

Caput XXX. Solvitur Argumentum Ultimum, et Tractatur Quaestio: An Papa Haereticus Deponi Possit¹

Argumentum decimum. Pontifex in casu haeresis potest ab Ecclesia judicari et deponi, ut patet dist. 40, can. *Si papa* igitur subjectus est pontifex humano iudicio, saltem in aliquo casu.

Respondeo: sunt de hac re quinque opiniones. Prima est Alberti Pighii lib. 4 cap. 9 hierarch. Eccles. Ubi contendit, papam non posse esse haereticum; proinde nec deponi in ullo casu, quae sententia probabilis est, et defendi potest facile, ut postea sue loco ostendemus. Quia tamen non est certa, et communis opinio est in contrarium, operae pretium erit videre, quid sit respondendum, si papa haereticus esse possit.

Est ergo secunda opinio, papam eo ipso quo in haeresim incidit, etiam interiorem tantum, esse extra Ecclesiam et depositum a Deo, quocirca ab Ecclesia posse judicari, id est, declarari depositum jure divino, et deponi de facto, si adhuc recuset cedere. Haec est Joan. De Turrecremata lib. 4. par. 2. cap. 20. sed mihi non probatur. Nam jurisdictio datur quidem pontifici a Deo, sed hominum opera concurrente, ut patet, qua ab hominibus habet iste homo qui antea non era papa, ut incipiat esse papa; igitur non aufertur a Deo nisi per hominem: at haereticus occultus non potest ab homine judicari; nec ipse sponte eam potestatem vult relinquere. Adde, quod fundamentum hujus opinionis est, quod haeretici occulti sint extra Ecclesiam, quod esse falsum nos prolixè ostendimus in lib. 1. de Eccl.

Tertia opinio est in altero extremo, nimirum, papam neque per haeresim occultam, neque per manifestam, esse depositum aut deponi posse. Hanc refert et refellit Turrecremata loc. not. Et sane est opinio valde improbabilis. Primo, quoniam haereticum papam posse judicari, expresse hebetur can. *Si papa* dist. 40. et apud Innocentium serm. 2. de consecr. Pontif. Et quod majus est in VIII. Synodo act. 8. recitantur acta concilii Romani

sub Hadriano, et in iis continebatur. Honorium papam jure videri anathematizatum, quia de haeresi fuerat convictus, ob quam solam causam licet minoribus judicare majores. Ubi notandum est, quod etsi probabile sit, Honorium non fuisse haereticum, et Hadrianum II. Papam deceptum ex corruptis exemplaribus VI. Synodi, falso putasse Honorium fuisse haereticum: tamen non possumus negare, quia Hadrianus cum Romano concilio, immo et tota synodus VIII. Generalis senserit, in causa haeresis posse Romanum pontificem judicari. Adde, quod esset miserrima conditio Ecclesiae, si lupum manifeste grassantem, pro pastore agnoscere cogeretur.

Quarta opinio est Cajetani in tract. De auctor papae et conc. cap. 20. et 21. ubi docet, papam haereticum manifestum non esse ipso facto depositum sed posse, ac debere deponi ab Ecclesia: quae sententia meo iudicio defendi non potest. Nam in primis, quod haereticus manifestus ipso facto sit depositus, probatur auctoritate et ratione. Auctoritas est b. Pauli, qui in epist. ad Titum 3. jubet, postquam manifeste apparet pertinax, vitari, et intelligit ante omnem excommunicationem, et sententiam iudicis: ut ibidem scribit Hieronymus, ubi dicit, alios peccatores per sententiam excommunicationis excludi ab Ecclesia; haereticos autem per se discedere et praecidi a corpore Christi: at non potest vitari papa manens papa; quomodo enim vitabimus capus nostrum? Quomodo recedemus a membro nobis conjuncto?

Ratio vero et quidem certissima haec est. Non Christianus non potest ullo modo esse papa, et Cajetanus fatetur in eod. lib. cap. 26. et ratio est, quia non potest esse caput id quod non est membrum; et non est membrum Ecclesiae is qui non est Christianus: at haereticus manifestus non est Christianus, ut aperte docet Cyprianus lib. 4. epist. 2 Athanasius ser. 2. cont. Arian. Augustinus lib. De grat. Christ. cap. 20. Hieronymus cont. Lucifer. et alii; haereticus igitur manifestus papa esse non potest.

