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Chapter I, Controversy VII, Section IV

Latin

§. IV.

Utrum sit fide divina credibile, Clementem IX. esse verum Pontificem, & Concilium Tridentinum fuisse legitimum.

157. Non est sermo de Pontifice, de cujus electione, num legitima fuerit, potest prudenter formidari; sed est sermo de illo, de cujus legitima electione, & universali acceptatione tam parum potest prudenter dubitari aut formidari, quam parum potest prudenter formidari ab homine litterato, utrum aliquando Romae exstiterit Cicero.

Prima sententia negat, id posse fide divina credi: idemque docet de Concilijs, non posse credi fide divina, ea fuisse legitima & legitime confirmata, quae a tota Ecclesia pro talibus sine contradictione habentur, & quorum definitionibus nemo audet contradicere. Ita Turrecremata, primus Generalis Inquisitor in Hispania, Cajetanus, Canus, Cordubensis, & plures alij apud Castro Palao.

English

§. IV.

Whether it is believable by divine faith that Clement IX is the true Pontiff, and that the Council of Trent was legitimate.

157. This is not a discussion about a Pontiff whose election could be prudently doubted as to whether it was legitimate; rather, it concerns one whose legitimate election and universal acceptance can be prudently doubted or feared as little as a learned man can prudently doubt whether Cicero ever existed in Rome.

The first opinion denies that this can be believed by divine faith: and it teaches the same about Councils, that it cannot be believed by divine faith that those Councils were legitimate and legitimately confirmed which are held as such by the entire Church without contradiction, and whose definitions no one dares to contradict. Thus hold Torquemada, the first General Inquisitor in Spain, Cajetan, Cano, Corduba, and many others cited by

Secunda sententia, meo iudicio verissima, communique fidelium sensui consentanea, affirmat. Ita, quantum scio, omnes impressi auctores Societatis.

Probari solet haec sententia primo, auctoritate Martini V. qui in Bulla relata in Concilio Constantiensi, statuit, ut ab Haereticis, qui Ecclesiae Catholicae reconciliari volunt, primum omnium exigatur, ut credant, Papam canonice electum, qui pro tempore fuerit (nomine eius expresso, v.g. Clementem IX.) esse successorem Petri, & habere supremam potestatem in Ecclesia Dei. In qua constitutione supponit Pontifex esse obiectum fidei divinae, Clementem IX. hoc Anno quo haec scribo, 1668. sedentem, esse Successorem S. Petri.

158. Respondent aliqui, illam Constitutionem non exigere fidem absolutam, sed virtualiter conditionatam, nempe, si talis Pontifex sit canonice electus. Haec tamen responsio non videtur plane satisfacere. Si enim ab haereticis tantum exigebatur, ut in genere crederent Papam esse Successorem Petri, ex hypothesi quod sit legitime electus, quid erat exigere, cur adderetur nomen singulare? hoc sane videtur consulto additum, ad praecludendas fraudes & dolos, quibus alioquin intentio Pontificis eludi posset. Fingamus enim quod ille Pontifex ab haereticis reversis nominatus postmodum approbasset aliquod Concilium, vel cum Concilio aliquid definivisset, haeretici illi vi suae professionis factae non fuissent obligati credere absolute huiusmodi articulos, sed tantum conditionate, nempe, si concilium sit a Papa legitime electo confirmatum. potuissent deinde facile excogitare modum impugnandi electionem, prout defacto plurium Pontificum electiones quasi iniquas, Simoniacas &c. infestant. quibus omnibus inconvenientiis occurritur, si compellantur credere absolute, hunc numero Papam esse successorem Petri, sicut compelluntur absolute credere, Vicariatum

Castro Palao.

The second opinion, in my judgment most true and in accordance with the common sense of the faithful, affirms that it can be believed by divine faith. Thus, as far as I know, all published authors of the Society [of Jesus].

This opinion is commonly proven, firstly, by the authority of Martin V, who in a Bull recorded in the Council of Constance, decreed that from heretics who wish to be reconciled to the Catholic Church, it should first of all be required that they believe that the canonically elected Pope, whoever he may be at that time (his name being expressly stated, e.g., Clement IX), is the successor of Peter and possesses supreme power in the Church of God. In this constitution, the Pontiff assumes it to be an object of divine faith that Clement IX, who sits [on the papal throne] in this year 1668 in which I write these words, is the Successor of St. Peter.

158. Some respond that this Constitution does not require absolute faith, but rather virtually conditional faith, namely, if such a Pontiff has been canonically elected. This response, however, does not seem entirely satisfactory. For if heretics were only required to believe in general that the Pope is the Successor of Peter, under the hypothesis that he is legitimately elected, what was the purpose of requiring that a specific name be added? This certainly seems to have been deliberately added to preclude the frauds and deceptions by which the intention of the Pontiff could otherwise be evaded. Let us imagine that the Pontiff named by the returning heretics subsequently approved some Council, or defined something together with a Council; those heretics, by virtue of their profession of faith, would not have been obligated to believe such articles absolutely, but only conditionally, namely, if the council was confirmed by a legitimately elected Pope. They could then easily devise a way to challenge the election, just as in fact they attack the elections of many Pontiffs as if they were unjust, Simoniactal, etc. All these inconveniences are avoided if they are compelled to believe absolutely that this particular Pope is the successor

esse a Christo institutum.

