*, non cadere supra iudicium Doctorum affirmantium, cum hoc ex principijs intrinsicis sit certum; ex quo patet disparitas ab opinionibus disputatis, & probabiliter illatis ex Sacra Scriptura, hic enim probabilitas cadit etiam supra iudicium, quod propterea certum non est, sed probabile, & ut probabile eius obiectum intenditur tantum defendi, non ut de fide, nec directe, unde mirum non est illud ad fidem immediate non pertinere, bene vero hoc, de quo agitur; cui responsioni adhaerendo, dicendum est, non solum hoc esse de fide, sed etiam credi posse fide Divina immediate a nobis, & caeteris Doctoribus affirmantibus; quorum tamen aliqui aliter respondent ad principale argumentum cum Lugo disp. 1. sec. 13. §. 4. nu. 323. ubi docet, hoc esse quidem de fide quo ad se, & obiective, & veluti in abstracto, quia obiectum hoc cadit sub Divina revelatione; non tamen quo ad nos, nec credi posse fide Divina, quia haec excludit omnem formidinem de opposito, quae formido hic non excluditur ob probabilitatem sententiae contrariae, quae

[I respond] to the contrary argument, by which the first argument is advanced. For something to be reflexively of faith, it is not sufficient that many theologians have certainty about it and about the proposition of its revelation that excludes apprehension, but this certainty must be universal and beyond all controversy among Catholics, which certainty is not had here. And when the second argument is advanced, I deny the major premise. For something to be directly of faith for me means it is certainly of faith for me, and not merely probably so. Hence, the term “probably” can be considered either as falling upon the object in question—whether it is of faith, with many affirming and many denying—or as falling upon the judgment of those who, from intrinsic principles, maintain this to be of faith. In the first sense, it is true that the object, adhering to extrinsic authority, is only probably of faith. In the other sense, certainly, if it also falls upon judgment, the object so judged is not directly of faith, as the argument well proves. However, it is clear that the term “probably” does not fall upon the judgment of the doctors who affirm it, since this judgment from intrinsic principles is certain. From this, the disparity from disputed opinions that are probably inferred from Sacred Scripture is evident. Here, probability also falls upon the judgment, which therefore is not certain but probable, and as probable, its object is intended only to be defended, not as of faith, nor directly. Therefore, it is not surprising that it does not pertain immediately to faith, unlike the matter at hand. Adhering to this response, it must be said that not only is this of faith, but it can also be believed by divine faith immediately by us and other affirming doctors. Some of them, however, respond differently to the principal argument with Lugo, disp. 1, sec. 13, § 4, n. 323, where he teaches that this is indeed of faith in itself, objectively, and as it were in the abstract, because this object falls under Divine revelation; but not for us, nor can it be believed by Divine faith, because Divine faith excludes all apprehension of the opposite, which apprehension is not excluded here due to the probability of the contrary

saltem extrinsece negari non potest; cui non aquiesco, non enim video, quomodo obiectum aliquod affirmari possit de fide immediate, quod credi non potest fide supernaturali, sine omni formidine; tum quia recurrunt hic posita argumenta, quando enim dicitur obiectum hoc in se obiective esse de fide immediate; vel certo dicitur, vel tantum probabiliter; si primum dicatur, iam credi poterit fide Divina sine omni formidine, si secundum dicatur, nec obiective, & in se spectat ad fidem Divinam immediate, ly enim *probabiliter*, ut pote non excludens formidinem, coniungi non potest cum fidei materia, ut bene supra urgebatur; qua ratione non tenet, nec locum habet, si dicatur Clementem XI. esse legitimum Petri successorem de fide esse probabiliter, non tamen certo, cum ly, *probabiliter*, omnem fidei materiam excedat, ea ratione, qua non omnem formidinem excludit.

**12.** Ad quantum cum vis punitiva Romani Pontificis, non solum se extendat ad puniendos negantes aliquod, quod immediate est de fide, sed etiam quod de fide est mediate, cum non solum procedat contra propositiones formaliter haereticas, sed etiam erroneas, aut temerarias, aut schismaticas, aut &c. ex hoc nihil determinate inferri potest de eo, quod de fide sit, hoc esse de fide, sed tantum aliquo modo ad fidem spectare; & sane sicuti Summus Pontifex, nec Sanctum Inquisitionis Tribunal, non procedit contra eos, nec censurae submittit eorum scripta, qui etiam post Clementem VIII. docent non esse de fide, saltem immediate, licet ad fidem spectet, Papam hunc esse legitimum Petri successorem in Papatu, ita rationabiliter dici non potest, propter hoc eos a Clemente fuisse incarceratos; quod si de fide esset hoc esse de fide, & de fide esset oppositum haereticum esse, incredibile esset Ecclesiam contra eos non procedere.

**13.** At contra responsionem ad tertium replicatur, & probatur maior illa, quae negata fuit: Impossibile est credere res a Pontifice Romano definitas, tanquam de

**12.** To the fifth point, since the punitive power of the Roman Pontiff extends not only to punishing those who deny something that is immediately of faith, but also what is mediately of faith—as he proceeds not only against propositions that are formally heretical, but also those that are erroneous, rash, schismatic, etc.—from this nothing definitive can be inferred about whether something is of faith; it can only be concluded that it pertains to faith in some manner. And indeed, just as neither the Supreme Pontiff nor the Holy Tribunal of the Inquisition proceeds against those, nor subjects to censure the writings of those who, even after Clement VIII, teach that it is not of faith (at least not immediately, though it pertains to faith) that this Pope is the legitimate successor of Peter in the Papacy, so it cannot reasonably be said that they were imprisoned by Clement for this reason. For if it were of faith that this is of faith, and if it were of faith that the opposite position is heretical, it would be incredible that the Church would not proceed against them.

**13.** Against the response to the third objection, it is further argued and the major premise, which was denied, is proven: It is impossible to believe matters defined by the Roman Pontiff as immediately to be

fide immediate tenendas, ni etiam credatur has definitiones esse a Pontifice alloquente, & declarante ex speciali assistentia Spiritus Sancti, qui falli non potest, nec fallere, adeo ut aequaliter utrumque credatur, scilicet, de fide esse utrumque, esse de fide; sed hoc non potest credi, nisi aequaliter credatur esse verum Papam, & legitimum Petri successorem in Papatu, si enim hoc negetur, iam illa assistentia redditur dubia, & non amplius intelligitur Pontificem esse regulam fidei visibilem, & infallibilem; ergo impossibile est credere res a Pontifice Romano definitas esse de fide reflexe, ni etiam credatur de fide esse reflexe Pontificem hunc definientem legitimum esse. Tum quia, ait Cachernus; Pontifex ita proponit res fidei, ut simul proponat se ipsum, ut fidei regulam, & tanquam habentem specialem assistentiam Spiritus Sancti; sed nequit esse fidei regula, & habere specialem assistentiam Spiritus Sancti, ni sit legitimus Pontifex haec enim assistentia non aliter colligitur, nisi quia fuit Petro promissa, qui fuit legitimus Pontifex, & in eo legitimis successoribus; ergo etiam proponit se esse legitimum Pontificem; ex quo deducitur Pontificem hunc legitimum esse Petri successorem in Papatu transire in rem definitam; sed res definita est de fide reflexe; ergo etiam Pontificem hunc esse legitimum Petri successorem in Papatu.

Respondeo in primis, retorquendo argumentum: *Impossibile est credere res a Pontifice Romano definitas, tanquam de fide immediate tenendas, ni etiam credatur has definitiones esse a Pontifice, qui habeat naturum intellectum, usum rationis expeditum, sit vir, baptizatus, rite ordinatus &c. adeo ut aequaliter utrumque credatur, scilicet de fide esse utrumque esse de fide; sed primum creditur ipsa immediate de fide, ut de fide sit hoc esse de fide; ergo etiam secundum; consequentia est legitima, & tamen consequens est falsum; ergo aliqua ex praemissis est falsa, non quidem minor, ut constat; ergo falsitas est in maiori, quam*

held as of faith, unless one also believes these definitions come from a Pontiff who speaks and declares with the special assistance of the Holy Spirit, who can neither deceive nor be deceived, such that both are equally believed, namely, that both are of faith; but this cannot be believed unless it is equally believed that he is the true Pope and the legitimate successor of Peter in the Papacy, for if this is denied, then that assistance becomes doubtful, and the Pontiff is no longer understood to be the visible and infallible rule of faith; therefore, it is impossible to believe reflexively that matters defined by the Roman Pontiff are of faith, unless it is also reflexively believed as a matter of faith that this defining Pontiff is legitimate. Furthermore, as Cachernus states: the Pontiff proposes matters of faith in such a way that he simultaneously proposes himself as the rule of faith and as having the special assistance of the Holy Spirit; but he cannot be the rule of faith and have the special assistance of the Holy Spirit unless he is the legitimate Pontiff, for this assistance is inferred only because it was promised to Peter, who was the legitimate Pontiff, and in him to his legitimate successors; therefore, he also proposes himself as the legitimate Pontiff; from which it is deduced that this Pontiff being the legitimate successor of Peter in the Papacy passes into a defined matter; but a defined matter is reflexively of faith; therefore, that this Pontiff is the legitimate successor of Peter in the Papacy is also of faith.

I respond first by turning the argument back: *It is impossible to believe matters defined by the Roman Pontiff as immediately to be held as of faith, unless one also believes these definitions come from a Pontiff who possesses natural intellect, the unimpeded use of reason, is a man, baptized, properly ordained, etc., such that both are equally believed, namely, that both are of faith; but the first is immediately believed as of faith, such that it is of faith that this is of faith; therefore, the second is also.* The consequence is legitimate, and yet the consequent is false; therefore, one of the premises is false, certainly not the minor, as is evident; therefore, the falsity is in the major premise, which is why even Doctors who teach that it is immediately

propterea negant etiam Doctores docentes de fide esse immediate Pontificem hunc esse verum Papam, quia res ab eo definitae sunt de fide; & falsitas maioris consistit in ly, adeo *ut aequaliter utrumque credatur*, non enim potest, nec debet ex duobus aequaliter utrumque credi, nec aequaliter utrumque spectat ad fidem, quando unum extra omnem controversiam inter Catholicos Theologos, Controversistas, & Canonistas definitum est in Ecclesia Dei vera, & pacifice, & unanimiter pro definito habetur, ut vere in se definitum; alterum vero inter eosdem est in controversia in faciem Ecclesiae, non animadvertentis, & non censurantis negantes esse definitum, tanquam de fide tenendum ab Ecclesia, sed rem ab Ecclesia definitam, tanquam de fide, est extra omnem controversiam, quod sit definita, non sic hominem hunc habere assistentiam Spiritus Sancti infallibilem, ea ratione, qua vertitur in controversiam inter Catholicos, utrum Pontificem hunc rite electum esse verum Pontificem, sit ab Ecclesia definitum, tanquam de fide tenendum; ergo non aequaliter potest & debet credi.

