

Podcast: Heresy, Loss of Office, etc.

The Problem: Heretical Statements

Pope Francis, General Audience of 2 Feb. 2022

“The communion of saints is the Church”. What does this mean? That the Church is reserved for the perfect? No. It means that it is the community of saved sinners. **The Church is the community of saved sinners.** This is a beautiful definition. **No one can exclude themselves from the Church.** We are all saved sinners. Our holiness is the fruit of God’s love manifested in Christ, who sanctifies us by loving us in our misery and saving us from it. Thanks always to him we form one single body, says Saint Paul, in which Jesus is the head and we are the members (cf. 1 Cor 12:12).

Let us consider, dear brothers and sisters, that in Christ no one can ever truly separate us from those we love because **the bond is an existential bond, a strong bond that is in our very nature;** only the manner of being together with each of them changes, but nothing and no one can break this bond. “Father, let us think **about those who have denied the faith,** who are apostates, who are the persecutors of the Church, who have denied their baptism: **Are these also at home?” Yes, these too, even the blasphemers, everyone. We are brothers. This is the communion of saints.** The communion of saints holds together the community of believers on earth and in heaven.

- Contradicts Council of Florence: “[T]hose not living within the Catholic Church, not only pagans, but also Jews and **heretics and schismatics cannot become participants in eternal life,** but will depart ‘into everlasting fire which was prepared for the devil and his angels’ [Matt. 25:41], **unless before the end of life the same have been added to the flock**” (DzB 714).
- Pius XII: “**Actually only those are to be included as members of the Church who have been baptized and profess the true faith,** and who have not been so unfortunate as to separate themselves from the unity of the Body, or been excluded by legitimate authority for grave faults committed” (Mystici Corporis).

But is this any worse than:

- Amoris Laetitia? The *Correctio Filialis*, signed by +Fellay, identified 7 heretical propositions
- Statements of other conciliar Popes—see below.

Pope John Paul II, Encyclical *Redemptor Hominis*, II, 13

Each one is included in the mystery of the Redemption, and with each one has Christ united Himself forever through this mystery...man in all the fullness of the mystery in which he has become a sharer in Jesus Christ, the mystery in which each one of the four thousand million human beings living on our planet has become a sharer from the moment he is conceived beneath the heart of his mother.

JP2, Message to the Peoples of Asia, 21 February 1981:

In the Holy Spirit, each person and all peoples have become, by the Cross and the resurrection of Christ, children of God, participants in the divine nature and heirs of eternal life.

Pope Benedict XVI's denials of the Resurrection:

[T]he Resurrection cannot be a historical event in the same sense as the Crucifixion is (*Principles of Catholic Theology: Building Stones for a Fundamental Theology*, p. 186).

[E]mpirical physicality...had been transcended by the Resurrection...Jesus appears suddenly in the midst of the disciples in a physicality that is no longer subject to the laws of space and time (*Jesus of Nazareth: Holy Week: From the Entrance into Jerusalem to the Resurrection*, p. 269).

- So where do we go from here? Do we follow the sedevacantists in rejecting all the Popes after Pius XII? (What I might call “macro-sedevacantism”)

The Sedevacantist Dilemma

Sedevacantism solves one problem (the scandal of a pope teaching heresy) but creates even graver ones—loss of apostolic succession, leading to the total disappearance of the visible hierarchy and the living Magisterium.

The Permanent Living Magisterium

Leo XIII: “Christ instituted in the Church a living, authoritative and permanent Magisterium” (*Satis Cognitum*, n. 9).

- If Sedevacantism is true, then we don't just have a problematic living magisterium; we have no living magisterium at all! It is not *permanent*.

Pius XI: “[T]he teaching authority of the Church...is daily exercised through the Roman Pontiff and the Bishops who are in communion with him” (*Mortalium Animos*, n. 9).

Vatican I: Pastor Aeternus: the visible and perpetual succession of Popes

[I]t was [the] will [of Christ] that in his Church there should be shepherds and teachers until the end of time.

