

Bellarmino Against Suarez? *Another Critical Error in the Sedevacantist Thesis*

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In his treatise *De Romano Pontifice*, St. Robert Bellarmine said there were five different opinions concerning the implications of a heretical Pope. Arnaldo Xavier de Silveira, in his book *La Nouvelle Messe de Paul VI: Qu'en penser*, surveyed 136 authors who wrote about the consequences of a heretical Pope, and Fr. Dominique Boulet of the Society of St. Pius X categorized the various authors according to the five opinions laid out by Bellarmine. Fr. Boulet essentially describes them as follows:¹

- First Opinion: The Pope can never fall into heresy (e.g., Bellarmine, Billot)
- Second Opinion: The Pope loses his office *ipso facto* for occult heresy (e.g., Torquemada)
- Third Opinion: The Pope never loses his office for manifest heresy (Bouix)
- Fourth Opinion: The manifestly heretical Pope loses his office only upon declaration (e.g. Cajetan, Suarez???)
- Fifth Opinion: The manifestly heretical Pope loses his office *ipso facto* without a declaration (e.g. Bellarmine, Billot)

Now, at this juncture I would like to note something that I have not seen addressed before (and which will become relevant as we proceed). While Silveira and Boulet (who are not sedevacantists) have included Francisco Suarez as a supporter of the Fourth Opinion, I will demonstrate that this conclusion is not correct. Suarez (along with Bellarmine) actually held the Fifth Opinion (office lost *ipso facto*), and this is why Bellarmine does not mention Suarez when he refutes the Fourth Opinion held by Cajetan (office lost by declaration) in *De Romano Pontifice*, chapter 30. Interestingly, sedevacantists also erroneously believe that Suarez held the Fourth Opinion in alleged opposition to Bellarmine's Fifth Opinion, and this false belief exposes another critical error in the sedevacantist thesis.

What is the critical error? By failing to recognize that Bellarmine and Suarez are addressing two different issues and not expressing two different opinions, sedevacantists have failed to distinguish when the theologian is addressing *the offense of heresy versus the punishment for the offense*. When they read, for example, Bellarmine who says a heretical Pope automatically loses his office, and Suarez who says a heretical Pope loses his office upon a declaration from the Church, they immediately jump to the conclusion that Suarez is contradicting Bellarmine, and then

¹See Fr. Boulet's study at http://fsspx.com/Communicantes/Dec2004/Is_That_Chair_Vacant.htm.

they reason that Bellarmine's position must prevail because he is a Doctor of the Church and Suarez is not! This is another example of their over-simplistic and *a priori* approach to these issues.

Unfortunately for them, Suarez also says a manifestly heretical Pope "*is ipso facto and immediately deposed by Christ*"² and *not* by Church declaration. Because Suarez voices *both* opinions (that a Pope is declared a heretic by the Church *and* also automatically falls from his office) definitively *proves* that he (along with Bellarmine and others) viewed the offense and the punishment as two different aspects of the question, a distinction that no sedevacantist to my knowledge has addressed. In other words, the Church declares the *crime* of heresy and God inflicts the *punishment*. What this means is that the sedevacantist cannot use Bellarmine's teaching on *ipso facto* deposition to prove the crime of heresy is determined by private judgment, when Bellarmine in that case is referring to the *consequences* of the crime (that is, the divine punishment, and not the crime which is determined by the Church).³ As we will see, for the determination of the potential crime, Bellarmine and Suarez both defer to ecclesiastical authority.

We can understand the distinction between the crime and the punishment by looking at our own American legal process, where the offense (the crime) must be proven before the sentence (the punishment) is imposed. In fact, in secular criminal courts, both phases usually require separate legal proceedings. While not a perfect analogy (because a sitting Pope is above ecclesiastical law), the investigation and removal of a heretical Pope would necessarily follow the secular process: The crime (heresy) must be determined before the punishment for the crime (loss of office) can be inflicted. As Bellarmine, Suarez and the consensus of theologians maintain, the offense of Papal heresy is determined by the Church, and the divine punishment is inflicted by God (severance from the Body of Christ), with the optional human punishment being imposed by the Church, if she so chooses (a decree of excommunication). That's the distinction (crime versus punishment) that reconciles the seemingly inapposite statements from Bellarmine and Suarez (and not the sedevacantist assertion that they hold two different opinions).

² De Fide, Disp. 10, Sect 6, n. 10, pg. 317.