159. Probari solet 2. Si non est de fide, Clementem IX. esse verum Pontificem (& sic de aliis praedecessoribus) poterimus formidare licite, ne eius definitiones fallant, ex defectu assistentiae Spiritus S. quae tamen Petro eiusque successoribus, non utique fictis & apparentibus, sed veris & legitimis, promissa est, & sic cum totius Ecclesiae confusione & periculo discordiae, poterunt omnia Pontificum Decreta admittere formidinem; adeoque nec agnoscetur obligatio credendi quae in Conciliis definita sunt, sicque tandem evertetur Fidei Regula & Iudex Controversiarum.

Respondent aliqui, assensum fidei divinae, quem praebere debemus Pontificiis decretis, non requirere, ut fide divina credatur esse verus Pontifex, a quo illa decreta procedunt; nam etiamsi pseudopapa, habitus ab Ecclesia pro legitimo, est infallibilis, Deo nimirum in Bonum Ecclesiae supplente defectum, ut docet Lessius lib. 2. de Iust. c. 30. dub. 15. n. 146. & Tanner, ac proinde nullum periculum erit, ne Pontificum decreta in dubium vocentur.

Haec tamen responsio sufficiens non est. Deberent adversarij adferre Testimonia Scripturae, quibus promittatur Pseudopapae illa infallibilis Assistentia Spiritus Sancti. Quodsi afferant illa, quibus jubetur audire Ecclesiam, & quibus promittitur Ecclesiae, quod nunquam in errorem cadet, utpote Columna & firmamentum veritatis, & inde velint colligere, ad providentiam Dei spectare, ut etiam Pseudopapam & pseudoconcilium ita gubernet, ne inducant totam Ecclesiam in errorem, ego meliori jure dicam, & ex illis locis colligam, & quidem magis consentaneae verbis, ad providentiam Dei spectare, non permittere, ut Ecclesia tota erret circa Papam, recipiendo ut legitimum, qui ratione

of Peter, just as they are compelled to believe absolutely that the Vicariate was instituted by Christ.

159. It is commonly proven secondly: If it is not a matter of faith that Clement IX is the true Pontiff (and likewise concerning his predecessors), we could legitimately harbor doubt whether his definitions might err due to the lack of assistance from the Holy Spirit. This assistance, however, was promised to Peter and his successors—not to fictitious and apparent ones, but to true and legitimate ones. Thus, with resulting confusion for the whole Church and danger of discord, all Pontifical Decrees could be subject to doubt. Consequently, the obligation to believe what has been defined in Councils would not be acknowledged, and ultimately the Rule of Faith and the Judge of Controversies would be overthrown.

Some respond that the assent of divine faith, which we must give to Pontifical decrees, does not require that we believe by divine faith that he from whom those decrees proceed is the true Pontiff. For even if a pseudo-pope, who is regarded by the Church as legitimate, is infallible—with God indeed supplying the defect for the good of the Church, as Lessius teaches in book 2 on Justice, chapter 30, doubt 15, number 146, and Tanner also—consequently there would be no danger that Pontifical decrees might be called into question.

This response, however, is not sufficient. Our opponents ought to bring forward Testimonies of Scripture which promise to a Pseudo-pope that infallible Assistance of the Holy Spirit. But if they adduce those passages which command to hear the Church, and which promise to the Church that she will never fall into error, as being the Pillar and foundation of truth, and from this wish to conclude that it pertains to God's providence to govern even a Pseudo-pope and pseudo-council in such a way that they do not lead the whole Church into error, I will say with better right, and will gather from those passages, and indeed more in accordance with the words, that it pertains to God's providence not to permit the whole Church to err concerning the Pope, by receiving as legitimate

impedimenti occulti sit incapax, qualis esset, non Baptizatus. An non haec providentia potius decet Deum, quam ut permittat aliquem a tota Ecclesia ut Christi vicarium & Caput Ecclesiae visibile coli, qui quidem talis revera non sit, habeat tamen assistentiae extraordinariae privilegium? Quando enim Petro dictum est: *Super hanc Petram aedificabo Ecclesiam meam*: omnes Catholici fatentur, promissionem factam esse Petro & Successoribus ejus: Adversarij volunt, promissionem etiam se extendere ad Pseudosuccessorem: hoc, inquam, vim infert textui, primo quia successor putativus non est simpliciter & absolute successor, sicut homo pictus aut putativus, v.g. monstrum, non est simpliciter homo. Secundo, quia hocipso quod Christus promiserit, Ecclesiam suam fundandam esse supra Successores Petri, promisit etiam, se semper de successore provisurum: quis autem dicat, putativum successorem esse opus divinae providentiae?

Confirmatur exemplo simili. Si Deus promitteret Imperatori vel Regi perpetuitatem Imperij aut Regni his verbis: *Super te & tuos posteros stabiliabo Imperium* aut Regnum: quis auderet aut posset prudenter ambigere, quin Deus duo promitteret? primum, quod semper sint futuri veri posterij: secundum, quod ex illis unus sit Imperio praefuturus? quis diceret, satisfactorum Deum promissioni, si fieri permetteret, ut per imposturam infans supponeretur acsi esset ex posteris Imperatoris, & deinde Imperium perciperet? A pari modo, quando Deus Petro promisit, quod super ipsum & Successores ejus vellet fundare Ecclesiam suam, & assistere ne errent; profecto duo censendus est promisisse: primum, quod non permittet deesse in Ecclesia Successorem verum Petri, saltem pro eo tempore, quo est necessitas aliquid definiendi. Secundum: quod tali Successori velit assistere.