Rursus idem potest ita retorqueri. *Non potest credi, nec de fide res definita a Romano Pontifice, hoc deficiente, ni de fide eodem modo credatur Pontificem hunc esse valide electum, plane enim, si non est valide electus, nec est verus Papa, & legitimus Petri successor; sed illud est de fide immediate tenendum; ergo etiam hoc: consequentia est bene illata, & tamen consequens est falsum, quam quidem falsitatem cognoscunt etiam Doctores in hoc puncto contradicentes, affirmantes, pro ut a nobis supra, hoc spectare ad evidentiam moralem; unde oportet, quod una ex praemissis sit falsa, non quidem minor, ut patet; ergo falsitas est in maiori; & eodem modo procedi potest contra id, quod additur ex Cacherano, de illo enim consequenti disputatur, quod si concluderet, & transiret in rem definitam, ut ibi subiungitur, concluderet etiam, & transiret in rem definitam, tanquam de*

of faith that this Pontiff is the true Pope, because matters defined by him are of faith, deny it; and the falsity of the major consists in the phrase “such that both are equally believed,” for both cannot and should not be equally believed, nor does each equally pertain to faith, when one is defined beyond all controversy among Catholic Theologians, Controversialists, and Canonists in the true Church of God, and is peacefully and unanimously held as defined, as truly defined in itself; while the other is controversial among these same authorities in the face of the Church, which does not censure or take notice of those who deny that it is defined as to be held as of faith by the Church, but a matter defined by the Church as of faith is beyond all controversy that it is defined, yet not so that this man has the infallible assistance of the Holy Spirit, for the reason that it is controversial among Catholics whether it is defined by the Church as to be held as of faith that this duly elected Pontiff is the true Pontiff; therefore, it cannot and should not be equally believed.

Again, the same can be countered thus: *Faith in a matter defined by the Roman Pontiff cannot be believed, nor is it of faith if he ceases to be Pontiff, unless it is likewise believed as of faith that this Pontiff is validly elected, for plainly, if he is not validly elected, he is neither the true Pope nor the legitimate successor of Peter; but the former is to be held immediately as of faith; therefore, the latter also.* The consequence is well drawn, and yet the consequent is false, a falsity recognized even by Doctors who contradict on this point, affirming, as we stated above, that this pertains to moral evidence; hence, it is necessary that one of the premises be false, certainly not the minor, as is clear; therefore, the falsity is in the major. And the same approach can be taken against what is added from Cacheranus, for that consequent is disputed, which if it were conclusive and passed into a defined matter, as is suggested there, it would also conclude and pass into a defined matter, as immediately to be held as of faith, that this Pontiff has an intellectual nature, the



fide tenendum immediate, Pontificem hunc habere naturam intellectivam, usum rationis expeditum, esse valide electum, esse virum, esse baptizatum, &c. quae tamen omnia, licet sint certa, & indubitata, & aliqua spectent ad fidem, Ut ea negare sit error in fide, tamen non omnia, & singula sunt de fide immediate, cum tamen res ab hoc Papa definita tanquam de fide tenenda sit absolute de fide, etiam reflexe.

Itaque etiam stare poterit, quod res definita sit de fide reflexa, & quod Pontificem hunc legitime electum esse verum Petri successorem de fide non sit immediate, ut aliqui sustinent, aut de fide sit immediate, uti sustinemus, non tamen reflexe; & ratio a priori est, quia haec omnia non concurrunt ad fidem rei definitae, nisi praesuppositive, aut ad modum proponentis, & applicantis Divinam revelationem, de quibus sufficit moralis certitudo, & evidentia credibilitatis, & videantur, quae diximus in resolutione fidei n.18., & quando aliqua ex his ex alio motivo, & ratione spectant ad fidem immediate, uti nos sentimus de veritate huius Pontificis legitime electi, tamen haec fides per accidens, & concomitanter se habet ad fidem rei definitae, quae innititur Divinae revelationi sufficienter propositae, tunc autem est sufficienter proposita, quando est moralis certitudo, seu evidens prudens credibilitas de existentia Divinae revelationis, & ut propositio Ecclesiae, quae intrat ad constituendam hanc evidentiam credibilitatis, censeatur infallibilis, sufficit quod certum sit eius Caput, legitimum esse Petri successorem, certitudine ad fidem spectante, adeo ut hoc negare sit error in fide, at non requiritur per se, quod sit de fide immediate, & multo minus reflexe.

Et videtur Bellarminus apud Suarez disp. 5. sect.8. num. 12. qui censet Pontificem, etiam in re non legitimum, errare non posse in definiendis rebus fidei; & addit Eugenius Lombard. Reg. Sacerd. lib. 3. §. 9. num. 17. circa finem, Divinam

unimpeded use of reason, is validly elected, is a man, is baptized, etc., all of which, although certain and undoubted, and some pertain to faith such that denying them would be an error in faith, nevertheless not all and each individually are immediately of faith, whereas a matter defined by this Pope as to be held as of faith is absolutely of faith, even reflexively.

Therefore, it can still stand that a defined matter is of reflexive faith, and that this Pontiff being legitimately elected as the true successor of Peter is not immediately of faith, as some maintain, or is immediately of faith, as we maintain, yet not reflexively; and the a priori reason is that all these things contribute to faith in the defined matter only presuppositively, or as a mode of proposing and applying Divine revelation, for which moral certainty and the evidence of credibility suffice. Consider what we said in the resolution of faith n.18., and when some of these from another motive and reason pertain immediately to faith, as we hold concerning the truth of this legitimately elected Pontiff, nevertheless this faith relates accidentally and concomitantly to faith in the defined matter, which rests on Divine revelation sufficiently proposed. It is sufficiently proposed when there is moral certainty, or evident prudent credibility of the existence of Divine revelation, and for the Church's proposition, which enters into constituting this evidence of credibility, to be considered infallible, it suffices that its Head is certain to be the legitimate successor of Peter, with a certainty pertaining to faith, such that denying this would be an error in faith, but it is not required per se that it be immediately of faith, and much less reflexively.

Providentiam, quando etiam permetteret Ecclesiam errare circa personam Pontificis, colendo pro Papa, qui Papa non est in re, non permetteret tamen errare circa auctoritatem, quia ei tribuit eandem infallibilem potestatem, quod si verum est, corrumpit totum argumentum, salvat enim infallibilem certitudinem fidei Ecclesiae,

**15.** Nec tenet, si dicatur has conditiones, vel servatas esse in electione, vel defectum earumdem suppletum esse, & sanatum per pacificam eius acceptationem ab universa Ecclesia; non, inquam, quia, licet Ecclesia sanare possit defectus earum conditionum, quae de iure humano exiguntur, tamen sanare non potest, nec supplere defectum earum conditionum, quae de iure Divino exiguntur ad legitimum Papae electionem, certum autem est dari plures conditiones de iure Divino exigitas, puta, quod hic homo in Papam eligendus, sit rite ordinatus, sit rite baptizatus, & sit mas, & non femina; non enim tenet historia, seu fabula illa, a quodam Martino Polono viro simplici proposita, & qua utuntur sectarij in derisionem Romani Pontificis; & contra quam agunt Baronius ad annum Christi 853. & Bellarmine *lib. 3. de Rom. Pont. cap. 24.* affirmans Ioannem VIII. qui Leoni IV. successit, & Benedictum III. praecessit, non electum esse, cum tamen esset femina; immo videtur sufficere non posse de fide esse hunc esse verum Papam, ni etiam non solum certo, sed etiam de fide sustineatur rite ordinatum esse, rite baptizatum, masculinum esse, & non feminam.

Praeterea has conditiones in electione fuisse servatas non constat nec ex Verbo Dei scripto, nec ex Verbo Dei non scripto, sed tantum ex fide promulgantium electionem, quae quidem in origine est a Cardinalibus electoribus; sed hoc non ponit certitudinem de eo, quod servatae fuerint praefatae conditiones, sed tantum fidem humanam; ergo de hac certitudine non constat.

Confirmatur. Pontificem hunc esse rite electum est solum ita certum, ut excludat

**15.** Nor does it stand if one were to say that these conditions were either observed in the election, or that their defect was supplied and healed through peaceful acceptance by the universal Church; I say it does not stand because, although the Church can heal defects in those conditions which are required by human law, it cannot, however, heal nor supply the defect of those conditions which are required by Divine law for a legitimate papal election. It is certain that there are many conditions required by Divine law, for instance, that the man to be elected Pope must be properly ordained, properly baptized, and be male, not female. For that history, or rather fable, proposed by a certain Martin of Poland, a simple man, and which sectarians use to mock the Roman Pontiff, does not hold true; and against which Baronius argues in the year of Christ 853, and Bellarmine in *Book 3 on the Roman Pontiff, chapter 24*, affirming that John VIII, who succeeded Leo IV and preceded Benedict III, was not elected, since he was a woman. Indeed, it seems insufficient to hold as a matter of faith that this person is the true Pope, unless it is also held not only with certainty, but also as a matter of faith, that he is properly ordained, properly baptized, male and not female.

Moreover, it is not established that these conditions in the election have been observed either from the written Word of God, or from the unwritten Word of God, but only from the faith of those promulgating the election, which indeed in its origin comes from the Cardinal electors; but this does not establish certainty about the fact that the aforementioned conditions were observed, but only human faith; therefore, there is no certainty established about this.

This is confirmed. That this Pontiff has been duly elected is only so certain as to exclude prudent fear

prudentem formidinem de veritate oppositi; sed hoc non sufficit, ut hoc contineatur in universali revelata, quantum requiritur, ut in ea credatur fide Divina immediate; ergo defectu huius continentiae non spectat ad fidem Divinam immediate; minor probatur, Hostia ab hoc Sacerdote consecrata, ita certum est esse rite consecratam, ut excludat prudentem formidinem de veritate oppositi, prudenter enim adoratur; sed hoc non obstante credi non potest fide Divina in ea universali, omnis Hostia rite consecrata continet Corpus Christi, maior enim certitudo requiritur de continentia illius particularis in illa universali, ut ea credatur fide Divina; ergo nec haec credi potest fide Divina.

**16.** Respondeo argumentum hoc evertere statum praesentis controversiae, quae disputatur, supposita legitima eius electione, quia tamen haec supponitur, non praecisse ab eius veritate, & falsitate in re, sed in re ita vera, ut locus dubitandi non detur de eius veritate, & certitudine, quantum sufficit, ut illa particularis in ea universali ita includatur, ut credatur in ea fide Divina, ideo singulis satisfaciendum est. Ad primum concedo maiorem, & ideo dixi supra hoc constare evidentia sensibili, & experimentalis, quod sufficit ad intentum nostrum, & nego minorem; & dum probatur, dico, quod eo ipso, quod Ecclesia universalis acceptat pacifice hunc Papam esse legitimum Papam, eumque tenet pro vero, & legitimo Papa post hanc acceptationem, & universalem recognitionem, & acclamationem, incipit de fide esse verus Papa, & ita per eam pacificam, & universalem Ecclesiae acceptationem aequivalenter proponi, ut verus Papa omnibus, & singulis fidelibus, uti immediate de fide, quo dato, per consequentiam Theologicam deducitur, servatas esse in eius electione conditiones, & formas iuridicas praerequisitas de iure Divino, & Ecclesiastico, aut si quae defecerunt requisitae de iure Ecclesiastico, fuisse sanatas, quo enim ad has conditiones, non est determinate

about the truth of the opposite; but this does not suffice for it to be contained in universal revelation, to the extent required for it to be believed immediately by Divine faith; therefore, due to the defect of this containment, it does not pertain immediately to Divine faith; the minor premise is proven: That the Host consecrated by this Priest has been duly consecrated is so certain as to exclude prudent fear about the truth of the opposite, for it is prudently adored; but notwithstanding this, it cannot be believed by Divine faith in that universal proposition, “every duly consecrated Host contains the Body of Christ,” for greater certainty is required about the containment of that particular in that universal, in order for it to be believed by Divine faith; therefore, neither can this be believed by Divine faith.