³ Note that the sedevacantist will respond by saying the Pope loses his office for the sin of heresy under Divine law and not the crime of heresy under canon law (because the Pope is above canon law). However, in order for the sedevacantist to even presume someone has committed a sin of heresy under Divine law (which regards the internal forum), he must prove (not just presume) that the person committed the crime of heresy under ecclesiastical law (in the external forum). To prove the crime of heresy, one must prove both that (1) the proposition is manifestly heretical (and not a lesser degree of theological error) and (2) that the person is consciously aware (sometimes called "pertinacious") that he is dissenting from Church teaching. If these principles of justice apply to the faithful, they certainly apply to the Pope who is above canon law and any canonical presumption of guilt. While this current article is about the "Question of Law" (Who judges a heretical Pope?), in a future article we will demonstrate that the sedevacantist also cannot meet his burden of proof on the "Question of Fact" (Is the Pope a manifest heretic?).

More proof for this point is that Bellarmine (d.1621) and Suarez (d.1617) lived at the same time, and both held that their “opinion” was the *common opinion* of the Fathers and Doctors of the Church. Both were also eminent theologians (Pope Paul V declared Suarez “*Doctor Eximus et Pius*” during Suarez’s lifetime, and Bellarmine was later declared a Doctor of the Church). After teaching that a heretical Pope ceases to be Pope upon a **declaration** of the Church, Suarez says, “This is the *common opinion among the doctors*.” However, when Bellarmine says a heretical Pope ceases to be Pope **automatically**, he says, “This is the teaching of *all the ancient Fathers* who teach that manifest heretics immediately lose all jurisdiction.” How can they both hold that their seemingly contradictory opinions represented the common teaching of the Fathers and Doctors of the Church? Again, because they were not giving two different opinions as sedevacantists claim, but addressing two different issues: The crime is determined by the Church (common opinion number one), and the punishment is inflicted by God (common opinion number two).⁴

In support, then, of the Fifth Opinion that a manifestly heretical Pope is automatically deposed (punishment), Suarez says, “Therefore on deposing a heretical Pope, the Church would not act as superior to him, but juridically, and by the consent of Christ, she would declare him a heretic [crime] and therefore unworthy of Pontifical honors; he would be then *ipso facto* and immediately be deposed by Christ [divine punishment], and once deposed he would become inferior and would be able to be punished” [human punishment].”⁵ Notice the chronology: The Pope is first declared a heretic (crime) and “then” is *ipso facto* deposed (punishment).

Bellarmino agrees with Suarez: “The fifth opinion therefore is the true one. A pope who is a manifest heretic automatically (per se) ceases to be pope and head [divine punishment], just as he ceases automatically to be a Christian and a member of the Church. Wherefore, he can be judged and punished by the Church [human punishment]. This is the teaching of all the ancient Fathers who teach that manifest heretics immediately lose all jurisdiction.”⁶

In complete agreement, Suarez and Bellarmine are simply restating the Divine law that a manifestly heretical Pope (whose crime is judged by the Church and not presumed by the faithful) automatically ceases to be Pope without any further declaration. Moreover, when they both say the heretical Pope can now be “punished,” they are confirming that the Church can publicly declare under ecclesiastical law what has already occurred under Divine law: The Pope, being severed from the Body of the Church by Divine law, can now be deposed and excommunicated under canon law. Again, the declaration of

⁴ Bellarmine and Suarez both agreed that ecclesiastical authority was required to determine the crime of heresy (although Suarez said an actual declaration of the crime of heresy was also required).

⁵ De Fide, Disp. 10, Sect 6, n. 10, pg. 317.

⁶ De Romano Pontifice, II, c.30.

the punishment (removal from office) is not strictly necessary, but it is practically necessary because the faithful have a right to know the man is no longer Pope. Furthermore, because the heretical “Pope” is no longer “superior” to the ecclesiastical authority, the Church can judge and remove [punish] him and declare him deprived of the pontificate.