In order, then, that the episcopal office should be one and undivided and that, by the union of the clergy, the whole multitude of believers should be held together in the unity of faith and communion, he set blessed Peter over the rest of the apostles and instituted in him the **permanent principle** of both unities [“the unity of faith and communion”] and **their visible foundation**.

Therefore, if anyone says that it is not by the institution of Christ the lord himself (that is to say, by divine law) that blessed Peter should have **perpetual successors** in the primacy over the whole Church; or that the Roman Pontiff is not the successor of blessed Peter in this primacy: let him be anathema.

Problems:

- How is the papacy the “visible foundation” of the Church’s unity (cf. Vatican I) if the papacy can disappear without anyone realizing it?
 - “The first public declaration of a sedevacantist kind was that of the Mexican Jesuit Joaquin Sáenz y Arriaga, who in 1973 published a work entitled *Sede Vacante*.” (Sedevacantism: a False Solution to a Real Problem, p. 7).
 - Since most sedevacantists hold that Pius XII was the last valid pope, they believe that **from 1958 to 1973** (a span of 15 years) the entire Church publicly adhered to a false head!
- How does Peter have “perpetual successors” (cf. Vatican I) if there has been an **interregnum of more than 63 years**?

Pius XII: Ad Sinarum Gentes: Apostolic Succession

...[T]he power of jurisdiction, which is conferred upon the Supreme Pontiff directly by divine right, **flows to the Bishops** by the same right, but **only through the Successor of St. Peter**.

- If 63 years have passed without a Pope to appoint residential bishops and give them jurisdiction, it follows that apostolic succession is extinguished; in Christ’s Church there are no longer “shepherds and teachers” (cf. Vatican I)

Garrigou-Lagrange: Christ willed that his Church be apostolic, namely, that it be ever the same society as that which the Apostles founded. We speak of **a legitimate, public and uninterrupted succession of pastors from the Apostles**... This continuous and legitimate succession is **visible, particularly as regards government**, just as in civil society a continuous and legitimate succession in such or such a political regime **is an observable fact**. In the Church, **this sort of succession allows for no interruption**... Apostolicity thus conceived of is an essential property of **the Church of Christ**, because, as was said above, Christ instituted the Church as a hierarchical and perpetual society, in which authority or jurisdiction must be transmitted without interruption.

Flaws in the Sedevacantist Arguments

(Macro-)sedevacantism leads to absurd conclusions. We can therefore infer that something is wrong either in the premises that sedevacantists use or in their manner of arguing.

The thesis that sedevacantists wish to establish beyond doubt is that a Pope (or any prelate) who publicly preaches heresy automatically loses his office, so that he no longer has authority to teach or govern in the Church.

- We say “automatically” (or *ipso facto*) to exclude the need for any sentence. According to sedevacantists, loss of office takes effect before any sentence is pronounced against the heretic by Church authorities.
- Following this thesis to the letter leads to grave difficulties. So how well established is their thesis?

The thesis of *ipso facto* loss of office is defended by CANONICAL arguments and by THEOLOGICAL arguments.

The Canonical Arguments

ARGUMENT 1) Heretics are excommunicated *ipso facto* by virtue of the law itself (canon 2314), as soon as they express a heretical proposition (e.g., Mary is not the mother of God), without a trial or formal sentence. This puts them outside the Church. But according to Leo XIII, “It is absurd to imagine that he who is outside can command in the Church” (*Satis Cognitum*, n. 15).

Response:

- Theologians commonly teach that excommunication puts a person outside the body of the Church only after he has been denounced by name (what in the 1917 code was called an *excommunicatus vitandus*—one who had to be avoided by all).
- This finds expression in canon 2264: Acts of jurisdiction carried out by an excommunicated person are valid for as long as a condemnatory or declaratory sentence has not yet been pronounced.
- Finally, this argument ignores what follows in canon 2314, which runs thus: All apostates from the Christian faith and each and every heretic or schismatic:
 - 1. Incur *ipso facto* excommunication;
 - 2. If they do not repent after a warning, they are deprived of benefice, dignity, pension, office, or other duty that they have in the Church, they are declared infamous, and [if] clerics, with the warning being repeated, [they are] deposed.