**16.** I respond that this argument overturns the status of the present controversy, which is disputed supposing the legitimacy of his election. However, this is supposed not precisely because of its truth or falsity in reality, but because it is true in such a way that there is no grounds for doubting its truth and certainty, insofar as is sufficient for that particular case to be included in that universal such that it may be believed by Divine faith. Therefore, each point must be addressed separately. To the first, I concede the major premise, and therefore I stated above that this is evident through sensible and experiential evidence, which suffices for our intent, and I deny the minor premise. When it is proven, I say that by the very fact that the universal Church peacefully accepts this Pope to be the legitimate Pope, and holds him as the true and legitimate Pope after this acceptance and universal recognition and acclamation, it begins to be a matter of faith that he is the true Pope. Thus, through this peaceful and universal acceptance by the Church, it is equivalently proposed to all and individual faithful that he is the true Pope as a matter of immediate faith. This being granted, it follows by theological consequence that the conditions and juridical forms prerequisite by Divine and Ecclesiastical law were observed in his election, or if any requirements of Ecclesiastical law were lacking, they were remedied. For regarding these conditions, it is not

necessarium ad validam electionem, quod servantur, sed tantum sub disiunctio, quod aut servantur, aut dispensentur, aut sanentur, quod etiam, Acephala Ecclesia Dei, & Sede vacante fieri potest virtute, & auctoritate praecedentium Pontificum ita disponentium in Constitutionibus suis, de quo infra redibit sermo in responsione ad tertium argumentum.

**17.** Ex hoc patet quid dicendum, dum argumentum urgetur in conditionibus exigitis de iure Divino, & quarum defectus sanabilis non est ab Ecclesia, nec dispensabilis, licet enim ante electionem, & pacificam, & universalem Ecclesiae acceptationem non habeatur ea certitudo, quae hic exigitur, eas condiciones reperiri in hoc homine assumpto, tamen post eam resultat haec certitudo per consequentiam Theologicam, certitudo autem Theologica de continentia particularis in universali revelata sufficit, ut in hac ea credatur; per consequentiam autem Theologicam hoc modo praefatae condiciones deducuntur, non est capax Papatus, qui non est mas, baptizatus validè, aut non validè ordinatus, aut ordinandus, etenim non Sacerdos eligitur in Papam quandoque, ordinandus tamen, ut in Clement. XI. regnante, qui ordinatus est Sacerdos in Basilica S. Petri post electionem in Papam; sed hic Papa legitimè electus est verus Papa; ergo est mas, validè baptizatus, & ordinatus, vel ordinandus &c. item Ecclesia non errat in iis, quae pertinent ad fidem, & ad mores; sed Ecclesia elegit Clementem XI. in Papam, quod planè spectat ad fidem, & ad mores, & ad hoc requiritur, quod sit vir, & baptizatus, & ordinatus, vel ordinandus; ergo est baptizatus &c. vbi nota, quod licet ex terminis, & simpliciter contingens sit, hunc esse virum, validè baptizatum &c. tamen pro ut hoc inferitur ex legitimitate Papatus huius viri, non est amplius contingens, sed transit in necessarium ex suppositione, quod est idem, ac dici, quod illae propositiones, quatenus illatae per modum conclusionis ex hoc antecedenti, *hic homo est legitimus*

determinately necessary for a valid election that they be observed, but only disjunctively—either that they be observed, or dispensed with, or remedied—which can also be done, even with the Church of God being Acephalous [headless] and the See vacant, by virtue and authority of preceding Pontiffs so disposing in their Constitutions, about which more will be said below in response to the third argument.

**17.** From this it is evident what should be said when an argument is pressed concerning conditions required by Divine Law, and whose defects cannot be remedied by the Church, nor dispensed with. For although before the election and the peaceful and universal acceptance by the Church, there is not that certainty which is required here—that these conditions are found in this man who has been chosen—nevertheless, after this acceptance, this certainty results through theological reasoning. Theological certainty about the containment of a particular within a universally revealed principle suffices for belief in this matter. The aforementioned conditions are deduced through theological reasoning in this way: one who is not male, not validly baptized, or not validly ordained or capable of ordination, is not eligible for the Papacy. Indeed, sometimes one who is not a priest is elected Pope, though he must be ordainable, as in the case of Clement XI during his reign, who was ordained a priest in St. Peter's Basilica after his election as Pope. But this legitimately elected Pope is the true Pope; therefore, he is male, validly baptized, and ordained or ordainable, etc. Likewise, the Church does not err in matters pertaining to faith and morals; but the Church elected Clement XI as Pope, which clearly pertains to faith and morals, and for this it is required that he be a man, baptized, and ordained or ordainable; therefore he is baptized, etc. Note here that although in explicit terms and simply speaking, it is contingent that this man is male, validly baptized, etc., nevertheless, insofar as this is inferred from the legitimacy of the Papacy of this man, it is no longer contingent but becomes necessary by supposition. This is the same as saying that those propositions, insofar as they are inferred as conclusions from this antecedent, *this man is the legitimate Pope*, are necessary and theological. Just

*Papa*, necessaria est, & Theologica; sicuti haec propositio, *Antichristus erit* ex terminis est contingens, vt tamen illata ex hac propositione: *Deus videt Antichristum futurum*, est necessaria.

**18.** Quid autem tenendum sit circa gradum certitudinis earum propositionum an scilicet sint de fide immediatè, eo modo, quo de fide est immediatè hominem hunc ritè electum Pontificem esse, satis controuertitur inter Theologos, etiam, concordēs in eo, quod sit de fide immediatè hunc ritè electum Papam esse; pro parte enim affirmatiua stant Lugo loco cit. §. 5. num. 330. Arriaga nu. 51. Salmat. num. 43. Cachéranus num. 56. saltem in quantum ad conditionem Baptismi, & esse virum; in quantum enim ad esse validè ordinatum, quidam cum Io. à S. Thoma vniformiter loquuntur, quidam verò cum Arriaga, & Cachérano diformiter; eadem difficultas extendi potest, etiam ad alias propositiones, retrocedendo ad eum, à quo fuit ordinatus, an scilicet hic fuerit ordinatus validè, sine quo nec Papa fuit validè ordinatus, & ad eum, qui Papam baptizauit, an habuerit intentionem eum baptizandi &c. in hoc mihi certum est, quod ex quo sit de fide immediatè, quod hic homo sit Summus Pontifex, non propterea deduci de fide esse immediatè, quod sit validè Baptizatus, ordinatus, quod sit vir &c. licet enim ad Pontificatum ex parte subiecti requirantur illae conditiones, tamen in iis non innitur fides, quod hic homo sit verus Papa, sed tantum in eo, quod illi, ut legitimo, & visibili Capiti Ecclesia se subijcit, eumque pacifice, solemniter, & universaliter acceptat; itaque, licet esse baptizatum requiratur ex parte materiae, & subiecti, tamen quia non influit in fidem huius veritatis; *Hic homo legitime electus est verus Papa*, nec est necesse credere immediate de fide, quod hic homo baptizatus sit ordinatus, sit vir, &c. an autem extet alius titulus, qui cogat nos ad asserendum etiam eas propositiones esse de fide immediate, hoc parum refert ad praesentem difficultatem;

as the proposition, *Antichrist will exist* is contingent in its terms, yet as inferred from this proposition: *God sees that Antichrist will exist in the future*, it is necessary.

**18.** However, what position should be held regarding the degree of certainty of these propositions—namely, whether they are immediately of faith, in the same way that it is immediately of faith that this man ritually elected as Pontiff truly is so—is sufficiently debated among Theologians, even among those who agree that it is immediately of faith that this ritually elected man is Pope. For the affirmative position stand Lugo in the cited passage, §. 5, number 330, Arriaga number 51, Salmanticenses number 43, Cachéranus number 56, at least insofar as concerns the condition of Baptism and being a man; but insofar as concerns being validly ordained, some speak uniformly with John of St. Thomas, while others speak differently with Arriaga and Cachéranus. The same difficulty can be extended to other propositions, going back to the one by whom he was ordained—namely, whether this person was validly ordained, without which the Pope would not have been validly ordained—and to the one who baptized the Pope, whether he had the intention of baptizing him, etc. In this matter, I am certain that from the fact that it is immediately of faith that this man is the Supreme Pontiff, one cannot therefore deduce that it is immediately of faith that he is validly baptized, ordained, that he is a man, etc. For although these conditions are required for the Pontificate on the part of the subject, nevertheless faith that this man is the true Pope is not founded on these conditions, but only on the fact that the Church submits herself to him as the legitimate and visible Head, and accepts him peacefully, solemnly, and universally. Therefore, although being baptized is required on the part of the matter and the subject, nevertheless because it does not influence the faith of this truth—“This legitimately elected man is the true Pope”—it is not necessary to believe immediately as a matter of faith that this man is baptized, is ordained, is a man, etc. Whether there exists another reason that compels us to assert that these propositions are also immediately of faith matters little to the present difficulty. And so that a

& ut certa regula tradatur, breviter dico, quod illae propositiones, & veritates, quae spectant ad veritatem formalem Papatus, hae quoque sunt implicite revelatae in illa universali, quae vero ad veritatem formalem Papatus comparantur, tanquam quid praesuppositum, aut consequens, aut connexum, & veluti proprietas illata ex essentia, haec non sunt in ea propositione universali formaliter revelata, nec implicite, sed ad summum tantum virtualiter, ea autem, quae tantum virtualiter sunt revelata, seu tantum virtualiter continentur in propositione formaliter revelata, uti se habet risibilitas Christi in revelatione Christi, ut hominis, non sunt de fide immediate, ut late diximus supra q. 3. art. 2. §. 9. sed tantum certitudinem habent conclusionis Theologicae.

**19.** Ad secundum concedo maiorem, nego minorem, electio enim in Papam facta a Cardinalibus nomine totius Ecclesiae universalis, & acceptatio eiusdem pacifica, & universalis fundat evidentiam moralem continentis huius propositionis particularis in ea universali formaliter revelata, & non solum fidem humanam, unde homo ille ita electus, & acceptatus incipit esse de numero eorum, quibus Christus in Persona Petri dixit: *Tu es Petrus, & super hanc petram aedificabo Ecclesiam meam, Pasce oves meas, confirma fratres tuos*; unde incipit cadere sub verbo Dei scripto.