160. Probatur nunc Conclusio ex principiis supra positis & probatis. Illud est objectum fide divina credibile quod Deus intendit ut credatur in particulari, quando aliquid

one who by reason of a hidden impediment is incapable, such as one who is not Baptized. Does not this providence befit God more than that He should permit someone to be venerated by the whole Church as Christ's vicar and visible Head of the Church, who indeed is not truly such, yet nonetheless has the privilege of extraordinary assistance? For when it was said to Peter: *Upon this Rock I will build my Church*: all Catholics confess that the promise was made to Peter and his Successors. Our opponents wish the promise to extend even to a Pseudo-successor: this, I say, does violence to the text, first because a putative successor is not simply and absolutely a successor, just as a painted or putative man, e.g., a monster, is not simply a man. Secondly, because by the very fact that Christ promised that His Church would be founded upon the Successors of Peter, He also promised that He would always provide a successor: who, however, would say that a putative successor is the work of divine providence?

This is confirmed by a similar example. If God were to promise to an Emperor or King the perpetuity of Empire or Kingdom with these words: *"Upon you and your descendants I will establish the Empire"* or Kingdom: who would dare or could prudently doubt that God would be promising two things? First, that there will always be true descendants; second, that one of them will preside over the Empire. Who would say that God would fulfill His promise if He allowed an infant to be fraudulently substituted as if he were among the Emperor's descendants, and then to receive the Empire? In the same manner, when God promised Peter that He wished to found His Church upon him and his Successors, and to assist them lest they err, He must certainly be considered to have promised two things: first, that He will not permit the Church to lack a true Successor of Peter, at least for that time when there is necessity of defining something. Second, that He wishes to assist such a true Successor.

160. The Conclusion is now proven from the principles stated and proved above. That which is to be believed by divine faith is what God intends to be believed in particular, when He has revealed

revelavit in genere: atqui quando Deus revelavit in genere suam Ecclesiam esse gubernandam per definitiones & decreta a Petro & Successoribus ejus tanquam Vicariis suis, intendit, ut crederetur in particulari, illum esse successorem Petri, quem tota Ecclesia pro tali sine contradictione reciperet, & qui non nisi per schisma repudiari posset, qualis est hodie Clemens IX. ergo vera est conclusio. Major superius declarata est. Minor probatur. Motivum & causa instituendi in Ecclesia Vicariatum Christi, fuit, ut haberemus certam, externam & sensibilem Regulam, & Judicem Controversiarum in rebus fidei: atqui haec intentio frustraretur, si non crederetur in particulari eum esse legitimum Papam, qui ab omnibus agnosceretur habere potestatem definiendi & gubernandi Ecclesiam; impossibile enim est, nos ejus definitiones credere, nisi credamus eas esse propositas nomine Christi: atqui non essent propositae nomine Christi, si is qui proponit non est verus Vicarius Christi, non enim loqueretur nomine Christi, sed falso putaretur loqui. Ergo &c.

Confirmatur. Quando Christus revelavit, se velle per suum Vicarium judicare Controversias Fidei, voluit quoque ut hoc modo credi, quo modo potest nobis Vicarius esse Judex & Regula: atqui non potest nobis Vicarius Christi esse Judex & Regula, si consideretur solum in genere aut specie, & non in particulari: ergo voluit credi in particulari aliquem certum Vicarium & Judicem. atqui non alium, quam illum, quem ut talem tota veneratur Ecclesia. Ergo &c.

161. Confirmatur iterum a simili. Quando Deus Ecclesiae revelavit, quatuor Evangelia esse Scripturam Canonicam; tunc immediate & formaliter non revelavit, Evangelia impressa, quae nos in manibus habemus, eo contextu quo impressa sunt, esse Verbum Dei; & carere omni additamento, aut detractione, vel corruptela notabili: haec inquam Deus non revelavit formaliter & immediate, sed hoc deducitur tanquam Conclusio Theologica ex una revelata, & ex

something in general: but when God revealed in general that His Church is to be governed through definitions and decrees from Peter and his Successors as His Vicars, He intended that it should be believed in particular that he is the successor of Peter whom the whole Church receives as such without contradiction, and who could not be rejected except through schism, such as Clement IX is today. Therefore, the conclusion is true. The major premise has been explained above. The minor premise is proven. The motive and cause for instituting the Vicariate of Christ in the Church was that we might have a certain, external, and sensible Rule and Judge of Controversies in matters of faith: but this intention would be frustrated if it were not believed in particular that he who is recognized by all to have the power of defining and governing the Church is the legitimate Pope; for it is impossible for us to believe his definitions unless we believe that they are proposed in the name of Christ: but they would not be proposed in the name of Christ if he who proposes them is not the true Vicar of Christ, for he would not be speaking in the name of Christ, but would falsely be thought to speak thus. Therefore, etc.

It is confirmed. When Christ revealed that He wished to judge Controversies of Faith through His Vicar, He also wished that this be believed in the manner by which the Vicar can be for us both Judge and Rule: but Christ's Vicar cannot be Judge and Rule for us if considered only in general or in species, and not in particular: therefore He wished that a certain particular Vicar and Judge be believed in. But not another than the one whom the whole Church venerates as such. Therefore, etc.