Respondet Cajetanus in Apol. pro tract. Praedicto cap. 25. et in ipso tract. cap. 22. haereticum non esse Christianum simpliciter, sed esse secundum quid: nam cum duo faciant Christianum, fides et character, haereticus amissa fide, adhuc adhaeret aliquo modo Ecclesiae, et capax est jurisdictionis; proinde adhuc est papa, sed deponendus; quia per haeresim est dispositus,

¹ Bellarmino, Roberto. *In De Summo Pontifice: De Controversiis Christianae Fidei: Adversus Hujus Temporis Haereticos Tribus Tomis Comprehensae*, Ia. Ingolstadt, 1588.

Transcription from 1856 Latin ed.,
PDF pp. 211-210 or DjVu pp. 426-427:
<https://isidore.co/calibre/browse/book/5649>

or

<https://archive.org/stream/operaomnia01bell#page/418>

dispositione ultima, ad non esse papam: qualis est homo, non quidem mortuus, sed in extremis constitutus.

At contra. Nam imprimis si ratione characteris haereticus maneret actu conjunctus cum Ecclesia, nunquam posset praecidi et separari actu ab ea, quia character est indelebilis: at omnes fatentur, quosdam posse praecidi de facto ab Ecclesia; igitur character non facit hominem haereticum, esse actu in Ecclesia, sed solum esse signum quod fuerit in Ecclesia, et quod debeat esse in Ecclesia. Quomodo character ovi impressus, quando illa errat in montibus, non facit eam esse in ovili, sed indicat ex quo ovili fugerit, et quo iterum compelli possit. Et confirmatur ex b. Thoma, qui 3. par. q. 9. artic. 3. dicit, eos qui fide carent non esse unitos Christo actu, sed in potentia tantum: ubi loquitur de unione interna, non externa, quae sit per confessionem fidei, et visibilia sacramenta. Cum ergo character ad interna pertineat non ad externa secundum b. Thomam, solus character non unit actu hominem cum Christo.

Deinde. Vel fides est dispositio necessaria simpliciter ad hoc ut aliquis sit papa, vel tantum ad bene esse. Si primum; ergo ista dispositione sublata per contrariam quae est haeresis, mox papa desinit esse: neque enim potest forma conservari sine necessariis dispositionibus. Si secum; ergo non potest deponi papa propter haeresim: nam alioquin deberet deponi etiam propter ignorantiam et improbitatem et similia, quae tollunt scientiam et probitatem, et alias dispositiones necessarias ad bene esse papae. Et praeterea fatetur Cajet. In tract. Praed. cap. 26. ex defectu dispositionum non necessarium simpliciter, sed tantum ad bene esse papam non posse deponi.

Respondet Cajetanus, fidem esse dispositionem necessariam simpliciter, sed partialem, non totalem; et proinde fide remota, adhuc papam manere papam propter aliam partem dispositionis, quae dicitur character, et adhuc remanet.

At contra. Vel totalis dispositio, quae est character et fides, est necessaria simpliciter, vel non, sed sufficit partialis. Si primum: ergo remota fide, non amplius remanet dispositio necessaria simpliciter, quia totalis erat necessaria simpliciter, et jam non est amplius totalis. Si secundum; ergo fides non requiritur nisi ad bene esse, et proinde propter ejus defectum papa deponi non potest. Deinde quae habent ultimam dispositionem ad interitum, paulo post desinunt esse sine alia vi

externa, ut patet; igitur et papa haereticus sine alia depositione per se desinit esse papa.