**20.** Ad confirmationem nego maiorem, haec enim certitudo non est solum prudentialis, & excludens prudentem formidinem, sed est certitudo summa moraliter excludens omne dubium, ut colligi potest ex dictis; nec tenet paritas assumpta, quia, ut concludat, deberet sic concipi, ut comparetur Pontifex non solum electus, sed valide electus, ad Hostiam, non solum consecratam, sed valide consecratam, sic enim utraque propositio continetur sub universali revelata formaliter; caeterum, loquendo in particulari de certitudine huius hominis valide electi in Papam, & certitudine huius

certain rule may be given, I briefly say that those propositions and truths which pertain to the formal truth of the Papacy are also implicitly revealed in that universal proposition; those which, however, are related to the formal truth of the Papacy as something presupposed, or consequent, or connected, and as if a property inferred from the essence, these are not formally revealed in that universal proposition, nor implicitly, but at most only virtually. Moreover, those things which are only virtually revealed, or only virtually contained in a formally revealed proposition, as the risibility of Christ is related to the revelation of Christ as man, are not immediately of faith, as we have said at length above in question 3, article 2, §. 9, but have only the certainty of a Theological conclusion.

**19.** To the second [objection], I concede the major premise, but deny the minor premise, for an election to the Papacy conducted by the Cardinals in the name of the universal Church, along with its peaceful and universal acceptance, establishes moral certainty containing this particular proposition within that universally revealed formal truth, and not merely human faith. Hence, the man thus elected and accepted begins to be numbered among those to whom Christ, in the Person of Peter, said: *"You are Peter, and upon this rock I will build my Church, Feed my sheep, Strengthen your brethren"*; thus he begins to fall under the written Word of God.

**20.** To the confirmation, I deny the major premise, for this certainty is not merely prudential and excluding reasonable fear, but is a moral certainty of the highest degree excluding all doubt, as can be gathered from what has been said. The assumed parity does not hold, because for it to be conclusive, it should be conceived in such a way that the Pontiff who is not only elected, but validly elected, is compared to the Host, not only consecrated, but validly consecrated. Thus, both propositions are formally contained under the universal revelation. However, speaking particularly about the certainty of this man being validly elected as Pope, and the certainty of this Host being validly consecrated,

Hostiae valide consecratae, est lata disparitas, ea enim, ut dixi, est moralis, excludens omne dubium, & quidem positiva, cum magno fundamento sensibiliter, & experimentaliter certo innitatur; certitudo autem, quod haec Hostia sit rite consecrata, positiva non est, sed negativa, & innixa in eo, quod non occurrit causa determinata, & motivum constans, quod inducat dubium prudens de valida eius consecratione, & cultu privetur, quae certitudo sufficit, ut formetur dictamen prudentiale regulans adorationem quo ad suos actus; & pro diversitate, & inaequalitate materiae, non eadem motivorum certitudo sufficit ad efformandum dictamen prudentiale.

**21.** Tertio objicitur. Ut praefata propositio sit de fide, necesse est, quod hic homo legitime electus proponatur, ut fide credendus; sed non potest assignari, a quo proponatur: ergo non est de fide. minor probatur, hoc non proponitur nec ab Ecclesia universali, dum illum pacifice acceptat, nec a Cardinalibus, dum electionem factam promulgant. Primum suadet, nam acceptatio Ecclesiae non declarat aliquod esse de fide, nisi prius illud proponatur, ut de fide credendum; ergo eam propositionem supponit, acceptatio enim supponit propositionem in priori factam, & quae acceptatur; secundum vero suadet: nam Cardinales non habent auctoritatem ad proponendum aliquod, ut de fide immediate credendum, ad hoc enim non sunt legitime congregati ab aliquo Pontifice, uti requiritur, ut hanc auctoritatem habeant, qua ratione neque Concilium habet eam auctoritatem, ni ab aliquo Papa fuerit congregatum. Quod magis urgetur, quia Papa, quem Cardinales proponunt credendum fide Divina, vel est verus Papa, & legitimus Petri successor, vel non, hoc secundum dici non potest, ut ex se manifestum est; at nec primum; quia, secundum dicta, non est verus Papa, nec legitimus Petri successor, nisi post pacificam Ecclesiae acceptationem, quae acceptatio non est, dum Papa proponitur, & promulgatur a

there is a wide disparity. The former, as I have said, is moral, excluding all doubt, and indeed positive, since it rests upon a great foundation that is sensibly and experimentally certain. The certainty, however, that this Host is rightly consecrated is not positive, but negative, and rests on the fact that there occurs no determinate cause or compelling motive that would induce reasonable doubt about its valid consecration or deprive it of worship. This certainty suffices for forming a prudential judgment regulating adoration with respect to its acts; and due to the diversity and inequality of the matter, the same certitude of motives is not required for forming prudential judgment.

**21.** Thirdly, it is objected: For the aforementioned proposition to be a matter of faith, it is necessary that this legitimately elected man be proposed as one to be believed by faith; but it cannot be determined by whom he is proposed: therefore it is not a matter of faith. The minor premise is proven, since this is proposed neither by the universal Church while it peacefully accepts him, nor by the Cardinals when they promulgate the completed election. The first point is supported, for the acceptance of the Church does not declare something to be a matter of faith unless it was previously proposed as something to be believed by faith; therefore such acceptance presupposes the proposition having been made prior, and that which is being accepted. The second point is supported: for the Cardinals do not have the authority to propose something as immediately to be believed by faith, since for this purpose they are not legitimately convened by any Pontiff, as is required for them to have this authority—for the same reason that even a Council does not have this authority unless it has been convened by some Pope. This argument is further strengthened, because the Pope whom the Cardinals propose to be believed by Divine faith is either the true Pope and legitimate successor of Peter, or he is not. The second cannot be said, as is manifest of itself; but neither can the first, because, according to what has been said, he is not the true Pope nor the legitimate successor of Peter except after the peaceful acceptance by the Church, which acceptance does not exist while the

Cardinalibus; ergo non proponitur, ut credendus fide Divina.

Respondeo concedo maiorem, nego minorem, & dico ita proponi a Cardinalibus electoribus, dum illum promulgant legitime electum; nec tenet ratio, quae in contrarium adducitur, vere enim Cardinales legitime congregantur ad effectum etiam proponendi Ecclesiae universali Papam hunc, legitime electum in Conclavi, credendum fide Divina, ut legitimum Petri successorem, & auctoritatem hanc habent acceptam ex iure, & dispositione Pontificum praecedentium, qui sicuti Cardinalibus dederunt facultatem legitime eligendi Papam, ita & facultatem dederunt electum promulgandi, & proponendi universae Ecclesiae, ut tanquam de fide ab ea acceptetur, nec alia auctoritas exigi hic potest, cum Ecclesia sit sine suo Capite, & agatur de actione, quae est factiva Papae; idem contingit, dum congregatur Concilium tempore schismatis, hoc enim fit virtute, & auctoritate Decretorum praecedentium Pontificum; Et ad argumenti restaurationem, dico, a Cardinalibus proponi, ut verum Papam, & quidem quantum in ipsis est, canonice electum, eumque proponunt credendum fide Divina, non ante, sed post Ecclesiae acceptationem, & confirmationem pacificam, cadente ly, post, non supra propositionem, sed supra ly, credendum fide Divina; unde ante acceptationem pacificam, seu tempore intermedio inter electionem factam a Cardinalibus, & pacificam Ecclesiae acceptationem, quo intervallo, sit propositio, est quidem verus Papa, at non est de fide immediate esse verum Papam, nisi posita Ecclesiae acceptatione, & confirmatione, ita disponentibus legibus Pontificum praedecessorum; & exemplum habetur in propositionibus factis a Concilijs Generalibus, quae non incipiunt esse credendae fide Divina immediate, nisi post approbationem, & confirmationem Romani Pontificis; unde inter

Pope is being proposed and promulgated by the Cardinals; therefore he is not proposed as one to be believed by Divine faith.

I respond by conceding the major premise, denying the minor premise, and I say that it is thus proposed by the Cardinal electors when they promulgate him as legitimately elected; nor does the reasoning brought to the contrary hold, for indeed the Cardinals legitimately convene for the purpose of also proposing to the universal Church this Pope, legitimately elected in Conclave, to be believed by Divine faith as the legitimate successor of Peter. And they have received this authority from the law and disposition of preceding Pontiffs, who just as they gave the Cardinals the faculty of legitimately electing the Pope, so too gave them the faculty of promulgating the elected one and proposing him to the universal Church, so that he might be accepted by it as a matter of faith. Nor can any other authority be required here, since the Church is without its Head, and it concerns an action which brings about the Pope. The same occurs when a Council is convened in time of schism, for this happens by virtue and authority of the Decrees of preceding Pontiffs. And to restate the argument, I say that he is proposed by the Cardinals as the true Pope, and indeed insofar as it depends on them, canonically elected, and they propose that he be believed by Divine faith, not before, but after the Church's acceptance and peaceful confirmation, with the word "after" applying not to the proposition itself, but to the phrase "to be believed by Divine faith." Hence before peaceful acceptance, or in the intermediate time between the election made by the Cardinals and the peaceful acceptance of the Church—during which interval the proposition is made—he is indeed the true Pope, but it is not immediately a matter of faith that he is the true Pope, except after the Church's acceptance and confirmation, so disposing the laws of predecessor Pontiffs. And an example is found in propositions made by General Councils, which do not begin to be believed by Divine faith immediately, except after the approval and confirmation of the Roman Pontiff. Therefore, between propositions made by the Roman Pontiff and those made by Councils or Cardinals in the case



propositiones factas a Romano Pontifice, & Concilijs, aut Cardinalibus in casu, de quo agitur, datur hoc discrimen, quod ea, quae Romanus Pontifex proponit ex Cathedra, tanquam immediate de fide credenda, sine alia acceptatione, & confirmatione sunt immediate de fide, ut in sequentibus constabit, secus vero propositiones factae a Cardinalibus, & Concilijs.

### §. II. *Quaedam dubia incidentia.*

**22.** Primo dubitari potest, cui data fuerit potestas eligendi Papam. Respondeo primo, potestatem hanc datam fuisse a Christo hominibus, quod certum est, & colligitur ex usu, & praxi Ecclesiae, quod quidem conveniens fuit, ut Ecclesia, quae ex hominibus constituitur, humano etiam modo gubernaretur, quantum possibile est, cui connaturalitati Ecclesiae, quin immo, & statui legis gratiae non consonabat semper de caelo expectare signum discernens, & individuans hominem, quem Deus pro dispositione sua eligeret in legitimum Petri successorem.