161. This is further confirmed by analogy. When God revealed to the Church that the four Gospels are Canonical Scripture, He did not immediately and formally reveal that the printed Gospels which we hold in our hands, in the form in which they are printed, are the Word of God; and that they are free from any notable addition, subtraction, or corruption. These things, I say, God did not reveal formally and immediately, but this is deduced as a Theological Conclusion from one revealed premise

morali certitudine, hoc modo. Liber Evangeliorum traditus Ecclesiae ab Apostolis, est Verbum Dei. Sed Liber Evangeliorum quem in manibus habemus, est sine corruptela notabili ille ipse liber qui traditus est Ecclesiae ab Apostolis: ergo est Verbum Dei, seu Scriptura Canonica. Quaero nunc ex adversariis, an objectum hujus Conclusionis, non quidem ut deductum, sed ut explicatum, sit fide divina credibile? Non negabunt: alioquin nullus determinatus textus in toto Evangelio (& eadem est ratio de aliis Scripturis Canonicis) esset fide divina credibilis: ergo est de fide credibilis quivis textus particularis, non pare conditionate, *si non sit corruptus*, sed absolute: ergo Deus revelando, in genere intendit fidem in particulari: & nihil aliud: ergo a pari, quod non intendit, ut crederetur. Quaero ulterius, unde adversarii colligant, Deum sic intendisse? sane ex nullo alio capite, quam quia Deus voluit penes nos existere & asseruari Verbum Dei incorruptum ad nostram in fide instructionem: ad hoc autem non sufficeret credere praecise, Evangeliorum librum esse Canonicum, si non sit corruptus: sed debet credi absolute: adeoque Deus voluit hoc ipsum credi, quod est: *non esse corruptum*. & sic certitudo illa moralis est complementum locutionis divinae, & qua tale assumit certitudinem quasi metaphysicam per denominationem extrinsecam a conjunctione cum revelatione generali.

Pari modo philosophandum est de Summo Pontifice, qui est constitutus Interpres Verbi Dei, nempe dicendum est, Deum revelasse quidem in genere, suam Ecclesiam gubernandam esse per suum Vicarium, qui sit Judex Controversiarum fidei, voluisse tamen a nobis in particulari & absolute credi, illum esse suum Vicarium, qui pro tali fine contradictione agnoscitur: adeoque haec agnitio erit complementum illius revelationis praeisae generalis, & quasi confusae.

162. Objiciunt primo & principaliter. Illud non est objectum fide divina credibile, quod

and from moral certainty, in this manner: The Book of Gospels handed down to the Church by the Apostles is the Word of God. But the Book of Gospels which we have in our hands is, without notable corruption, that very same book which was handed down to the Church by the Apostles; therefore it is the Word of God, or Canonical Scripture. Now I ask our adversaries whether the object of this Conclusion, not as deduced but as explicated, is credible by divine faith? They will not deny this; otherwise no determined text in the entire Gospel (and the same reasoning applies to other Canonical Scriptures) would be credible by divine faith. Therefore any particular text is credible by faith, not merely conditionally, *if it is not corrupted*, but absolutely. Therefore, God, in revealing generally, intends faith in the particular; and nothing else. Therefore, by the same reasoning, what He does not intend to be believed. I ask further, from where do our adversaries gather that God so intended? Surely from no other source than that God wished the uncorrupted Word of God to exist among us and to be preserved for our instruction in faith. But for this purpose it would not be sufficient to believe precisely that the book of Gospels is Canonical, if it is not corrupted; rather, it must be believed absolutely. And thus God wished this very thing to be believed, which is: *that it is not corrupted*. And so that moral certainty is the complement of divine locution, and as such assumes a quasi-metaphysical certainty through an extrinsic denomination from its conjunction with general revelation.

In like manner, we must philosophize about the Supreme Pontiff, who is established as the Interpreter of the Word of God; namely, it must be said that God has indeed revealed in general that His Church is to be governed by His Vicar, who is the Judge of Controversies of faith, yet He has willed that we believe particularly and absolutely that the one who is acknowledged as such without contradiction is His Vicar. Therefore, this acknowledgment will be the fulfillment of that general and somewhat indistinct revelation.

162. They object first and principally: That which is not sufficiently revealed cannot be believed by

non est sufficienter revelatum. Sed Clementem IX. esse verum successorem Petri, non est sufficienter revelatum. Ergo &c. Minor probatur. Illud non est sufficienter revelatum, quod non connectitur cum revelatione generali, mediante certitudine tanta, quae sufficiat, ut singulare sine ulla prudenti formidine judicari possit contineri sub Generali : sed ita se res habet in casu nostro : ergo &c. Minor probatur. Ad hoc ut Clemens IX. sit verus successor Petri, debet esse Baptizatus : sed hoc non habetur ex sufficienti morali evidentiā, prout de aliorum Infantum Baptismo supra dictum est : quia posset de tali Baptismo prudenter formidari. Ergo &c.