ARGUMENT 2) Canon 188: Any office becomes vacant upon the fact and without any declaration by tacit resignation recognized by the law itself if a cleric: ...4/ Publicly defects from the Catholic faith...

Response:

- To publicly defect from the Catholic faith does not mean merely to say heretical things publicly. It means to leave the Church (usually by joining a heretical sect) or at least to renounce the Catholic faith directly and in its entirety.
- Two indications of this:
 - This is a form of “tacit resignation.” Tacit resignation implies that there is no longer a will to hold office. Someone who expressly renounces the faith of the Church makes it clear to all that he is no longer interested in acting as a representative of the Church and teaching in the Church’s name.
 - Everyone will be able to recognize this. No declaration of loss of office is needed because the intention to abandon the office is manifest.
 - But this has certainly not been the case with the conciliar popes. Pope Francis still claims to represent the Catholic Church. He still claims to believe the Catholic Faith and to teach it, even if many of his utterances contradict Church doctrine.
 - Canon 188.4 has to be interpreted in the light of Canon 2314, which deals directly with heresy and is much more explicit.
 - If any public heretical statement resulted in loss of office, there would be no need for the canonical warnings foreseen in can. 2314 §1 n. 2. Nor would it be necessary for the competent superior to deprive the heretic, after a warning, of his office if he has already forfeited it!
 - Canonical warnings are unlikely to be given unless the heretical statement is public...
 - can. 2314 §1 n. 3 explicitly mentions can. 188 and throws interpretative light on it: “If they have given their name to a non-Catholic sect or publicly adhered to it, they are *ipso facto* infamous, and in accordance with canon 188.4, clerics, if a warning proves fruitless, are to be degraded.
 - This means that to incur automatic loss of office it is necessary to publicly join a heretical sect (or some action equivalent to that, by which it is clear that one leaves the Church on one’s own accord)

ARGUMENT 3) Paul IV in his bull *Cum Ex Apostolatus* declares that anyone who has ever been a heretic is ineligible to be elected Pope and his election is null, even if all the cardinals agreed upon it.

Response: Without even discussing the correct interpretation of this bull, we can note:

- Canonically it has been **abrogated by the 1917 code**.
 - Sedevacantists will point to the fact that *Cum Ex* is referenced in a footnote to canon 188. But being included in the footnotes is not sufficient for the law to still be in effect. It is there just as a historical reference, without having the force of law.
- Any relevance that *Cum Ex Apostolatus* has will be doctrinal, not canonical. But in fact **none of the classic theologians who discussed the problem of a heretical pope saw fit to reference *Cum Ex***. They clearly did not consider it decisive.

The Theological Argument

- ▶ Heresy puts you outside of the Church.
 - ▶ Pius XII: “For not every sin, however grave it may be, is such as of its own nature to sever a man from the Body of the Church, as does schism or heresy or apostasy” (*Mystici Corporis*, n. 23).
- ▶ No one who is outside of the Church can have jurisdiction.
 - ▶ Leo XIII: “No one, therefore, unless in communion with Peter can share in his authority, since it is absurd to imagine that he who is outside can command in the Church” (*Satis Cognitum*, n. 15).
- ▶ Therefore, heretics lose their jurisdiction.
 - ▶ St. Thomas Aquinas: “[T]he power of jurisdiction... does not remain in heretics and schismatics.” (ST II-II, 39, 3).

FIRST DISTINCTION: KINDS OF HERESY

- HERESY = The pertinacious denial or doubting, by a baptized person, of a truth that must be believed with divine and Catholic faith (can. 1325.2).
 - Divine and Catholic faith = the assent we must give to truths directly revealed by God and sufficiently proposed as such by the Church, either (1) through a solemn definition, or (2) through the ordinary and universal magisterium (OUM).
 - Therefore, heresy is not the rejection of a theological opinion or even of a magisterial teaching that has not yet been proposed infallibly.
 - Pertinacious = with contempt of the Church’s magisterium as an infallible rule of faith