Respondeo secundo : Potestatem in statuendo modum electionis datam fuisse Romanis Pontificibus, uti frequenter docetur cum Caietano tom. 1. tract. 3. opusc. Suarez disp. 10. sect. 4. num. 11. aduersante Paludano de Potest. Eccles. in quem inclinatur Turrecremata cap. 51. in sum. Eccles. lib. 2. Ratio est, quia modus eligendi Pontificem in Ecclesia usitatus fundatur in legibus, & dispositionibus Summorum Pontificum ; ergo ex ipso Ecclesiae usu, & consuetudine deducitur hunc modum praescribere pertinere ad Summum Pontificem ; & quidem satis connaturaliter, & conuenienter, cum enim Papa sit Ecclesiae Caput, in eo est suprema potestas gubernandi Ecclesiam, & propterea ad eum spectat prouidere in rebus, maxime necessarijs, & grauissimis, quarum una est modus eligendi Summum Pontificem. Et si solus Pontifex potestatem non haberet praescribendi modum eligendi Papam, eo maxime esset, quia potestas haec tradita esset a Christo uniuersae Ecclesiae, seu Concilijs

under discussion, there exists this difference: that what the Roman Pontiff proposes ex Cathedra as to be believed immediately by faith, without any other acceptance and confirmation, is immediately a matter of faith, as will be established in what follows—but not so the propositions made by Cardinals and Councils.

### §. II. *Certain Incidental Doubts.*

**22.** First, one might doubt to whom the power of electing the Pope has been given. I respond firstly that this power was given by Christ to men, which is certain and is gathered from the usage and practice of the Church. This indeed was fitting, so that the Church, which is constituted of men, might also be governed in a human manner, insofar as possible. It would not have been consonant with this natural character of the Church, nor indeed with the state of the law of grace, to always expect a sign from heaven discerning and identifying the individual whom God, according to His own disposition, would choose as the legitimate successor of Peter.

I respond secondly: The power to establish the method of election was given to the Roman Pontiffs, as is frequently taught with Cajetan in volume 1, treatise 3 of his opusculum, and Suárez in disputation 10, section 4, number 11, against the position of Paludanus in “On Ecclesiastical Power,” toward whom Torquemada inclines in chapter 51 of his “Summary of the Church,” book 2. The reason is that the method of electing the Pontiff customary in the Church is founded on the laws and dispositions of the Supreme Pontiffs; therefore, from the very usage and custom of the Church, it is deduced that prescribing this method belongs to the Supreme Pontiff; and indeed quite naturally and fittingly, since the Pope is the Head of the Church, in him resides the supreme power of governing the Church, and therefore it is his responsibility to provide for matters most necessary and grave, one of which is the method of electing the Supreme Pontiff. And if the Pontiff alone did not have the power to prescribe the method of electing the Pope, it would be primarily because this power had been transmitted by Christ to the universal Church, or to General

generalibus ; sed his haec auctoritas non est concessa ; ergo soli Papae ea data est ; minor probatur, quia quaedam Concilia, ut Lateranense sub Nicolao I. & alterum sub Alexandro III. confirmauerunt quidem modum in Ecclesia Dei usitatum eligendi Papam, & a Summis Pontificibus praescriptum, nunquam tamen per longam annorum seriem quidquam est de hac re ordinatum, & statutum in Concilijs Generalibus, signum euidens, quod in origine Pontifices Romani auctoritate propria, & immediate a Christo accepta modum statuerunt eligendi Pontificem.

Respondeo tertio, eligere Pontificem Romanum spectare ad Cardinales, ita communiter docetur, quia iura Pontificia ita disposuere ; & quidem conuenientissime potius Cardinalibus, quam Concilijs haec Prouincia demandata est a Romanis Pontificibus, quia in Ecclesia Dei oportet, quod detur aliqua regula, & Iudex, ad quem spectet iudicare de electione Summi Pontificis, an scilicet fuerit rite, & valide facta, maxime dubio exorto, aut schismate, hoc enim postulat ratio recti regiminis, & Reipublicae bene ordinatae, regula autem haec, & Iudex oportet, quod sit superior electoribus, superioris enim est regulare, & iudicare, Concilium autem non est supra se ipsum, cum tamen sit supra Cardinales, unde conuenientissime electio Papae Cardinalibus commissa est, non Concilio, huius enim, & non eorum munus est iudicare de electione Pontificis, quando opus sit, & occasione se offerente. Rursus dici potest ita dispositum fuisse, quia cum Papa sit Episcopus Romanus, eius electio videtur pertinere ad Clerum Romanum, hoc est ad praecipuas personas eiusdem Cleri, quales sunt Cardinales. Fuit autem haec Prouincia Cardinalibus demandata tempore Gregorii VII. & Urbani, ut patet ex cap. In nomine Domini dist. 23. & Clementina, *Ne Romani. tit. de electione.* Ubi initio Ecclesiae electio Summi Pontificis peragebatur a Clero Romano, & ab Episcopis, qui Romae erant, uti colligitur ex Cypriano lib. 4. Epist. 2. ubi

Councils; but this authority has not been granted to them; therefore, it was given to the Pope alone. The minor premise is proven because certain Councils, such as the Lateran under Nicholas I and another under Alexander III, indeed confirmed the method customary in the Church of God for electing the Pope and prescribed by the Supreme Pontiffs, yet never through a long series of years was anything ordained and established concerning this matter in General Councils—a clear sign that from the beginning the Roman Pontiffs, by their own authority immediately received from Christ, established the method for electing the Pontiff.

I respond thirdly that the election of the Roman Pontiff belongs to the Cardinals, as is commonly taught, because Pontifical laws have so arranged it. Indeed, this responsibility was most fittingly entrusted to the Cardinals rather than to Councils by the Roman Pontiffs, because in the Church of God there must be some rule and judge whose role is to determine whether the election of the Supreme Pontiff was properly and validly conducted, especially when doubt arises or schism occurs. The nature of proper governance and a well-ordered Republic demands this. Moreover, this rule and judge must be superior to the electors, since it belongs to a superior to regulate and judge. However, a Council is not above itself, though it is above the Cardinals. Therefore, most appropriately, the election of the Pope was committed to the Cardinals, not to a Council, for it is the Council's duty, not the Cardinals', to judge the election of the Pontiff when necessary and when the occasion presents itself. Furthermore, it can be said that this was arranged because, since the Pope is the Bishop of Rome, his election seems to belong to the Roman Clergy, that is, to the principal persons of that Clergy, namely the Cardinals. This responsibility was entrusted to the Cardinals during the time of Gregory VII and Urban, as is evident from the chapter "In nomine Domini," distinction 23, and the Clementine constitution "Ne Romani" under the title "de electione." At the beginning of the Church, the election of the Supreme Pontiff was carried out by the Roman Clergy and by the Bishops who were in Rome, as is gathered from Cyprian, book 4, Epistle

agit de electione Cornelii, & Euseb. lib. 6. hist. cap. 21. expectabatur autem in hac electione populi consensus, non ut suffragium electionis, sed ut testimonium vitae, & morum Pontificis electi, de quo agit Cypr. lib. 1. Epist. 4., & lib. 2. Epist. 5. Coepit etiam expectari consensus Imperatorum, adeo ut non censeretur firma electio, donec Imperator consentiret, quod Privilegium quandoque fuit per tyrannidem usurpatum, ut ab Henrico V. tempore Paschalis II. quandoque falso confictum, ut de quodam Othone refertur cap. in synod. dist. 63. interdum vero datum a Summis Pontificibus, ut de Carolo Magno, & Pipino habetur cap. Adrianus dist. 63. quod statim Ludovicus eorum successor renunciavit, licet postea alii tentaverint recuperare; & tandem Adrianus II. statuit, ut in electione Pontificis nullus consensus saecularis Principis attenderetur, quin immo & consensus populi propter abusum praetermissus fuit.

**23.** Secundo dubitari potest, an Concilium Generale aliqua hypothesi, aut casu extraordinario possit sibi assumere ius eligendi Papam. Tres autem hypotheses concipi possunt. Primo, si de electoribus Papae nihil a Romanis Pontificibus esset statutum. Secundo, si Cardinales omnes, Sede vacante, & ante electionem novi Pontificis, aut e vita decederent, aut omnes, & singuli a tyrannica saeculari Principum potestate vel carceribus detinerentur ad longum tempus, vel alia via violenter impedirentur, adeo ut simul eodem loco uniri, & congregari non possent; aut tandem occurrente schismate in Ecclesia Dei circa legitimum Papam, uti videtur contigisse in Concilio Constantiensi, ubi tres Antipapae fuere depositi, & Martinus V. electus ab eodem Concilio, ut plures Doctores supponunt cum Suare hic disp. 10. sect. 4. num. 17. ubi concludit, & *hoc factum esse in Concilio Constantiensi notissimum est.*

Respondeo Concilium Generale nunquam sibi assumpsisse ius eligendi Papam, unde probabile est non posse Provinciam hanc

2, where he discusses the election of Cornelius, and from Eusebius, book 6 of his History, chapter 21. The consent of the people was awaited in this election, not as a vote in the election, but as a testimony to the life and morals of the elected Pontiff, which Cyprian discusses in book 1, Epistle 4, and book 2, Epistle 5. The consent of Emperors also began to be expected, to the extent that an election was not considered confirmed until the Emperor consented. This privilege was sometimes usurped through tyranny, as by Henry V in the time of Paschal II; sometimes falsely fabricated, as is reported of a certain Otto in the chapter “in synod,” distinction 63; and sometimes granted by the Supreme Pontiffs, as concerning Charlemagne and Pepin in the chapter “Adrianus,” distinction 63. Their successor Louis immediately renounced this, although others later attempted to recover it. Finally, Adrian II decreed that in the election of the Pontiff, no consent of a secular Prince should be considered; indeed, even the consent of the people was omitted due to abuse.

**23.** Second, one might doubt whether a General Council, in some hypothesis or extraordinary case, can assume for itself the right of electing the Pope. Three hypotheses can be conceived. First, if nothing had been established by the Roman Pontiffs concerning the electors of the Pope. Second, if all the Cardinals, during a vacant See and before the election of a new Pontiff, were either to pass from life, or all and each were to be detained in prisons by the tyrannical secular power of Princes for a long time, or were violently impeded in another way, such that they could not be united and gathered together in the same place; or finally, in the event of a schism occurring in the Church of God regarding the legitimate Pope, as seems to have happened in the Council of Constance, where three Antipopes were deposed, and Martin V was elected by the same Council, as many Doctors suppose with Suárez here in disputation 10, section 4, number 17, where he concludes, *and this having been done in the Council of Constance is most well-known.*

I respond that a General Council has never assumed for itself the right of electing the Pope, wherefore it is probable that it cannot take upon itself this Office,

sibi assumere, eamque de iure convenire Clero Romano, ni aliter a Pontificibus Romanis Decretum fit. Ita cum Caietano loc.cit. docent frequenter Thomistae; Tuscus t. 5. Verbo electio Papae conclus. 57. Albanus de Cardinalibus q. 35. Azor.p. 2. lib. 4. cap. 3. q.11. alijsque tamen cum Suarez adversantibus.