Denique sancti Patres concorditer docent, non solum haereticos esse extra Ecclesiam; se etiam ipso facto carere omni jurisdictione et dignitate ecclesiastica. Cyprianus lib. 2. epist. 6. *Dicimus, inquit, omnes omnino haereticos atque schismaticos nihil habere potestatis ac juris:* et lib. 2. epist. 1. docet, haereticos ad Ecclesiam redeuntes suscipiendos ut laicos, etsi antea in Ecclesia presbyteri, vel episcopi fuerint. Optatus lib. 1. cont. Parmen. docet, haereticos et schismaticos claves regni coelorum habere non posse, nec solvere aut ligare. Ambrosius lib. 1. de poenit. cap. 2. et Augustinus in Enchir. cap. 65. Idem docet Hieronymus lib. Cont. Lucifer. *Non quod Episcopi, inquit, esse possunt qui haeretici fuerant, sed quid constaret, eos, qui reciperentur, haereticos non fuisse.*

Coelestinus papa 1. in epist. Ad Jo. Antioch. Quae habetur in concil. Ephes. Tom. 1. cap. 19. *Si quis, inquit, ab episcopo Nestorio aut ab aliis qui eum sequuntur, ex quo talia praedicare coeperunt, vel excommunicatus vel exutus est, seu antistitis seu cleri dignitate, hunc in nostra communione et durasse et durare manifestum est, nec judicamus eum remotum; quia non poterat quemquam ejus remove sententia, qui se jam praebuerat ipse removendum.* Et in epistol. Ad cler. Constantinopol. *Sedis, inquit, nostrae sanxit auctoritas, nullum sive episcopum, sive clericum seu professione aliqua Christianum, qui a Nestorio vel ejus similibus, ex quo talia praedicare coeperunt, vel loco suo, vel communione detecti sunt, vel dejectum, vel excommunicatum videri: quia neminem deiicere vel remove poterat, qui praedicans talia titubavit.* Idem repetit et confirmat Nicolaus 1. in epist. Ad Michäel. denique etiam d. Thomas 2. 2. q. 39. art. 3. docet, schismaticus mox perdere omnem jurisdictionem, et irrita esse, si quae ex jurisdictione agere conentur.

Neque valet quod quidam respondent: istos Patres loqui secundum antiqua jura; nunc autem ex decreto concilii constantiensis non amittere jurisdictionem, nisi nominatim excommunicatos, et percussores clericorum. Hoc, inquam, nihil valet: nam Patres illi cum dicunt haereticos amittere jurisdictionem, non allegant ulla jura humana, quae etiam forte tunc nulla exstabant de hac re: sed argumentantur ex natura haeresis. Concilium

autem constantiense non loquitur nisi de excommunicatis, id est, de his qui per sententiam Ecclesiae amiserunt jurisdictionem: haeretici autem etiam ante excommunicationem sunt extra Ecclesiam, et privati omni jurisdictione, sunt enim proprio iudicio condemnati, ut docet apostolus ad Titum 3. hoc est, praecisi a corpore Ecclesiae sine excommunicatione, ut Hieronymus exponit.

Deinde quod secundo Cajetanus dicit, posse papam haeticum ab Ecclesia deponi vere et ex auctoritate, non minus videtur falsum, quam primum. Nam si Ecclesia invitum papam deponit; certe est supra papam, cujus oppositum in illo tractatu idem Cajetanus defendit. Sed respondet ipse: Ecclesiam ex eo quod papam deponit, non habere auctoritatem in papam, sed solum in illam conjunctionem personae cum pontificatu: ut enim Ecclesia potest coniungere pontificatum cum tali persona, et tamen non dicitur propterea esse supra pontificem: ita potest separare pontificatum a tali persona in casu haeresis, et tamen non dicitur esse supra pontificem.

At contra. Nam primo, ex eo quod papa deponit episcopus, deducunt, papam esse supra episcopos omnes, et tamen papa deponens episcopum non destruit episcopatum, sed solum separat ab allia persona. Secundo deponi invitum a pontificatu sine dubio est poena; igitur Ecclesia invitum papam deponens, sine dubio ipsum punit; at punire est superioris et iudicis. Tertio, quia secundum Cajetanum et caeteros Thomistas, re idem sunt totum et partes simul sumptae; igitur qui habet auctoritatem in partes simul sumptas, it ut eas separare possit, habet etiam in ipsum totum, quod ex partibus illis consurgit.

Neque valet Cajetani exemplum de electoribus, qui habent potestatem applicandi pontificatum certae personae, et tamen non habent potestatem in papam. Nam dum res fit, actio exercetur circa materiam rei futurae, non circa compositum quod nondum est: at dum res destruitur, exercetur circa compositum, ut patet in rebus naturalibus. Itaque cardinales dum pontificem creant, exercent suam auctoritatem, non supra pontificem quia nondum est, sed circa materiam, id est, circa personam quam per electionem quodammodo disponunt, ut a Deo pontificatus formam recipiat; at si pontificem deponerent, necessario exercerent auctoritatem supra compositum, id est, supra personam pontificia dignitate praeditam, id est, supra pontificem.