- MATERIAL vs. FORMAL HERESY = A distinction based on the presence or absence of pertinacity.
 - Pertinacity in the internal forum is judged by the minister of the sacrament of confession. The Church does not judge internal matters.
 - But we can speak of pertinacity in the external forum, which is manifested by obduracy in the face of canonical warnings. This obduracy is the last disposition on the part of the heretic required for the Church to rightfully deprive the heretic of office and cut him off from her juridical structure by a declaratory or condemnatory sentence (cf. Can. 2314 and Can. 2264).
- Heresy is either OCCULT or MANIFEST depending on whether the (1) fact of heresy, and (2) the pertinacity of the heretic, have been sufficiently established in the external forum.
 - A crime is considered “materially occult, if the delict [i.e., the bad deed itself] is hidden; formally occult, if imputability is not known” (Can. 2179.4).
 - Much of the present controversy concerns what conditions are required for the crime of heresy to be manifest—not only materially, as to the fact itself of an objectively heretical statement; but formally, as to its imputability in the external forum. (But for now, we move on...)

EFFECTS OF HERESY ON CHURCH MEMBERSHIP

- ▶ Occult (or secret) heresy:
 - ▶ Puts you outside the Church in *some* sense: “Hence, if anyone shall dare—which God forbid!—to think otherwise than as has been defined by us, let him know and understand that he is condemned by his own judgment; that he has suffered shipwreck in the faith; that he has separated from the unity of the Church; and that, furthermore, by his own action he incurs the penalties established by law if he should dare to express in words or writing or by any other outward means the errors he think in his heart” (Pius IX, *Ineffabilis Deus*).
 - ▶ but not *juridically*: “But it is certain (whatever one or another may think) that an occult heretic, if he be a bishop or even the supreme Pontiff, does not lose his jurisdiction, or dignity, or the title of head in the Church, until either he publicly separates himself from the Church, or, being convicted of heresy, is unwillingly separated” (St. Robert Bellarmine, *De Ecclesia Militante*, bk. 3, ch. 10).
- ▶ Manifest heresy, *understood properly*, puts you outside the Church juridically. But what is required for that?

Q: Is it sufficient for the heretic to PUBLICLY MAKE HERETICAL STATEMENTS in a way that leads good catholics to vehemently *suspect* pertinacity—even if no canonical warnings have been given, and no sentence declaring him a heretic has been passed by competent authority?

- ▶ St. Robert Bellarmine seems to say YES: “[A] manifest heretic would be *ipso facto* deposed...before any excommunication or sentence of a judge” (*De Romano Pontifice*).
 - ▶ This would be a kind of notoriety of fact, prior to any judgment of the Church
 - ▶ The same position is summarized by the Catholic Encyclopedia: “[W]ere a pope to become a public heretic, i.e., were he publicly and officially to teach some doctrine clearly opposed to what has been defined as *de fide catholicâ*...many theologians hold that no formal sentence of deposition would be required, as, by becoming a public heretic, the pope would *ipso facto* cease to be pope” (Article “Infallibility”).
 - ▶ St. Alphonsus, St. Francis de Sales and other authorities teach the same thing.
- ▶ OPPOSED TO THIS is the opinion of Cajetan, John of St. Thomas, Billuart and many other thomists (i.e., close followers of St. Thomas) who hold that a sentence of the Church is required for the crime of heresy to be canonically manifest.
- ▶ We are going to prefer their opinion, while maintaining the reservation that with regard to the Holy Father it does not seem possible that the Church (understood either as the college of cardinals or as an imperfect ecumenical council of bishops) could validly pass sentence on him for heresy.
 - ▶ Granting that this is impossible, and that canonical warnings followed by a declaratory sentence are necessary for the crime of heresy to be juridically manifest, it follows that the heresy of the Pope always remains CANONICALLY OCCULT.

BUT CAN WE DISAGREE WITH BELLARMINE?