Ratio desumitur ab eo, quod Concilium etiam in casibus extraordinarijs nunquam Provinciam hanc sibi assumpsit, quod plane praestitisset ad incommoda evitanda, si in ijs hoc ius ei datum esset; assumptum autem suadetur ex pluribus casibus, qui de facto in Ecclesia evenerunt saeculis anteactis, sic circa annum Christi 185. mortuo Celestino IV. potius ostenso, quam dato, eo quod in Papatu federit tantum per octo dies, Faedericus Imperator Cardinales omnes in carceribus detinuit per viginti menses, & unum, quo tempore vacavit Sedes, nec tamen tunc Concilium Papam elegit, sed expectatum est tempus, quo Cardinales fuerunt libertati restituti; item congregato Concilio Lateranensi sub Iulio II. eoque durante, Iulius mortuus est, & tamen Concilium hoc Provinciam hanc eligendi Papam non assumpsit, sed electionem successoris reliquit Cardinalibus; item Concilium Constantiense in re Papam non elegit, sed tantum Cardinalibus electoribus, alias personis ex causis gravissimis, de consensu eorundem Cardinalium adiunxit, ijsque facultatem dedit Papam eligendi simul cum Cardinalibus, & rem ita se habuisse manifesto habetur in actibus eiusdem Concilij, ubi sess. 41. legitur Decretum insertum, cuius titulus *Decretum de electoribus Romani Pontificis pro hac vice*. Et Decretum hoc est huius tenoris, videlicet: *Sacrosancta generalis Synodus Constantiensis, exequendo eiusdem Synodi Ordinationem... adiunxit Reverendissimis in Christo Patribus Sanctae Romanae Ecclesiae Cardinalibus, ex eorum voluntate, & consensu expressis venerabiles Ioannem Patriarcham Constantinopolitanum, Ioannem*

and that by right it belongs to the Roman Clergy, unless decreed otherwise by the Roman Pontiffs. Thus, with Cajetan in the cited passage, the Thomists frequently teach; Tuscus volume 5, under the word “election of the Pope” conclusion 57, Albanus on Cardinals question 35, Azor part 2, book 4, chapter 3, question 11, and others, yet with Suárez opposing them.

The reasoning is derived from the fact that the Council, even in extraordinary cases, never assumed this responsibility for itself, which it clearly would have done to avoid difficulties, if this right had been given to it in such cases; this assumption is supported by several cases that actually occurred in the Church in past centuries. Thus, around the year 185 of Christ, after the death of Celestine IV, who was rather shown than given [as Pope], since he sat in the Papacy for only eight days, Emperor Frederick detained all the Cardinals in prison for twenty-one months, during which time the See remained vacant. Yet even then, the Council did not elect a Pope, but time was awaited until the Cardinals were restored to liberty. Similarly, when the Lateran Council was convened under Julius II, and during its course Julius died, this Council did not assume the responsibility of electing the Pope, but left the election of the successor to the Cardinals. Likewise, the Council of Constance did not in fact elect a Pope, but only added other persons to the Cardinal electors for very serious reasons, with the consent of those same Cardinals, and gave them the faculty to elect the Pope together with the Cardinals. And that this is how it happened is clearly shown in the acts of the same Council, where in session 41 there is a decree inserted, whose title is “Decree on the electors of the Roman Pontiff for this occasion.” And this Decree is of this tenor, namely: “The holy general Synod of Constance, executing the Ordinance of the same Synod... joined to the Most Reverend Fathers in Christ of the Holy Roman Church Cardinals, with their will and express consent, the venerable John, Patriarch of Constantinople, John of Regensburg of Germany, etc.” successively naming distinctly the other persons added, and concludes: “And to the aforementioned thus (as premised) elected and joined, it grants the power of electing, with the

*Recensem Germaniae, &c. successive distincte nominans caeteros adiunctos, & concludit: Praefatisque sic (ut praemittitur) electis, & adiunctis eligendi cum ipsis Cardinalibus de eorum voluntate, & consensu expressis Romanum, & Summum Pontificem secundum formam Ordinationis, & Decreti praemissorum tribuit potestatem &c. Ratio autem, cur Clero potius, seu potioribus Cleri Personis, quam Concilio in casibus extraordinarijs devoluta sit electio Summi Pontificis, est eadem, quam supra tetigimus, quia scilicet in Ecclesia Dei sit Iudex, qui ubi, & quando opus est, iudicet de legitimitate electionis factae, eique supercilium imponat, declarando eius validitatem, aut invaliditatem.*

**24.** Ad primam hypothesim dicendum quod si nihil a Romanis Pontificibus statutum esset circa personas electrices Papae, tunc electio spectaret ad Clerum Romanum, seu digniores personas eiusdem Cleri, hi autem sunt Canonici Basilicae Lateranensis, quae prima est Urbis, & Orbis, ad hos enim, ni aliter dispositum fuerit a Romanis Pontificibus, spectat de iure Episcopum eligere Ecclesiae Lateranensis, cui Papatus est annexus, unde non oportet Concilium in hoc casu congregare ad effectum eligendi Papam; cum, ut ait Caietanus in *Apolog. cap. 22.* in qualibet Ecclesia, deficiente Episcopo, vel Superiore, electio spectat ad Clerum, quasi naturali iure, quando aliter a Superiori potestate dispositum non est, sicuti ad Principes Reipublicae attinet Principis electio, quando deest successor; Papa autem de iure Divino est Episcopus Romanus, unde ad Clerum Romanum spectat electio. Nec tenet, quod ait Suarez, ex hoc potius deduci spectare electionem Papae in eo casu ad Concilium, quam ad Clerum Romanum, cum enim Papa eligitur, primo, & per se eligitur Caput totius Ecclesiae, haecque ratio potius inspicitur, quam ratio Pontificis Romani, cui Papatus est annexus, & ideo magis ex ea parte pensandum est, ad quos pertineat electio; Ecclesia autem universalis

Cardinals themselves, by their will and express consent, the Roman and Supreme Pontiff according to the form of the aforementioned Ordinance and Decree, etc.” The reason, moreover, why the election of the Supreme Pontiff has devolved upon the Clergy, or rather upon the more important Persons of the Clergy, rather than upon the Council in extraordinary cases, is the same as we touched upon above, namely because there should be a Judge in the Church of God who, where and when necessary, may judge the legitimacy of an election that has taken place, and place his authority over it, declaring its validity or invalidity.

**24.** Regarding the first hypothesis, it must be said that if nothing had been established by the Roman Pontiffs concerning those persons eligible to elect the Pope, then the election would belong to the Roman Clergy, or to the more distinguished persons of that Clergy. These are the Canons of the Lateran Basilica, which is the first [in dignity] of the City and the World. For to these, unless otherwise arranged by the Roman Pontiffs, belongs by right the election of the Bishop of the Lateran Church, to which the Papacy is annexed. Hence, it is not necessary in this case to convene a Council for the purpose of electing a Pope; since, as Cajetan says in *Apologia, chapter 22*, in any Church, when the Bishop or Superior is lacking, the election belongs to the Clergy, as if by natural law, when it has not been otherwise arranged by a higher authority, just as the election of a Prince belongs to the Princes of the Republic when a successor is lacking. The Pope, moreover, is by Divine law the Bishop of Rome, hence the election belongs to the Roman Clergy. Nor does Suárez’s argument hold, namely that from this it would be deduced that the election of the Pope in that case would belong to the Council rather than to the Roman Clergy. For when the Pope is elected, he is elected primarily and essentially as the Head of the whole Church, and this consideration is more important than his role as Roman Pontiff, to which the Papacy is annexed, and therefore it is more from this perspective that we must consider to whom the

respicit, tanquam Clerum suum, Principes Ecclesiasticos, hoc est Episcopos, propterea ad hos electio spectaret, si de hoc a Romanis Pontificibus nihil statutum esset. Non, inquam, quia ratio posita hanc instantiam praevenit, & soluit, oportet enim in Ecclesia Dei distinguere electores Papae ab Iudice, ad quem spectat iudicare de ipsa electione, & quae se habet, ut regula animata, & visibilis electorum, unde admissio, quod Episcopi se habeant, ut Clerus, respectu Ecclesiae universalis, & supremi eius Capituli, tamen ad eos de iure electio non spectat, quia ad eos spectat ratio Iudicis, & nemo in foro contensioso iudicat seipsum; & ex dictis colligi potest quid dicendum ad ceteras hypotheses, quae supra adducuntur.

**25.** Ex his deducitur quanta convenientia, & aequitate potestas eligendi Papam fuerit Cardinalibus concessa, & invariabiliter conservata tot saeculorum decursu, Papam enim eligere iure, quasi naturali per se, & ni aliter dispositum fuerit, spectat ad Clerum Romanum, hoc est, ad praecipuas personas eiusdem Cleri, huiusmodi autem sunt Cardinales; quem quidem ritum, & usum mutari posse a Papa tenendum est cum Caietano, & Suarez, contra Paludanum, aliosque, est enim eadem potestas hodie, ac antea in Papa; sed antea, & antiquitus mutavit modum electionis, ut supra dictum est; ergo etiam nunc potest mutare. Tum quia hic modus non est iuris Divini, sed positivi. Tum idem Paludanus docet modum hunc alterari posse a Concilio, Sede vacante; ergo multo magis ab ipso Papa, cum sit maioris auctoritatis, quinimmo censeo Concilium, cum sit inferioris auctoritatis ad Papam, non posse per se, Sede vacante, alterare modum a Papa dispositum; posse tamen in casibus extraordinariis, in quibus nulla invenitur dispositio Pontificia, per quam provisum fuerit, uti, si Cardinales inter se divisi, & Schismatici ita suo iure abuterentur, ut convenire non possent in electione; in hoc enim casu Concilium,

election belongs. The universal Church regards as its Clergy the Ecclesiastical Princes, that is, the Bishops, and therefore the election would belong to them if nothing had been established about this by the Roman Pontiffs. I say this is not the case, because the argument already presented anticipates and resolves this objection. For in the Church of God, it is necessary to distinguish the electors of the Pope from the Judge whose role is to adjudicate the election itself, and who acts as the living and visible rule for the electors. Thus, even granting that the Bishops function as Clergy with respect to the universal Church and its supreme Head, nevertheless the election does not belong to them by right, because they possess the role of Judge, and no one in a contentious forum judges himself. And from what has been said, it is possible to deduce what should be said regarding the other hypotheses that were proposed above.