R. Negando minorem, & paritatem inter certitudinem Baptismi Clementis IX. & aliorum infantum. Discrimen autem originaliter desumendum est ex eo, quod moralis certitudo, Clementem IX. esse Baptizatum, connectatur cum motivis credibilitatis, quod sit legitimus Papa. Itaque Baptismus Clementis IX. nobis aliter & certius innotescit, quam Baptismus alterius infantis ; Nam hujus certitudo desumitur unice ex Testimonio hominum, & ex bonitate ac sufficienti doctrina ministri, & saepe ex unius solius hominis testimonio, quae omnia admittunt prudentem formidinem, nec sunt digna creditu, quod Deus ea non permittat fallere. At vero Certitudo Baptismi Clementis Papae innotescit per hoc, quod Deus revelaverit suum Vicarium esse Judicem infallibilem fidei, & ea quae credenda proposuerit, esse credenda tanquam a Deo dicta : & quia hanc universalem revelationem voluit credi circa singularia, ut probavimus, idea tenemur credere Vicarium Christi in singulari tunc, quando habetur ea moralis certitudo, qua major requiri, & de via ordinaria haberi non potest; haec autem est, quando a tota Ecclesia (quam non est ullo modo probabile aut formidabile, posse Deum permittere errare circa caput suum visibile) pro Vicario agnoscitur: ergo quandocunque adest haec certitudo moralis, illa sufficit ad firmiter credendum, quod revelatio illa Generalis se

divine faith. But that Clement IX is the true successor of Peter is not sufficiently revealed. Therefore, etc. The minor premise is proven thus: That which is not connected with general revelation through sufficient certainty—such certainty as would suffice for a particular case to be judged without any prudent doubt to be contained under the general—is not sufficiently revealed; but this is how matters stand in our case: therefore, etc. The minor premise is proven: For Clement IX to be the true successor of Peter, he must be baptized; but this is not established with sufficient moral evidence, as was said above concerning the baptism of other infants, because one could prudently harbor doubt about such a baptism. Therefore, etc.

I answer by denying the minor premise and rejecting the parity between the certainty of Clement IX's baptism and that of other infants. The distinction must be originally derived from the fact that the moral certainty that Clement IX is baptized is connected with the motives of credibility that he is the legitimate Pope. Thus, Clement IX's baptism becomes known to us differently and with greater certainty than the baptism of another infant. For the certainty of the latter is derived solely from human testimony, from the goodness and sufficient learning of the minister, and often from the testimony of only one person—all of which admit prudent doubt and are not worthy of credence in the sense that God would not permit them to deceive. But the certainty of Pope Clement's baptism becomes known through the fact that God has revealed that His Vicar is the infallible judge of the faith, and that what he proposes to be believed must be believed as though spoken by God. And since God willed this universal revelation to be believed in particular cases, as we have proven, we are bound to believe in Christ's Vicar in particular instances when there exists such moral certainty as cannot be greater or ordinarily obtained in any other way. This occurs when someone is acknowledged as Vicar by the whole Church (which God cannot in any way probably or reasonably be permitted to err regarding its visible head). Therefore, whenever

extendat ad talem numero hominem, & quod ad Dei providentiam pertineat, non permittere, ut nos haec moralis certitudo fallat, estque complementum revelationis generalis haec universalis acceptatio. Ergo a primo ad ultimum, tametsi Baptismus Clementis spectati secundum suum esse privatum, non habeat eam certitudinem moralem, ut sit objectum fidei directum, nihilominus postquam habemus moralem certitudinem sufficientem ad hoc, ut credamus hunc hominem esse verum Christi Vicarium, hoc ipso indirecte & implicite ac consecutive habemus fundamentum sufficiens credendi, esse Baptizatum, quia Baptismus est jure divino requisitus.

Confirmatur a simili. Non est objectum fide divina credibile, nec fundatum in sufficienti morali certitudine, quod hic numero homo sit verus Sacerdos: si tamen contingeret, prout contingit non semel, ut in elevatione hostiae videremus Christum in specie humana, vel si videremus ex hostia a Judaeis puncta sanguinem effluere, teneremur hoc miraculo credere, illam hostiam esse consecratam, & sic indirecte simul crederemus, illum hominem esse verum Sacerdotem, qui illam hostiam consecravit.

163. Obijciunt 2. Ex nostra Conclusionem sequitur, Schismaticos esse Haereticos: consequens est contra sensum communem. Schismatici enim non dicuntur peccare contra fidem, sed solum contra charitatem, utpote scindentes unitatem inter fideles. Sequela probatur. Quia Schismatici dicuntur, qui licet in genere credant, Papam esse Vicarium Christi, negant tamen hunc hominem in particulari esse Papam legitime electum: atqui secundum nos hoc est objectum fidei, & omnis qui negat aliquod objectum fidei, est haereticus. 2. Negando sequelam. Ad haeresin formalem enim duo requiruntur. primum, ut objectum fide divina credibile sufficienter applicetur, ita ut cognoscatur obligatio credendi. Secundum, ut possit in foro externo probari dissensus, & sufficiens applicatio: utrumque apud Schismaticos plerumque deest. Nam

this moral certainty is present, it suffices for firmly believing that the general revelation extends to such a numerically specific man, and that it pertains to God's providence not to allow this moral certainty to deceive us; this universal acceptance thus completes the general revelation. Therefore, from first to last, although Clement's baptism considered according to his private status does not possess that moral certainty that would make it a direct object of faith, nevertheless, after we have sufficient moral certainty to believe that this man is the true Vicar of Christ, by this very fact we have indirectly, implicitly, and consequently sufficient foundation for believing that he is baptized, because baptism is required by divine law.