John of St. Thomas (d.1644), a contemporary of both Suarez and Bellarmine, confirmed their agreement (and the error of the sedevacantists) by saying: “And for that reason Bellarmino and Suarez judge that the pope, by the very fact that he is a manifest heretic and has been declared incorrigible [crime], is deposed immediately by the Lord Christ [divine punishment], not by some other authority of the Church.”⁷ (Again, notice the “declaration” is past tense and the “deposition” is present tense, underscoring the chronology). Cardinal Journet also read Bellarmine and Suarez the same way: “Some, such as Bellarmino and Suarez, considered that such a Pope, withdrawing himself from the Church, was *ipso facto* deposed [divine punishment], *papa haereticus est depositus*.”⁸ Because Bellarmine and Suarez essentially agreed on both the crime and punishment aspects of this question, they could both say they held the “common opinion.”

In regard to the determination of the *crime* (not the punishment), Suarez says: “I affirm: if he were a heretic and incorrigible, the Pope would cease to be Pope just when a sentence was passed against him for his crime, by the legitimate jurisdiction of the Church. This is the common opinion among the doctors.”⁹ Notice that Suarez is speaking of the determination “of the *crime*” (of manifest heresy), and which must be made by “the legitimate jurisdiction of the Church.” Suarez thus establishes that the Pope is not declared a heretic as an exercise of private judgment under “Divine law” as the sedevacantists claim. Rather, ecclesiastical authority is required to prove the crime of heresy before the punishment is inflicted by operation of Divine law.

Suarez also says: “[I]f the external but occult heretic can still remain the true Pope, with equal right he can continue to be so in the event that the offense became known, as long as sentence [crime] were not passed on him.”¹⁰ Suarez then explains the obvious consequences of “sentencing” a Pope based on private judgment and not the authority of the Church: “In effect, there would arise doubt about the degree of infamy necessary for him to lose his charge; there would rise schisms [sedevacantism?] because of this, and everything would become uncertain, above all if, after being known as a heretic, the

⁷ Cursus Theologici (Theological Courses), II-II, De Auctoritate Summi Pontificis, Disputatio, Disp II, Art. III, De Depositione Papae.

⁸ Cardinal Charles Journet, The Church of the Word Incarnate, Chapter VIII.

<http://www.ewtn.com/library/THEOLOGY/chwordin2.htm#O7>

⁹ De Fide, disp. X, sect. VI, nn. 3-10, pp. 316-317.

¹⁰ Ibid.

Pope should have maintained himself in possession of his charge by force or by other.”¹¹

In this passage, Suarez again does not say a Pope is declared a heretic by private judgment under “Divine law” but rather by the Church through an official “sentence.” He is also speaking of a Pope whose heresy is “external but occult” and thus is not manifestly heretical. In other words, he is affirming the necessity of ecclesiastical authority (the one who passes the “sentence”) to determine the heresy is manifest before the punishment is imposed. He also explains that without this assurance from ecclesiastical authority (“sentence”), there would be uncertainty about a heretical Pope’s status, which would even lead to “schisms” (and which is an accurate description of the Church today). Again, Suarez here is not addressing the consequent loss of office for a manifestly heretical Pope, but only the Church’s determination of the crime of heresy for a heretical Pope.

In refuting Cajetan’s position (the Fourth Opinion that the punishment must be declared), Bellarmine also says: ““For in the first place, it is proven by authority and reason that a manifest heretic is *ipso facto* deposed [divine punishment]. The authority is that of Blessed Paul, who in his Epistle to Titus, chapter 3, orders that the heretic be avoided [punishment] **after two warnings**, that is **after he clearly appears pertinacious** [crime], and he understands (by this) before any excommunication and judicial sentence; as Jerome writes regarding this passage, where he states that other sinners are excluded from the Church through a sentence of excommunication, but heretics depart from and are cut off from the Body of Christ through themselves.”¹²

Bellarmino first affirms with Suarez the Divine law that “a manifest heretic is *ipso facto* deposed” as we have already seen. But he then says this conclusion is *based* on the authority of Titus 3:10, which requires *warnings from ecclesiastical authority* (specifically, the authority that Titus, as a Bishop, had in his diocese). Bellarmine’s language is clear, although sedevacantists attempt to deny what he actually said. The *ipso facto* deposition of a cleric is based on and a result of the warnings from Church authority (not private individuals). Bellarmine and Suarez appear only to differ on how the crime of heresy is established: Suarez requires a “sentence” while Bellarmine requires the establishment of “pertinacy.”¹³ Both opinions, however, hold that ecclesiastical authority, and not private judgment, establishes the crime of heresy. That means they both disagreed with sedevacantism.

¹¹ Ibid.