Est ergo quinta opinio vera, papam haeticum manifestum per se desinere esse papam et caput, sicut per se desinit esse Christianus et membrum corporis Ecclesiae: quare ab Ecclesia posse eum iudicare et puniri. Haec est sententia omnium veterum Patrum, qui docent, haeticos manifestos mox amittere omnem jurisdictionem, et nominatum Cypriani lib. 4. epist. 2. ubi sic loquitur de Novatiano. Qui fuit papa in schismate cum Cornelio: *Episcopatum, inquit, tenere non posset, et si episcopus primus factus, a coepiscoporum suorum corpore et ab Ecclesiae unitate discederet.* Ubi dicit Novationum, etsi verus act legitimus papa fuisset, tamen eo ipso casurum fuisse a pontificatu si se ab Ecclesia separaret.

Eadem est sententia doctissimorum recentiorum ut Jo. Driedonis, qui lib. 4. de Script. et dogmat. Eccles. cap. 2. par. 2. sent. 2. docet, eos tantum ab Ecclesia separari, qui vel ejiciuntur, ut excommunicati, vel per se discedunt et oppugnant Ecclesiam, ut haeretici et schismatici. Et sententia septima dicit, in iis, qui ab Ecclesia discesserunt, nullam prorsus remanere spiritualem potestatem super eos, qui sunt de Ecclesia. Idem Melchior Canus, qui lib. 4. de loc. cap. 2. docet, haeticos non esse partes Ecclesiae, nec membra, et cap. ult. ad argument. 12. dicit, non posse vel cogitatione informari, ut aliquis sit caput et papa, qui non est membrum neque pars. Et ibidem disertis verbis docet, haeticos occultos adhuc esse de Ecclesia, et partes, ac membra, atque adeo papam haeticum occultum adhuc esse papam. Eadem est aliorum etiam, quos citavimus in lib. 1. de Eccles.

Fundamentum hujus sententiae est, quoniam haeticus manifestus nullo modo est membrum Ecclesiae, id est, neque animo neque corpore, sive neque unione interna, neque externa. Nam catholici etiam mali sunt uniti et sunt membra, animo per fidem, corpore per confessionem fidei, et visibilium sacramentorum participationem: haeretici occulti, sunt uniti et sunt membra, solum externa unione, sicut e contrario, boni catechumeni sunt de Ecclesia, interna unione tantum, non autem externa: haeretici manifesti nullo modo, ut jam probatum est.

Chapter XXX: The Last Argument is Answered, Wherein the Argument is Taken up, Whether a Heretical Pope can be Deposed²

The tenth argument. A Pope can be judged and deposed by the Church in the case of heresy; as is clear from Dist. 40, can. *Si Papa*: therefore, the Pontiff is subject to human judgment, at least in some case.

I respond: there are five opinions on this matter. The first is of Albert Pighius, who contends that the Pope cannot be a heretic, and hence would not be deposed in any case:³ such an opinion is probable, and can easily be defended, as we will show in its proper place. Still, because it is not certain, and the common opinion is to the contrary, it will be worthwhile to see what the response should be if the Pope could be a heretic.

Thus, the second opinion is that the Pope, in the very instant in which he falls into heresy, even if it is only interior, is outside the Church and deposed by God, for which reason he can be judged by the Church. That is, he is declared deposed by divine law, and deposed *de facto*, if he still refused to yield. This is of John de Turrecremata,⁴ but it is not proven to me. For Jurisdiction is certainly given to the Pontiff by God, but with the agreement of men, as is obvious; because this man, who beforehand was not Pope, has from men that he would begin to be Pope, therefore, he is not removed by God unless it is through men. But a secret heretic cannot be judged by men, nor would such wish to relinquish that power by his own will. Add, that the foundation of this opinion is that secret heretics are outside the Church, which is false, and we will amply demonstrate this in our tract *de Ecclesia*, bk 1.