This is confirmed by a similar argument. It is not an object of divine faith, nor is it founded on sufficient moral certainty, that this particular man is a true Priest. However, if it should happen, as has indeed happened more than once, that during the elevation of the host we were to see Christ in human form, or if we were to see blood flowing from a host pierced by Jews, we would be obliged by this miracle to believe that the host was consecrated, and thus indirectly we would also believe that the man who consecrated that host was a true Priest.

163. They object secondly: From our Conclusion it follows that Schismatics are Heretics; the consequent is against common understanding. For Schismatics are not said to sin against faith, but only against charity, inasmuch as they tear apart unity among the faithful. The inference is proven because Schismatics are said to be those who, although they believe in general that the Pope is the Vicar of Christ, nevertheless deny that this particular man is a legitimately elected Pope. Yet according to us, this is an object of faith, and anyone who denies any object of faith is a heretic. The answer is twofold. First, by denying the inference. For formal heresy, two things are required: first, that an object believable by divine faith be sufficiently presented, such that the obligation to believe is recognized; second, that the dissent and sufficient presentation can be proven in

imprimis propter auctoritatem contrariae opinionis, & insufficientem penetrationem nostrorum fundamentorum, non applicatur illis objectum ita, ut nascatur obligatio credendi: unde licet objectum sit fide divina credibile speculative loquendo, hoc est, quia a parte rei substat divinae revelationi, attamen practice non est cuivis intellectui proxime credibile. Secundo: etiamsi illis applicaretur, & ideo dissentiendo peccarent contra fidem, non propterea essent censendi inter haereticos; non possunt enim Schismatici convinci de sufficienter applicatione, propter probabilitatem contrariae sententiae. Caeterum, saepe Schisma est conjunctum cum Haeresi, quia saepe Schismatici ita negant hunc esse Papam, quia negant, penes Ecclesiam Romanam esse Vicariatum. Immo omnes Schismaticos pertinaces crediderim posse esse suspectos de Haeresi.

164. Objici posset 3. Si nostra sententia vera est, sequitur perperam & frustra introducta esse impedimenta Juris humani ad irritandam electionem, etiam quando sunt occulta. v. g. si electio sit Simoniaca, vel non habens debitum numerum suffragiorum, nempe duas tertias &c. consequens est absurdum: ergo &c. Sequela probatur. Nam juxta nostram sententiam pertinet ad divinam providentiam, non permittere fieri electionem irritam cum tali impedimento. econtra illae leges supponunt posse fieri talem electionem, quam illae leges irritant. Quodsi ergo hae leges possunt irritare electionem factam cum impedimento occulto, taliter electus erit tantum Pontifex apparens, etiamsi postmodum a tota Ecclesia acceptur, quia juxta regulam juris, quod ab initio vitiosum est, tractu temporis non convalescit.

Respondet recte Card. Pallav. n. 141. illas leges nec habere, nec posse habere locum, nec intelligendas esse nisi de prima

the external forum. Both of these are usually absent among Schismatics. For principally, due to the authority of the contrary opinion and insufficient penetration of our fundamental principles, the object is not presented to them in such a way that an obligation to believe arises. Hence, although the object is theoretically believable by divine faith—that is, because in reality it is subject to divine revelation—nevertheless practically speaking, it is not immediately believable to every intellect. Secondly, even if it were presented to them, and therefore by dissenting they would sin against faith, they would not on that account be counted among heretics; for Schismatics cannot be convicted of having had sufficient presentation, due to the probability of the contrary position. Nevertheless, Schism is often conjoined with Heresy, because Schismatics often deny that this person is Pope because they deny that the Vicariate belongs to the Roman Church. Indeed, I would believe that all pertinacious Schismatics can be suspected of Heresy.

164. A third objection could be raised: If our position is true, it follows that impediments of human law introduced to invalidate an election would be improper and futile, even when these impediments are hidden—for example, if the election were simoniacal, or lacking the required number of votes, namely two-thirds, etc. But this consequence is absurd; therefore, etc. The logical consequence is proven thus: According to our position, it pertains to divine providence not to permit an invalid election to occur with such an impediment. Conversely, those laws presuppose that such an election can occur, which those same laws then nullify. If, therefore, these laws can invalidate an election conducted with a hidden impediment, the person so elected would be only an apparent Pontiff, even if subsequently accepted by the whole Church, because according to the rule of law, that which is defective from the beginning cannot be validated by the passage of time.

Cardinal Pallavicino correctly responds in paragraph 141 that those laws neither have, nor can have application, nor should they be

electione quam faciunt Cardinales, per quam electionem non redditur adhuc fide certum, quod electus sit verus Pontifex. At vero, (inquit citatus Cardin.) licet illa electio ex occulto impedimento fuisset irrita, adhuc sequeretur alia electio, nullo jure positivo irritabilis, quam facit tota Ecclesia, acceptando illum hominem pro vero Pontifice. haec enim acceptatio licet moveatur ex errore praecedente, non est tamen conditionata sed absoluta. Melius quippe est, Ecclesiam habere pro vero Pontifice aliquem, qui fuerit invalide electus, quam ignoranter carere vero Pontifice, & eum pro tali venerari, qui reipsa non sit.