- ▶ Obj.: You can’t disagree with a canonized saint and doctor of the Church. And in a disagreement between two persons, one of whom is a saint, you always have to take the side of the saint!
 - ▶ Not true. Example — St. Anselm is a saint and doctor of the Church, but he erred in his “ontological argument” for the existence of God. (God is the greatest possible being; it is greater to exist than not to exist; therefore, God exists!). St. Thomas did not hesitate to discard this argument as invalid (ST I, 2, 1 ad 2).
- ▶ Regarding Bellarmine himself, several of his theses have already been rejected or at best represent a minority position:

- ▶ 1) DESTRUCTION THEORY: Bellarmine considered the priest's communion to constitute an *essential* part of the sacrifice of the Mass, because by it the victim is destroyed. — Pius XII implicitly rejected this theory in *Mediator Dei* by teaching that the essence of the sacrifice of the Mass consists in the double consecration alone.
- ▶ 2) ADDUCTION THEORY: at the consecration, the Body of Christ, already existing in Heaven, is “brought under” the sacramental species (rather than being “produced from” the substance of the bread and wine, as Thomists teach).
- ▶ 3) CONGRUISM: a variant of Molinism: aims at reconciling the roles of grace and free will.
- ▶ St. Pius X: “If the doctrine of any writer or Saint has ever been approved by Us or Our Predecessors...it may easily be understood that it was commended **to the extent that it agreed with the principles of Aquinas or was in no way opposed to them**” (*Motu Proprio Doctoris Angelici*)
 - ▶ In this dispute that we are about to consider, all the Thomists are opposed to Bellarmine; and they seem to have considerable backing in the principles of St. Thomas.

WHAT IS WRONG WITH BELLARMINE'S ARGUMENTS?

- ▶ 1) the example that Bellarmine gives in proof of his thesis is a bad one.
 - ▶ He uses example of Nestorius, Patriarch of Constantinople, who preached publicly the heresy that Mary was not the mother of God, and supposedly lost his jurisdiction *ipso facto* (right away) for so doing.
 - ▶ Pope St. Celestine declared null all the excommunications that Nestorius imposed on the clergy who resisted his heresy from the time that he began to preach it. But these excommunications were *manifestly unjust*, so they naturally had no effect.
 - ▶ The acts of the Council of Ephesus make it clear that Nestorius was not deprived of his episcopal office until he had ignored the summons of the Council and sentence was pronounced against him.
- ▶ 2) Bellarmine has **other examples that indicate the contrary**, such as the churches of Corinth and Galatia who publicly taught heresies (denying the resurrection of the body and teaching that the observance of the Mosaic Law is necessary for salvation) but were not separated from the Catholic Church because “it is one thing to err and be ready receive instruction...but it is another thing not to want to learn” (*On the Notes of the Church*, bk. 4, ch.2).

- ▶ How can we tell if someone is “ready to receive instruction” unless he is admonished by his legitimate superior? (Speculating about his level of education, etc., really isn’t enough.)
- ▶ 3) This thesis fosters anxieties and creates schisms, because it is not always easy to determine a) what is “manifest heresy”, and b) whether the person who preaches it is malicious or only ignorant.
 - ▶ Charles Rene Billuart (†1757): “If manifest heretics had to be avoided before their denunciation, this would endanger souls and generate anxiety of conscience, since there would be uncertainty as to who are manifest heretics, some persons affirming, and others denying, as actually happened in the case of Jansenism. It is very difficult for lay people to know with certainty if someone is a manifest heretic or not, since in most cases the subject-matter of the heresy surpasses their understanding” (*Summa S. Thomae, Secunda Secundae, 4th Dissertation, Article 3*).
 - ▶ Applied to the Pope:
 - ▶ Francisco Suarez: “[W]e would fall into doubt about exactly how great the degree of infamy ought to be for the Pope to be reputed to have fallen from his dignity; thence would arise schisms, and everything would become perplexing, especially if the Pope, after becoming infamous, would keep possession of his See by force or other means and exercise many acts of his office” (*Tenth Disputation on the Supreme Pontiff*).
 - ▶ Dominc Bañez: “[W]e would have doubtful Popes and unknown Popes, and everything would be churned up in a kind of Babylonian confusion” (Dominic Bañez, *Scholastica Commentaria in Secundam Secundae Angelici Doctoris Partem*, q. 1 art. 10, dubium 2).
- ▶ 4) This thesis contradicts the universal practice of the Church regarding heretical bishops and priests.
 - ▶ Charles Rene Billuart: “[T]he law and praxis of the Church require that a heretic be denounced before he loses his jurisdiction... Our argument is confirmed by the current praxis of the entire Church... No one avoids his pastor, even for the reception of the sacraments, as long as he is allowed to remain in his benefice, even if the man is, in the judgment of all or at least of the majority, a manifest Jansenist, and rebellious against the definitions of the Church” (*Summa S. Thomae, Secunda Secundae, 4th Dissertation, Article 3*).
 - ▶ Testimonies of St. Thomas Aquinas:

- *Summa Theologica, II-II, 11, 3: Whether heretics ought to be tolerated?* — With regard to heretics...on their own side there is the sin, whereby they deserve not only to be separated from the Church by excommunication, but also to be severed from the world by death... On the part of **the Church**, however, there is mercy which looks to the conversion of the wanderer, wherefore **she condemns not at once, but “after the first and second admonition,”** as the Apostle directs: after that, **if he is yet stubborn, the Church** no longer hoping for his conversion, **looks to the salvation of others, by excommunicating him and separating him from the Church**, and furthermore delivers him to the secular tribunal to be exterminated thereby from the world by death.
- *Summa Theologica, III, 64, 6: Whether wicked men sin in administering the sacraments?* — Reply OBJ 2: He who approaches a sacrament, receives it from a minister of the Church, not because he is such and such a man, but because he is a minister of the Church. Consequently, **as long as the latter is tolerated in the ministry, he that receives a sacrament from him, does not communicate in his sin, but communicates with the Church from whom he has his ministry.** But if the Church, by degrading, excommunicating, or suspending him, does not tolerate him in the ministry, he that receives a sacrament from him sins, because he communicates in his sin.
- *Summa Theologica, Supplement, 19, 6: Whether those who are schismatics, heretics, excommunicate, suspended or degraded have the use of the keys? (St. Thomas’ commentary on the Sentences of Peter Lombard, book 4, distinction 19, question 1, article 2, quaestiuncula 3)* — [S]ince it is by appointment of the Church that one man has authority over another, so a man may be deprived of his authority over another by his ecclesiastical superiors. Consequently, since **the Church deprives heretics, schismatics and the like [of jurisdiction], by withdrawing their subjects from them** either altogether or in some respect, in so far as they are thus deprived, they cannot have the use of the keys. — Reply OBJ 3: **Sin, of itself, does not remove matter, as certain punishments do...**
- *Summa Theologica, III, 82, 9: Art. 9: Whether it is permissible to receive communion from heretical, excommunicate, or sinful priests, and to hear mass said by them?* — **[H]eretics, schismatics, and excommunicates, have been forbidden, by the Church’s sentence, to perform the Eucharistic rite.** And therefore whoever hears their mass or receives the sacraments from them, commits sin. But not all who are **sinners** are debarred by the Church’s sentence from using this power: and so, **although suspended by the Divine sentence, yet they are not suspended in regard to others by any ecclesiastical**

sentence: consequently, until the Church's sentence is pronounced, it is lawful to receive Communion at their hands, and to hear their mass. — Hence on 1 Cor. 5:11, “with such a one not so much as to eat,” Augustine's gloss runs thus: “In saying this he was unwilling for a man to be judged by his fellow man on arbitrary suspicion, or even by **usurped extraordinary judgment**, but rather by God's law, according to the Church's ordering, whether he confess of his own accord, or whether he be accused and convicted. [Refers to notoriety of law, can. 2197.2]