**25.** From these considerations, we can deduce with what appropriateness and equity the power of electing the Pope was granted to the Cardinals and has been invariably preserved throughout the course of many centuries. For the right to elect the Pope belongs, by quasi-natural law per se (unless otherwise arranged), to the Roman Clergy—that is, to the principal persons of that same Clergy—and such are the Cardinals. That this ritual and practice can be changed by the Pope must be maintained with Cajetan and Suárez, against Paludanus and others, for the Pope possesses the same power today as previously. But previously and in ancient times, he changed the mode of election, as stated above; therefore even now he can change it. This is both because this method is not of Divine law, but of positive law, and because Paludanus himself teaches that this method can be altered by a Council during a vacant See. Therefore, much more so by the Pope himself, since he is of greater authority. Indeed, I believe that the Council, being of inferior authority to the Pope, cannot by itself, during a vacant See, alter the method established by the Pope. However, it can do so in extraordinary cases where no Pontifical disposition is found that would have provided for such circumstances—as when Cardinals, divided among themselves and

cum, Sede vacante, sit prima auctoritas in Ecclesia Dei, potest modum hunc alterare, adhibito tamen Cardinalium consensu, ratione iuris electionis acquisiti ex dispositionibus Pontificum Romanorum, quibus obsequium, & reverentia debetur, etiam a Concilio, & ita factum esse in Constanciensi supra notatum est. Et certum est Potestatem hanc conferri non posse, nisi Personis Ecclesiasticis, privative ad laicos, ut cap. 56. notat Azorius, unde antiquitus nunquam electio Romanorum Pontificum facta est a Laicis, sed Imperator electionem factam approbabat modo, quo supra, & Populus quandoque approbavit, quandoque vero nominavit, nunquam tamen elegit; agitur enim de re omnino spirituali, & esset in evidens Ecclesiae incommodum, & detrimentum, si potestas, a Christo Domino Papae concessa ad deputandos electores Papae, se extenderet ad auctoritatem deputandi laicos.

**26.** Tertio dubitari potest, an Papa possit successorem sibi eligere.

Ratio dubitandi est, quia Papae, secundum dicta, data est a Christo Domino potestas eligendi electores Papae, & praescribendi modum electionis, unde videtur potestatem hanc se extendere ad deputandum se ipsum, seu posse immediate uti ea potestate, & successorem sibi eligere; & eo dato, non satis constat in hoc prohibitio iuris Divini.

Respondeo Papam non posse sibi eligere successorem; ita frequentius Theologi cum Caietano, adversantibus quibusdam cum Victoria relect. 2. de Potest. Papae q. 2. n. 2. & 3. nec non Suarez lib. cit. num. 16. limitante in casu raro, & urgente aperta Ecclesiae utilitate.

Probatur hoc ex facto Bonifacii II. apud Baronium tom. 7. ad annum Christi 571. hic enim, cum tentasset eligere Vigilium Diaconum in successorem suum, postea in se reversus, & paenitentia ductus reum se

schismatic, might so abuse their right that they could not agree on an election. In this case, the Council, being the highest authority in the Church of God during a vacant See, can alter this method, though only with the consent of the Cardinals, due to the right of election acquired through the dispositions of the Roman Pontiffs, to whom obedience and reverence are owed, even by the Council—and this was noted above as having been done at the Council of Constance. And it is certain that this power cannot be conferred except upon Ecclesiastical Persons, to the exclusion of laymen, as Azorius notes in chapter 56. Hence, in ancient times, the election of Roman Pontiffs was never carried out by laymen, but the Emperor would approve the election once it had been made, in the manner described above, and the People sometimes approved, sometimes even nominated, but never elected. For this concerns a matter entirely spiritual, and it would be to the evident inconvenience and detriment of the Church if the power granted by Christ the Lord to the Pope—to appoint the electors of the Pope—were to extend to the authority of appointing laymen.

**26.** Third, one may question whether the Pope can choose his own successor.

The reason for doubt is that to the Pope, according to what has been said, was given by Christ the Lord the power to choose the electors of the Pope, and to prescribe the method of election, from which it seems that this power extends to appointing himself [as an elector], or being able to use that power immediately, and to choose his successor; and given this, it is not sufficiently clear that there is a prohibition of Divine Law in this matter.

I respond that the Pope cannot choose his own successor; this is the more common opinion of Theologians with Cajetan, against some who follow Victoria in his second relectio “On the Power of the Pope,” question 2, numbers 2 and 3, and also Suárez in the cited book, number 16, who limits this in rare cases, and in cases of clear utility to the Church.

This is proven from the actions of Boniface II, according to Baronius in volume 7, in the year of Christ 571. For when he had attempted to elect the Deacon Vigilius as his successor, afterward coming

confessus est, & Decretum a se firmatum tradidit igni comburendum coram omnibus Sacerdotibus, Clero, & Senatu, unde ait Baronius, *sed quam Deo displicuerit illud, manifestum est, cum ad aliorum exemplum eundem Bonifacium cito ab hac vita subtraxerit*; Ex quo deducitur potestatem hanc non fuisse a Christo Papae concessam, hac enim concessa, nulla fuisset Bonifacio ratio paenitendi; quod pariter comprobatur antiquissima Ecclesiae traditio, nunquam enim in Ecclesia sedit Papa electus a praedecessore, cum tamen tot saeculorum decursu evenerint in Ecclesia Dei & schismata, & persecutiones gravissimae, quibus videbatur esse in evidentem Ecclesiae utilitatem hoc praestare; unde dicendum est Potestatem Papae a Christo collatam praescribendi modum huic electionis esse cum limitatione, & moderamine servato, in aedificationem scilicet, non in destructionem, aut detrimentum Ecclesiae, esset autem in perniciem eiusdem modus hic electionis ob innumera inconveniendae, quorum unum esset periculum traducendi Papatum in successionem ex nimio affectu ad carnem & sanguinem.

**27.** Praeterea, suaderi potest, quia potestas data de facto a Christo Ecclesiae eligendi Papam, est potestas electiva Papae, & non electiva pro Papa alterius dignitatis Papae inferioris, & dato, quod Papa Papam possit eligere immediate, plane non posset, nisi potestatem hanc exercere: at qui non posset eligere, nisi Papam inferioris dignitatis ad verum Papam; ergo verum Papam non potest eligere; minor probatur, nam Papa electus vel Papa esset, vivente Papa eligente, vel Papa esset quo ad ius successionis, sicuti Rex Romanorum est Imperator, non actu, sed quo ad ius successionis post mortem Imperatoris; sed quodlibet dicatur, est Papa inferioris dignitatis ad verum Papam; ergo de facto, ea attentata potestate collata a Christo Domino, nequit Papa eligere verum Papam; minor suadet, & inquantum ad primam partem satis

to his senses and moved by penitence, he confessed himself guilty, and surrendered the decree he had confirmed to be burned by fire in the presence of all the Priests, Clergy, and Senate. Whereupon Baronius says, *“but how displeasing this was to God is manifest, since for the example of others, He soon removed this same Boniface from this life.”* From this it is deduced that this power was not granted to the Pope by Christ, for had it been granted, Boniface would have had no reason for repentance. This is likewise confirmed by the most ancient tradition of the Church, for never in the Church has a Pope sat who was elected by his predecessor, although throughout the course of so many centuries there occurred in the Church of God both schisms and most grave persecutions, during which it would have seemed to be for the evident utility of the Church to allow this. Hence it must be said that the Power conferred by Christ upon the Pope to prescribe the method of this election exists with limitation and restraint, namely for edification, not for destruction or detriment of the Church. However, this method of election would be to the ruin of the same [Church] due to innumerable inconveniences, one of which would be the danger of transforming the Papacy into a succession based on excessive attachment to flesh and blood.

**27.** Furthermore, it can be argued that the power given de facto by Christ to the Church to elect the Pope is the power to elect a Pope, and not to elect for the Pope another dignity inferior to the Pope. And granted that the Pope could immediately elect a Pope, clearly he could not do so unless exercising this power. But he could not elect anyone except a Pope of inferior dignity to the true Pope; therefore, he cannot elect a true Pope. The minor premise is proved thus: for the Pope-elect would either be Pope while the electing Pope is still living, or would be Pope with respect to the right of succession, just as the King of the Romans is Emperor not in act but with respect to the right of succession after the death of the Emperor. But whichever is said, it is a papal dignity inferior to that of the true Pope. Therefore, de facto, considering the power conferred by Christ the Lord, the Pope cannot elect a true Pope. The minor premise is demonstrated, and insofar as the



constat, est enim maior dignitas unus Papa vivens, quam duplex, sibi enim dignitatem Papatus dividerent, & auctoritatem, ultra quam quod, nunquam Deus de facto potestatem hanc eligendi duos Papas simul viventes dedit Ecclesiae, & hoc esset in detrimentum Ecclesiae ob schismata, & incomoda manifesta; in quantum vero ad secundam partem, quia Papa solum quo ad ius successionis est dignitate minor Papa vivente, sicuti Rex Romanorum est dignitate minor Imperatore; & in re non est Vicarius Christi, sed Vicarius Papae, licet sit etiam Christi, sed tantum in iure succedendi: Christus autem Ecclesiae suae dedit quidem potestatem eligendi Papam, at potestatem non dedit eligendi pro Papa dignitatem Papa inferiorem; itaque, Papa eligens Papam successorem, uteretur potestate a Christo Domino nequaquam collata, unde Papa non potest Papam eligere; & in hoc consistit efficacia fundamenti, quod assumit Caietanus, docens hoc repugnare, quia actio electiva Papae supponit carentiam Papae, ne duo Pontifices simul dentur; quam quidem rationem reicit Suarez; sed sub hac formalizatione concepta recte concludit, & eludit, quae contra eam Suarez, & alij Doctores adducunt, sicut, & paritates, quae ex alijs gradibus adduci possunt, qui cum iure successionis conferri possunt; & si aliqui Episcopi potestatem habuerunt eligendi successorem, uti de Bonifacio Archiepiscopo Mogontino refertur a Caranza in sum. Concil. hoc certo non fuit ex Potestate Ordinaria, sed ex extraordinaria a Romano Pontifice collata; quae quidem auctoritas extraordinaria in Papa vivente in ordine ad eligendum successorem suum, tanquam a Christo collata, non constat, nec potest in re tam gravi prudenter supponi, stante consuetudine contraria, & motivis iam adductis, & per haec ad rationem dubitandi.

**28.** Dices, de facto D. Petrus elegit successorem suum, Clementem scilicet, uti habetur in Epist. Clementis ad

first part is sufficiently established (for one living Pope is of greater dignity than two, since they would divide between themselves the dignity and authority of the Papacy), moreover, God never de facto gave the Church this power of electing two Popes simultaneously living, and this would be to the detriment of the Church due to schisms and manifest inconveniences. As for the second part, because a Pope only with respect to the right of succession is of lesser dignity than the living Pope, just as the King of the Romans is of lesser dignity than the Emperor; and in reality he is not the Vicar of Christ, but the Vicar of the Pope, though he is also of Christ, but only in the right of succession. Christ, however, gave His Church the power of electing a Pope, but He did not give the power of electing for Pope a dignity inferior to the Pope. Therefore, a Pope electing a successor Pope would be using a power by no means conferred by Christ the Lord, whence the Pope cannot elect a Pope. And in this consists the efficacy of the foundation which Cajetan assumes, teaching that this is repugnant because the act of electing a Pope presupposes the absence of a Pope, lest two Pontiffs be given simultaneously—which reasoning Suárez rejects. But conceived under this formalization, it correctly concludes and eludes what Suárez and other Doctors adduce against it, as well as the parallels that can be adduced from other ranks, which can be conferred with the right of succession. And if some Bishops had the power of electing a successor, as is related of Boniface, Archbishop of Mainz, by Carranza in his Summa Conciliorum, this certainly was not from Ordinary Power, but from extraordinary power conferred by the Roman Pontiff. This extraordinary authority in a living Pope for the purpose of electing his successor, as conferred by Christ, is not established, nor can it be prudently supposed in so serious a matter, given the contrary custom and the motives already adduced. And through these considerations we respond to the reason for doubting.