165. Dicendum proinde est in casu quo electores ordinarij elegissent aliquem habentem impedimentum irritans juris humani, penes totam Ecclesiam esse potestatem providendi sibi de capite legitimo, supplendo omnes Juris defectus, ne maneat acephala: censetur autem eligere eum quem acceptat. Hanc potestatem eligendi quasi secundo per acceptationem, supplendo omnes juris defectus, esse penes Ecclesiam, convincunt imprimis argumentis allatis pro Conclusionem. Deinde declaratur dupliciter. Primo a paritate. Si enim ob incommodum simile, nempe, ne Dominia rerum essent incerta, jure civili, immo in quibusdam casibus etiam jure gentium, & naturali, introductus est modus acquirendi per Usucapionem (seu Praescriptionem, cujus beneficio, dependenter ab errore, fit alicujus rei Dominus ille, qui antea non erat Dominus; multo magis expedit, non esse in incerto auctoritatem divini Vicarii: atque adeo de jure divino & naturali est, ut, quicumque bona fide acceptatur ab Ecclesia pro tali, evadat talis, etiamsi prius non fuisset. Secundo, id declaratur exemplo & ratione quae affertur in lege Barbarius ff. de Officio Praetorum. ubi habetur casus, quod servus fugitivus fuerit electus Praetor, cum tamen talis dignitatis ratione servitutis incapax esset: quare dubitatum est, an ejus acta valerent. Respondit Ulpianus contra Pomponium in haec verba, (quae deinde vim

understood except concerning the first election conducted by the Cardinals, through which election it is not yet made certain by faith that the elected person is the true Pontiff. But indeed (says the cited Cardinal), although that election might have been invalid due to some hidden impediment, there would still follow another election, which cannot be invalidated by any positive law, which the entire Church makes by accepting that man as the true Pontiff. For this acceptance, although motivated by a preceding error, is nevertheless not conditional but absolute. It is indeed better for the Church to have as true Pontiff someone who was invalidly elected, than to be unknowingly without a true Pontiff, and to venerate as such one who in reality is not.

165. It must therefore be said that in a case where ordinary electors have elected someone having an invalidating impediment of human law, the power to provide itself with a legitimate head rests with the entire Church, supplying all defects of Law, lest it remain headless: moreover, the Church is deemed to elect him whom it accepts. That this power of electing—as if secondarily through acceptance, supplying all defects of law—rests with the Church is proven first and foremost by the arguments adduced for the Conclusion. Then it is explained in two ways. First, by parity of reasoning. For if, on account of a similar inconvenience, namely, lest ownership of things remain uncertain, by civil law, and indeed in certain cases even by the law of nations and natural law, a method of acquisition through Usucaption (or Prescription, by the benefit of which, dependent upon error, someone who previously was not the owner becomes the owner of a thing); much more is it expedient that the authority of the divine Vicar not remain uncertain: and thus it is by divine and natural law that whoever is accepted in good faith by the Church as such, becomes such, even if previously he was not. Second, this is explained by the example and reasoning set forth in the law Barbarius in the Digest concerning the Office of Praetors, where there is a case in which a fugitive slave was elected Praetor, although he was incapable of such dignity

legis acceperunt) *Et verum puto, nihil eorum reprobari: hoc enim humanius est: cum etiam potuerit populus Romanus servo decernere hanc potestatem. sed etsi scivisset servum esse, liberum effecisset.* Quod jus multo magis in Imperatore (nos dicimus in Pontifice Maximo) observandum est.

Dices. Ecclesia Acephala non potest dispensare in Constitutionibus praeteriti Pontificis.

Respondeo. Hanc non esse dispensationem, quia nulla constitutio inductiva impedimentorum extenditur aut extendi potest ad talem casum, quo tale impedimentum non prodesset, sed obesset, dum esset in caussa, ut haberetur pro vero Vicario, qui tantum esset existimatus, & per consequens, ejus acta valerent, nec definitiones tenerent. Est autem contra essentiam legis, esse per se nocivam.

166. Notatu dignum est, quod hic tradit Esparza, quod tunc primum incipiat esse de fide, hunc numero hominem pro tempore electum, esse verum ac legitimum Pontificem, quando tota aut fere tota multitudo fidelium conspicitur uniformiter assentiri legitimitati electionis, aut jam tot ac tales assentire, ut prudenter dubitari non possit, quin reliqui in eandem sententiam ituri sint, inspectis circumstantiis quae in loco proximo electioni innotescunt. Haec doctrina verissima est, & favet sententiae communi, asserenti, ad actum fidei divinae & supernaturalis non requiri, ut motiva credibilitatis quibus innitur, contineant aliquid inattingibile ab actu naturali. Nam cum illa acceptatio seu consensus fidelium fiat successive, per partes ejusdem omnino rationis, & possit assensus omnium fidelium totius Italiae vel Hispaniae attingi actu naturali, est plane irrationabile dicere, quod deinde accedente consensu Galliae, Germaniae, Poloniae, & sic paulatim deinceps reliquorum regnorum,

by reason of his servitude: therefore it was doubted whether his acts were valid. Ulpian responded against Pomponius in these words (which subsequently acquired the force of law): “*And I believe it true that none of these acts should be invalidated: for this is more humane; since even the Roman people could have decreed this power to a slave, but even if they had known he was a slave, they would have made him free.*” This law is to be observed much more in the case of the Emperor (we say in the Supreme Pontiff).

You say: The Church without a head [Acephala] cannot dispense with the Constitutions of a previous Pontiff.