The Third opinion is on another extreme, that the Pope is not and cannot be deposed either by secret or manifest heresy. Turrecremata in the aforementioned citation relates and refutes this opinion, and rightly so, for it is exceedingly improbable. Firstly, because that a heretical Pope can be judged is expressly held in the Canon, *Si*

Papa, dist. 40, and with Innocent.⁵ And what is more, in the Fourth Council of Constantinople, Act 7, the acts of the Roman Council under Hadrian are recited, and in those it was contained that Pope Honorius appeared to be legally anathematized, because he had been convicted of heresy, the only reason where it is lawful for inferiors to judge superiors. Here the fact must be remarked upon that, although it is probable that Honorius was not a heretic, and that Pope Hadrian II was deceived by corrupted copies of the Sixth Council, which falsely reckoned Honorius was a heretic, we still cannot deny that Hadrian, with the Roman Council, and the whole Eighth Synod sensed that in the case of heresy, a Roman Pontiff can be judged. Add, that it would be the most miserable condition of the Church, if she should be compelled to recognize a wolf, manifestly prowling, for a shepherd.

The Fourth Opinion is of Cajetan.⁶ There, he teaches, that a manifestly heretical Pope is not *ipso facto* deposed; but can and ought to be deposed by the Church. Now in my judgment, such an opinion cannot be defended. For in the first place, that a manifest heretic would be *ipso factodeposed*, is proven from authority and reason. The Authority is of St. Paul, who commands Titus,⁷ that after two censures, that is, after he appears manifestly pertinacious, an heretic is to be shunned: and he understands this before excommunication and sentence of a judge. Jerome comments on the same place, saying that other sinners, through a judgment of excommunication are excluded from the Church; heretics, however, leave by themselves and are cut from the body of Christ, but a Pope who remains the Pope cannot be shunned. How will we shun our Head? How will we recede from a member to whom we are joined?

Now in regard to reason this is indeed very certain. A non-Christian cannot in any way be Pope, as Cajetan affirms in the same book,⁸ and the reason is because he cannot be the head of that which he is not a member, and he is not a member of the Church who is not a Christian. But a manifest heretic is not a Christian, as St. Cyprian

2 Bellarmino, Roberto Francesco Romolo. *De Romano Pontifice = On the Roman Pontiff*. Translated by Ryan Grant. Post Falls, Idaho: Mediatrix Press, 2015. <https://isidore.co/calibre/browse/book/5349>

3 *Hierarchiae Ecclesiasticae*, bk 4, ch. 8.

4 *Loc. Cit.*, bk 4, part 2, ch. 20.

5 Serm. 2, *de Consecratione Pontificis*.

6 *Tract. De auctoritate Papae et Concilii*, ch. 20, & 21.

7 Titus III.

8 *Loc. Cit.*, ch. 26.

and many other Fathers clearly teach.⁹ Therefore, a manifest heretic cannot be Pope.

Cajetan responds in a defense of the aforementioned treatise, chapter 25, and in the treatise itself chapter 22, that a heretic is not a Christian simply; but is relatively. For since two things make a Christian, faith and the character, a heretic loses the virtue of faith, but still retains the character; and for that reason, still adheres in some way to the Church, and has the capacity for jurisdiction: hence, he is still Pope, but must be deposed, because he has been disposed due to heresy; after being disposed at the last, he is not Pope, as such he is a man, and not yet dead, but constituted at the point of death.

But on the contrary, since in the first place, were a heretic to remain joined with the Church in act by reason of the character, he could never be cut off and separated from her, because the character is indelible, yet everyone affirms that some can be cut off from the Church *de facto*: therefore, the character does not make a heretical man exist in the Church in act; rather, it is only a sign that he was in the Church, and that he ought to be in the Church. Just as the character impressed upon a sheep, when it was in the mountains, does not make it to be in the sheepfold, rather indicates from which fold it fled, and to where it can be driven back again. This is also confirmed by St. Thomas,¹⁰ who says that those who do not have faith are not united to Christ in act, but only in potency, and there he speaks on internal union, not external, which is made through the confession of faith, and the visible Sacraments. Therefore, since the character pertains to what is internal and not external, according to St. Thomas, the character alone does not unite a man with Christ in act. Next, either faith is a necessary disposition as one for this purpose, that someone should be Pope, or it is merely that he be a good Pope. If the first, therefore, after that disposition has been abolished through its opposite, which is heresy, and soon after the Pope ceases to be Pope: for the form cannot be preserved without its necessary dispositions. If the second, then a Pope cannot be deposed on account of heresy. On the other hand,

9 Cyprian, bk 4, epist. 2.; Athanasius, *Contra Arianos*, serm. 2; Augustine, *de gratia Christi* ch. 20; Jerome *Contra Luciferianos*, and many others.