**28.** You will say that St. Peter did, in fact, choose his successor, namely Clement, as is stated in Clement's Epistle to James, the brother of the Lord. And Leo II

Iacobum fratrem Domini. Et Leo II. in cap. Si Petrus 8. q. 1. quod & varij Doctores affirmant; ergo quod fecit Petrus, poterunt, & Petri successores. Sed contra, transeo, antecedens, de quo est magnum dissidium inter Doctores, & certo gravissimos, quorum aliqui affirmant, aliqui negant, contententes cum Bellarmino de Script. Eccl. & Baronio ad annum Christi 69. Epistolam illam Clementis apocrypham esse; alij inter affirmantes sentiunt, mortuo Petro, Clementem iuri suo renunciasse, & Linum electum; quod quid sit de hoc; non tenet illatio a Petro ad Petri successorem quo ad hoc, Petrus enim hoc non praestitit de facultate ordinaria, sed extraordinaria, & ex speciali Christi statuto, habetur enim in Epistola Clementis: Hoc enim fieri statutum, est mihi, in quo speciale Christi statutum innuitur; quod cum extraordinarium sit, extendi non debet ad successores.

Caeterum, quando etiam in re haec auctoritas, quae a nobis in Romano Pontifice negatur, in eodem adesset, eam exercere licitum non esset; agitur enim de re gravissima, & aequae periculosa inducendi schismata in Ecclesia Dei, ob consuetudinem contrariam, & auctoritatem hanc controversam, & in casu usus praefatae Auctoritatis, eadem oriatur controversia in Ecclesia Dei supra validitatem huius electionis.

**29.** Quarto dubitari potest, an quando Papa eligitur, Cardinales electores personam solum designent, & solus Christus immediate conferat dignitatem potestatem, & Papatum.

Respondeo affirmative. Hoc enim intendunt PP., dum pronunciant Romanum Pontificem habere a Christo Domino potestatem; agitur enim de Vicario Christi, & propterea a Christo auctoritatem debet accipere, sicuti Prorex a Rege; & videatur Caietanus opusc. 1. de auctori. Papae cap. 13. & 2. p. Apolog. cap. 20. & notandum, quod licet haec correctio immediate a Christo facta respectu huius designatae personae sit

in chapter “Si Petrus” 8, question 1, which various Doctors also affirm; therefore, what Peter did, Peter’s successors will also be able to do. But against this, I set aside the antecedent, about which there is great disagreement among the Doctors, certainly very serious ones, some of whom affirm it, others deny it, contending with Bellarmine in “De Scriptoribus Ecclesiasticis” and Baronius in the year of Christ 69, that this Epistle of Clement is apocryphal; others among those affirming it believe that after Peter’s death, Clement renounced his right, and Linus was elected; whatever the case may be about this, the inference from Peter to Peter’s successor does not hold in this matter. For Peter did not do this by ordinary faculty, but by extraordinary faculty, and by special decree of Christ, for it is stated in Clement’s Epistle: “For this was decreed for me,” in which a special decree of Christ is implied; which, being extraordinary, should not be extended to successors.

Moreover, even if this authority, which we deny exists in the Roman Pontiff, were present in him, it would not be lawful to exercise it; for it concerns a most serious matter, and one equally dangerous for inducing schisms in the Church of God, on account of the contrary custom, and this contested authority, and in the case of the use of the aforementioned Authority, the same controversy will arise in the Church of God concerning the validity of this election.

**29.** Fourth, it may be doubted whether, when the Pope is elected, the Cardinal electors only designate the person, and Christ alone immediately confers the dignity, power, and Papacy.

I respond affirmatively. For this is what the Fathers intend when they pronounce that the Roman Pontiff has power from Christ the Lord; for it concerns the Vicar of Christ, and therefore he ought to receive authority from Christ, just as a Viceroy from the King; and see Cajetan in his small work 1. on the authority of the Pope, chapter 13, and in the second part of his Apology, chapter 20. And it should be noted that although this bestowal made immediately by Christ with respect to this designated person is

nova, tamen originem habet ex priori concessione facta Petro, tunc enim stabili, & una voluntate (ait Suarez) statuit Christus eam Petro concedere, & simul successoribus suis legitimis, eius loco, ab electoribus rite designatis.

**30.** Quinto dubitari potest an electus in Papam debeat necessario esse de numero Cardinalium; & procedit difficultas in hoc rerum statu, quo dignitas Cardinalatus tanto splendore, & eminentia fulget in Ecclesia Dei, principio ducto a Bonifacio tertio, qui Cardinales, uti Senatores Urbanos, mirifice extulit, adeo ut, quod principio prius oneri fuit, summo tandem honori esse coepit, & temporis decursu inter contentiones Imperatorum, & Populi Romani de Pontifice creando saepius ortas, praerogativam, & ius eligendi Papam consecuti sunt; & Innocentius IV. ad annum Christi 1244. statuit publico Decreto, ut equo deinceps insidentes, rubro uterentur Galero, quo maior adhuc ordini accresceretur maiestas, & argumento manifesto oportere eius ordinis Antistites semper esse paratos, pro Religionis defensione sanguinem effundere, & deinceps Paulus Secundus dedit iisdem vestem coccineam cucullo insignem; & de origine, & dignitate Cardinalium inter caeteros videatur Turrecremata loc. cit. Itaque in hoc rerum statu quid dicendum sit, colligi non potest, nisi a dispositionibus factis in Ecclesia Dei, haec autem sunt, In cap. oportebat dist. 79. ex Stephano III. in Concilio habito in Basilica Constantiniana, ubi dicitur: *Oportebat, ut haec Sacrosancta Domina nostra Romana Ecclesia, iuxta quod a B. Petro, & eius successoribus institutum est, rite ordinetur; & in Apostolatus culmen, unus de Cardinalibus Presbyteris, aut Diaconis consecratur; & in c. Nullus unquam ex eodem Stephano dist. 79. Nullus unquam Laicorum neq; ex alio ordine praesumat, nisi per distinctos gradus ascendens, Diaconus, aut Presbyter Cardinalis factus fuerit, ad Sacri Pontificatus honorem promoveri, & in cap. In Nomine dist. 23. Eligatur autem*

new, nevertheless it has its origin from the prior concession made to Peter, for at that time (as Suarez says) Christ established with a stable and singular will to grant this to Peter, and simultaneously to his legitimate successors in his place, those who are duly designated by the electors.

**30.** Fifth, one may doubt whether the one elected as Pope must necessarily be from the number of Cardinals; and the difficulty arises in this state of affairs, wherein the dignity of the Cardinalate shines with such splendor and eminence in the Church of God, beginning from Boniface III, who marvelously elevated the Cardinals as Urban Senators, to such an extent that what was initially a burden eventually began to be considered a supreme honor. And in the course of time, amid frequent disputes between the Emperors and the Roman People concerning the creation of a Pontiff, they obtained the prerogative and right of electing the Pope. Innocent IV, in the year of Christ 1244, established by public Decree that henceforth they should ride on horseback using a red Hat, so that greater majesty would accrue to the order, and as a manifest sign that the Prelates of this order should always be ready to shed blood for the defense of Religion. And subsequently, Paul II gave them a scarlet vestment distinguished by a hood. And regarding the origin and dignity of Cardinals, among others, see Turrecremata in the cited place. Therefore, in this state of affairs, what should be said cannot be gathered except from the dispositions made in the Church of God, which are these: In chapter "Oportebat," distinction 79, from Stephen III in the Council held in the Constantinian Basilica, where it says: *"It was fitting that this Holy Lady of ours, the Roman Church, according to what was instituted by Blessed Peter and his successors, should be duly ordered; and to the height of the Apostolate, one from the Cardinal Priests or Deacons should be consecrated."* And in chapter "Nullus unquam" from the same Stephen, distinction 79: *"No layman ever, nor anyone from another order, should presume, unless ascending through distinct grades, having been made a Cardinal Deacon or Priest, to be promoted to the honor of the Sacred Pontificate."* And in chapter "In Nomine," distinction 23: *"Let him be elected from*

*de ipsius Ecclesiae gremio, si reperitur idoneus, vel si de ipsa non invenitur, ex alia assumatur.* Ex quibus deduco Papam deligi debere de numero Cardinalium, si ibi sit idoneus, quae conditio, si non purificetur, tenebit electio alterius non Cardinalis, si a duabus partibus Cardinalium eligatur. Notandum tamen omnem praesumptionem stare pro idoneitate in gremio Cardinalium, ut pote ad eum gradum selecti a Romano Pontifice tanta diligentia, & animadversione; & non eligantur nisi morum, & vitae integritate, nec non aut doctrina, aut agendarum rerum Ecclesiasticarum peritia clari, & de Sacra Republica benemeriti; & notandum cum Diana in sum. quod dignior de caetu Cardinalium, est praeferendus dignissimo extra caetum eorumdem contra Sotum lib.4.de Iust.q.6.art.2. ad 5. hocque ob peritiam, & experimentum in negotijs Ecclesiae Dei peragendis, unde haec idoneitas per se magis attendi debet, utpote magis conducens ad recte exercendum onus tam grave, quam maior illa idoneitas extranei ex alijs Capitibus resultans. Quod si duae partes Cardinalium coram Deo, & pro conscientia adiudicarent in gremio eorumdem idoneum non esse, & aliquis extra gremium eligeretur, electio esset valida, ut tenet Suarez loc. cit. num. 19. Bonacina de electione Papae disp. 1. q. 1. §. unic. num. 19. Azorius to. 2. lib. 4. cap. 5. q. 6.

*the bosom of that Church itself, if a suitable one is found, or if one is not found from the Church itself, let him be taken from another.*” From these, I deduce that the Pope should be elected from the number of Cardinals, if a suitable one is found there, which condition, if not fulfilled, will make valid the election of another who is not a Cardinal, if he is elected by two-thirds of the Cardinals. However, it should be noted that every presumption stands for suitability within the body of Cardinals, as they are selected for that rank by the Roman Pontiff with such diligence and discernment; and they are not elected unless they are distinguished by integrity of morals and life, as well as by learning or skill in handling ecclesiastical affairs, and are well-deserving of the Sacred Commonwealth. And it should be noted, with Diana in his summary, that a more worthy person from the assembly of Cardinals is to be preferred to the most worthy person outside the assembly of the same, against Soto, book 4 on Justice, q. 6, art. 2, ad 5. This is because of their skill and experience in managing the affairs of the Church of God, whence this suitability should be considered more in itself, as more conducive to correctly exercising such a grave burden, than the greater suitability of an outsider resulting from other qualities. But if two-thirds of the Cardinals, before God and in conscience, would judge that there is no suitable person within their body, and someone outside their body were elected, the election would be valid, as Suarez holds in the cited place, num. 19, Bonacina on the election of the Pope, disp. 1, q. 1, §. unic. num. 19, Azorius to. 2, book 4, chap. 5, q. 6.