I respond: This is not a dispensation, because no constitution that introduces impediments extends or can be extended to such a case where such an impediment would not benefit but rather harm, when it would be the cause for regarding as the true Vicar one who was merely presumed to be so, and consequently, his acts would be valid, and his definitions would not be binding. It is, however, contrary to the essence of law to be inherently harmful.

166. It is worthy of note what Esparza teaches here, that it only begins to be a matter of faith that this particular man, elected for the time being, is the true and legitimate Pontiff when the entire or nearly the entire multitude of the faithful is seen to uniformly assent to the legitimacy of the election, or when so many and such persons have assented that it cannot prudently be doubted that the rest will come to the same opinion, considering the circumstances that become known in the place proximate to the election. This doctrine is most true, and it favors the common opinion asserting that for an act of divine and supernatural faith, it is not required that the motives of credibility on which it rests contain something unattainable by a natural act. For since that acceptance or consensus of the faithful occurs successively, through parts of entirely the same nature, and since the assent of all the faithful of all Italy or Spain can be attained by a natural act, it is plainly irrational to say that then, with the addition of the consensus of France, Germany, Poland, and thus gradually thereafter of

superaddatur aliquid inattingibile per actum naturalem, & tamen motivum adaequatum credibilitatis consistit in aggregato ex istis consensibus, etiam in sententia eorum, qui in rusticis ponunt aliquod discerniculum velut Cynosuram ad quam examinetur locutio parochi. Ergo falsum est fundamentum horum AA. quod motiva credibilitatis non possint attingi actu naturali. de quo pluribus intra.

Uterius ex eadem doctrina colligo, ad motiva credibilitatis sufficere, quod prudenter dubitari non possit, ea esse connexa cum divina revelatione, nec opus esse, ut judicentur per nullam potentiam Dei posse poni, quin habeant talem connexionem, sed esse metaphysicam necessitatem hujus connexionis, prout ijdem AA. supponunt. Probatur. Nam hoc quod est: *Non posse prudenter dubitari, quin etiam reliqui sint consensuri*: non infert metaphysicam necessitatem futuri hujusmodi consensus, & bene posset stare cum hoc, quod alij deinde contradicerent electioni. Declaratur in exemplo. Defacto pro Immaculata Conceptione Beatissimae Virginis, tantus exstat fidelium sensus & consensus, ut prudenter dubitari non possit, tandem aliquando fore ut tota Ecclesia consentiat: (vel si hoc negas, idem negabo tibi in casu electionis) & tamen hinc non nascitur obligatio judicandi, quod consensus defacto existens habeat metaphysicam connexionem cum revelatione Dei, aut consensu futuro totius Ecclesiae, cum necdum sit obligatio fidei circa hoc privilegium B. Virginis. sicut ergo hic tam amplius fidelium consensus potest attingi actu naturali, poterit etiam attingi consensus in electum Pontificem, quoad eam amplitudinem quam sufficere ad actum fidei docuit P. Esparza. Uno verbo. P. Esparza dum excludit solam dubitationem prudentem, tacite fatetur, quod illa motiva credibilitatis admittant formidinem imprudentem : ergo jam debet fateri, non esse talia, quae fundent actum fidei, impossibilem cum omni etiam

the remaining kingdoms, something unattainable through a natural act is superadded, and yet the adequate motive of credibility consists in the aggregate of these consensuses, even in the opinion of those who establish for the unlearned some discernment like a Cynosure by which the teaching of the parish priest is examined. Therefore, the foundation of these authors is false, namely, that the motives of credibility cannot be attained by a natural act—concerning which more [will be said] below.

Furthermore, from the same doctrine I gather that for motives of credibility it suffices that one cannot prudently doubt that these are connected with divine revelation, and it is not necessary that they be judged as impossible, even by God's power, to exist without having such a connection, or that there be a metaphysical necessity for this connection, as the same Authors suppose. This is proven. For this statement: "*One cannot prudently doubt that others will likewise consent*" does not imply a metaphysical necessity of such future consent, and it could well coexist with the possibility that others might subsequently contradict the election. Let me clarify with an example. Regarding the Immaculate Conception of the Most Blessed Virgin, there exists such a sentiment and consensus among the faithful that one cannot prudently doubt that eventually the whole Church will consent to it (or if you deny this, I will likewise deny your case regarding election). And yet from this arises no obligation to judge that the consensus which actually exists has a metaphysical connection with God's revelation, or with the future consensus of the entire Church, since there is not yet an obligation of faith concerning this privilege of the Blessed Virgin. Just as in this case, such widespread consensus of the faithful can be reached by a natural act, so too can consensus regarding an elected Pontiff be reached, to the extent that Father Esparza taught was sufficient for an act of faith. In a word, Father Esparza, while excluding only prudent doubt, tacitly admits that those motives of credibility allow for imprudent fear. Therefore, he must confess that they are not such as would ground an

imprudente formidine; quia non fundant iudicium dicens: *dignum est credere, quod tantus consensus non possit per ullam potentiam existere, quin post se trahat consensum totius Ecclesiae.* quod tamen iudicium exclusivum omnis formidinis requirunt aliqui, ad omnem actum fidei, sed male, ut ex sequenti capite constabit.

act of faith that is incompatible with all fear, even imprudent fear; because they do not ground a judgment stating: “*it is worthy of belief that such a consensus cannot exist by any power unless it draws after itself the consensus of the entire Church.*” Yet some require such a judgment, which excludes all fear, for every act of faith—but wrongly so, as will be established in the following chapter.