10 III, q. 8, a. 3.

in general, he ought to be deposed even on account of ignorance and wickedness, and other dispositions which are necessary to be a good Pope, and besides, Cajetan affirms that the Pope cannot be deposed from a defect of dispositions that are not necessary as one, but merely necessary for one to be a good Pope.

Cajetan responds that faith is a necessary disposition simply, but in part not in total, and hence with faith being absent the Pope still remains Pope, on account of another part of the disposition which is called the character, and that still remains.

But on the other hand, either the total disposition which is the character and faith, is necessary as one unit, or it is not, and a partial disposition suffices. If the first, then without faith, the necessary disposition does not remain any longer as one, because the whole was necessary as one unit and now it is no longer total. If the second, then faith is not required to be good, and hence on account of his defect, a Pope cannot be deposed. Thereupon, those things which have the final disposition to ruin, soon after cease to exist, without another external force, as is clear; therefore, even a heretical Pope, without any disposition ceases to be Pope through himself.

Next, the Holy Fathers teach in unison, that not only are heretics outside the Church, but they even lack all Ecclesiastical jurisdiction and dignity *ipso facto*. Cyprian says: "We say that all heretics and schismatics have not power and right."¹¹ He also teaches that heretics returning to the Church must be received as laymen; even if beforehand they were priests or bishops in the Church.¹² Optatus teaches that heretics and schismatics cannot hold the keys of the kingdom of heaven, nor loose or bind.¹³ Ambrose and Augustine teach the same, as does St. Jerome who says: "Bishops who were heretics cannot continue to be so; rather let them be constituted such who were received that were not heretics."¹⁴

Pope Celestine I, in an epistle to John of Antioch, which is contained in Volume One of the Council of Ephesus, ch. 19, says: "If anyone who was either excommunicated or exiled by Bishop Nestorius, or any that followed him, from such a

11 Bk 1, epist. 6.

12 Bk 2, epist. 1.

13 *Contra Parmenianum*.

14 Ambrose, *de poenitentia*, bk 1, ch. 2; Augustine, *Enchirid.*, ch. 65; Jerome, *Contra Luciferianos*.

time as he began to preach such things, whether they be from the dignity of a bishop or clergy, it is manifest that he has endured and endures in our communion, nor do we judge him outside, because he could not remove anyone by a sentence, who himself had already shown that he must be removed." And in a letter to the clergy of Constantinople: "The Authority of our See has sanctioned, that the bishop, cleric or Christian by simple profession who had been deposed or excommunicated by Nestorius or his followers, after the latter began to preach heresy, shall not be considered deposed or excommunicated. For he who had defected from the faith with such preaching, cannot depose or remove anyone whatsoever."

Nicholas I confirms and repeats the same thing in his epistle to the Emperor Michael. Next, even St. Thomas teaches that schismatics soon lose all jurisdiction; and if they try to do something from jurisdiction, it is useless.¹⁵

Nor does the response which some make avail, that these Fathers speak according to ancient laws, but now since the decree of the Council of Constance they do not lose jurisdiction, unless excommunicated by name, or if they strike clerics. I say this avails to nothing. For those Fathers, when they say that heretics lose jurisdiction, do not allege any human laws which maybe did not exist then on this matter; rather, they argued from the nature of heresy. Moreover, the Council of Constance does not speak except on the excommunicates, that is, on these who lose jurisdiction through a judgment of the Church. Yet heretics are outside the Church, even before excommunication, and deprived of all jurisdiction, for they are condemned by their own judgment, as the Apostle teaches to Titus; that is, they are cut from the body of the Church without excommunication, as Jerome expresses it.