- ▶ Other testimonies against Bellarmine's thesis:
 - ▶ John of St. Thomas, *On the Authority of the Supreme Pontiff*, Disp. 2, Art. 3 — [W]e respond to [Bellarmine's] reasoning in this way: one who is not a Christian, both in himself and in relation to us, cannot be Pope; however, if he is not a Christian in himself (because he has lost the faith) but in relation to us he has not yet been juridically declared as an infidel or heretic (no matter how manifestly he be such according to private judgment), he is still a member of the Church as far as we are concerned; and consequently he is its head.
 - ▶ Fr. Paul Laymann, *Theologia Moralis*, lib. 2, tract. 1, cap. 7 — The Supreme Pontiff, insofar as he is a private person, can become a heretic...nevertheless, as long as the Pope is tolerated by the Church and publicly recognized as the universal Pastor, he really continues to possess the power of the papacy, so that all of his decrees have no less force and authority than if he were truly a believer... The reason for this is that it is expedient for the well-governing of the Church, even as in any other well-constituted commonwealth, that the acts of a public magistrate remain valid as long as the magistrate remains in his office and is publicly tolerated.
- ▶ Finally, others such as Cardinal Billot—a close follower of Bellarmine—make it clear just how generously we should accept the meaning of “occult heretic”: “Those also are occult [heretics], who do indeed manifest their heresy by external signs, but not by a public profession. You will easily understand that many men of our times fall into the latter category—those, namely, who either doubt or positively disbelieve matters of faith, and do not disguise the state of their mind in the private affairs of life, but who have never expressly renounced the faith of the Church, and, when they are asked categorically about their religion, declare of their own accord that they are Catholics. (*De Ecclesia Christi*, thesis XI)
- ▶ So in practice, there is little divergence between our opinion and that of Cardinal Billot and others who require more than just publicly heretical statements for a person to be considered a “manifest heretic.”

Conclusion: We are with Bellarmine

- ▶ The visible Church is indefectible; and by the term 'Church' we understand, not one person or another, but a multitude gathered together in which there are prelates and subjects (St. Robert Bellarmine, *De Ecclesia Militante*, bk. 3, ch. 13)
- ▶ But it is certain (whatever one or another may think) that an occult heretic, if he be a bishop or even the supreme Pontiff, does not lose his jurisdiction...until either he publicly separates himself from the Church, or, being convicted of heresy, is unwillingly separated" (St. Robert Bellarmine, *De Ecclesia Militante*, bk. 3, ch. 10).

Sedevacantism in History

Examples include the 2nd Council of Constantinople (declared Vigilius a heretic), the Council of Basle (declared Eugene IV a heretic), Savonarola (declared Alexander VI a heretic), but especially...

The Fraticelli

- ▶ John XXII...in the decree "Sancta Romana et universalis ecclesia" (30 December, 1317) refused to authorize the congregation of which Angelo was head. Angelo submitted temporarily, but in 1318 fled to Central Italy, where, acting as general, he assumed charge of the congregation dissolved by the pope...in a word, he founded an independent Franciscan Order, the *Fraticelli*. His adherents professed themselves the original Friars Minor. They denied that John XXII was really pope, as he had abrogated the Rule of St. Francis, which, according to their doctrine, represented the Gospel pure and simple. They asserted that his decrees were invalid, all other religious and prelates were damned, and that the commission of mortal sin deprived priests of the sacerdotal dignity and powers.
- ▶ The Michaelites denied John's right to the papacy and denounced both him and his successors as heretics. This shows the dangerous character of the sect. In their numerous and passionate denunciations of the popes, especially of John XXII, they always single out for refutation isolated statements of John in his Bulls. To the contention regarding poverty was added (1333) the question of the beatific vision of the saints, concerning which John XXII, contrary to general opinion, yet without intending to define the matter, had declared that it would begin only at the last judgment. (*Taken from The Catholic Encyclopedia*)
- ▶ Fra Michele Berti, from Calci near Pisa, a member of the Ancona branch of Fraticelli, after preaching the Lenten course to his associates in Florence, was arrested 20 April,

1389, as he was about to leave the city, and was condemned by the Franciscan Archbishop of Florence, Bartolomeo Oleari, to be burned at the stake. He died chanting the Te Deum, while his followers, unmolested by the authorities, exhorted him to remain steadfast (30 April, 1389). To the end he maintained that John XXII had become a heretic by his four decretals; that he and his successors had forfeited the papacy, and that no priest supporting them could absolve validly.