Next, what Cajetan says in the second place, that a heretical Pope who is truly Pope can be deposed by the Church, and from its authority seems no less false than the first. For, if the Church deposes a Pope against his will, certainly it is over the Pope. Yet the same Cajetan defends the opposite in the very same treatise. But he answers; the Church, in the very matter, when it deposes the Pope, does not have authority over the Pope, but only on that union of the person with the

pontificate. As the Church can join the pontificate to such a person, and still it is not said on that account to be above the Pontiff; so it can separate the pontificate from such a person in the case of heresy, and still it will not be said to be above the Pope.

On the other hand, from the very fact that the Pope deposes bishops, they deduce that the Pope is above all bishops, and still the Pope deposing a bishop does not destroy the Episcopacy; but only separates it from that person. Secondly, for one to be deposed from the pontificate against his will is without a doubt a penalty; therefore, the Church deposing a Pope against his will, without a doubt punished him; but to punish is for a superior and a judge. Thirdly, because according to Cajetan and the other Thomists, in reality they are the same, the whole and the parts are taken up together. Therefore, he who has so great an authority over the parts taken up together, such that he can also separate them, also has it over the whole, which arises from those parts.

Furthermore, the example of Cajetan does not avail on electors, who have the power of applying the pontificate to a certain person, and still does not have power over the Pope. For while a thing is made, the action is exercised over the matter of the thing that is going to be, not over a composite which does not yet exist, but while a thing is destroyed, the action is exercised over a composite; as is certain from natural things. Therefore, when Cardinals create the Pontiff, they exercise their authority not over the Pontiff, because he does not yet exist; but over the matter, that is, over the person whom they dispose in a certain measure through election, that he might receive the form of the pontificate from God; but if they depose the Pope, they necessarily exercise authority over the composite, that is, over the person provided with pontifical dignity, which is to say, over the Pontiff.

Now the fifth true opinion, is that a Pope who is a manifest heretic, ceases in himself to be Pope and head, just as he ceases in himself to be a Christian and member of the body of the Church: whereby, he can be judged and punished by the Church. This is the opinion of all the ancient Fathers, who teach that manifest heretics soon lose all jurisdiction, and namely St. Cyprian who speaks on Novation, who was a Pope in schism with Cornelius: "He cannot hold the Episcopacy,

¹⁵ II IIae, q. 39, art. 3.

although he was a bishop first, he fell from the body of his fellow bishops and from the unity of the Church.”¹⁶ There he means that Novation, even if he was a true and legitimate Pope; still would have fallen from the pontificate by himself, if he separated himself from the Church.

The same is the opinion of the learned men of our age, as John Driedo teaches,¹⁷ those who are cast out as excommunicates, or leave on their own and oppose the Church are separated from it, namely heretics and schismatics. He adds in the same work,¹⁸ that no spiritual power remains in them, who have departed from the Church, over those who are in the Church. Melchior Cano teaches the same thing, when he says that heretics are not part of the Church, nor members,¹⁹ and he adds in the last Chapter, 12th argument, that someone cannot even be informed in thought, that he should be head and Pope, who is not a member nor a part, and he teaches the same thing in eloquent words, that secret heretics are still in the Church and are parts and members, and that a secretly heretical Pope is still Pope. Others teach the same, whom we cite in Book 1 of *de Ecclesia*.

The foundation of this opinion is that a manifest heretic, is in no way a member of the Church; that is, neither in spirit nor in body, or by internal union nor external. For even wicked Catholics are united and are members, in spirit through faith and in body through the confession of faith, and the participation of the visible Sacraments. Secret heretics are united and are members, but only by an external union: just as on the other hand, good Catechumens are in the Church only by an internal union but not an external one. Manifest heretics by no union, as has been proved.

cf. 1856 Latin ed., PDF pp. 211-210 or DjVu pp. 426-427:

<https://isidore.co/calibre/browse/book/5649>

or

<https://archive.org/stream/operaomnia01bell#page/418>

¹⁶ Bk 4, epist. 2.

¹⁷ *De Scripturis et dogmatibus Ecclesiasticis*, bk 4, ch. 2, part 2, sent. 2.

¹⁸ *Ibid.*, sent. 7.

¹⁹ *De Locis Theologiis*, bk 4, ch. 2.