¹² *De Romano Pontifice*, II, c.30. As St. Thomas and many other theologians teach, any subject can warn a superior as an act of charity (not jurisdiction), out of fraternal correction. As Fr. Pietro Ballerini explains regarding warning a heretical Pope, “...whatever would be done against him before the declaration of his contumacy and heresy, in order to call him to reason, would constitute an obligation of charity, not of jurisdiction...” *De Potestate Ecclesiastica*, c.6, sec.2, p.124.

¹³ Bellarmine may also require a declaration but does not mention it here.

Bellarmino confirms the necessity for Church authority to depose clerics in his treatment of heretical bishops. This is another most critical insight from St. Bellarmine. He says, "...if the pastor is a bishop, they [the faithful] cannot depose him and put another in his place. For Our Lord and the Apostles only lay down that false prophets are not to be listened to by the people, and not that they depose them. And it is certain that the practice of the Church has always been that heretical bishops be deposed by bishop's councils, or by the Sovereign Pontiff."¹⁴

Bellarmino's treatment of "heretical bishops" is consistent with his treatment of a "manifestly heretical Pope" – the basis for the *ipso facto* deposition (punishment) is the determination of the crime (offense) by ecclesiastical authority. Clearly, if bishops cannot be deposed by the faithful (but must be judged by bishops' councils or the Pope), then it follows that the Pope, who has no judge on Earth, cannot be deposed by the faithful either. This teaching expressly demonstrates once again that Bellarmine rejected the sedevacantist position of deposition by the faithful. This is the mind of St. Robert Bellarmine, lead prosecutor for the sedevacantists.

It should be noted that Bellarmine was simply following the teaching of the Fourth Council of Constantinople (869-870). Using Scripture (i.e., Titus 3:10) as its authority, the council declared excommunicated anyone (whether cleric or lay) who adopted the sedevacantist position, that is, who separated themselves by private judgment from their patriarch for an alleged crime before ecclesiastical judgment. Canon 10 says: "

"As divine scripture clearly proclaims, Do not find fault before you investigate, and understand first and then find fault, and does our law judge a person without first giving him a hearing and learning what he does? Consequently this holy and universal synod justly and fittingly declares and lays down that no lay person or monk or cleric should separate himself from communion with his own patriarch [the Pope is the patriarch of the West] before a careful enquiry and judgment in synod, even if he alleges that he knows of some crime perpetrated by his patriarch, and he must not refuse to include his patriarch's name during the divine mysteries or offices...If anyone shall be found defying this holy synod, he is to be debarred from all priestly functions and status if he is a bishop or cleric; if a monk or lay person, he must be excluded from all communion and meetings of the church [excommunicated] until he is converted by repentance and reconciled."

In the face of the plain meaning of Bellarmine's words (as well as the teaching of the Council of Constantinople), sedevacantists *must* argue that Titus 3:10 is not about ecclesiastical authority, but is directed to individual Catholics to make private judgments

¹⁴ *De Membris Ecclesiae*, I, De Clericis, c.7.

about who is and is not the Pope. But who are they kidding? It is obvious that St. Paul is instructing a fellow bishop and not the faithful. More importantly, St. Thomas Aquinas disagrees with the sedevacantists. He confirms that Titus 3:10 is about ecclesiastical authority. For example, in his *Commentary on St. Paul's Epistle to Titus*, he says: "Such a person should be warned, and if he does not desist, he should be avoided. And he says, *after the first and second admonition, for that is the way the Church proceeds in excommunicating.*" In other words, the "first and second admonition" (two warnings) is "the way the Church proceeds" (ecclesiastical procedure) before factually establishing manifest heresy and the consequent loss of office.

In the *Summa*, St. Thomas also says, "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."¹⁵ In other words, just as the Church hopes for the person's conversion through the "two warnings," so the Church declares him severed from the Church by failing to heed those warnings.

In the original annotations of the Rheims New Testament, it also says, "These admonitions [of Titus 3:10] or corruptions must be given to such as err, by our spiritual governors and pastors, to whom if they yield not, Christian men must avoid them."¹⁶ The 1910 Catholic Encyclopedia's article on heresy also explains that Titus 3:10 was an early reference to the Church's ecclesiastical law (not Divine law as sedevacantists claim) as regards the investigation and excommunication of heretics: "St. Paul writes to Titus: 'A man that is a heretic, after the first and second admonition, avoid: knowing that he, that is such a one, is subverted, and sinneth, being condemned by his own judgment' (Titus 3:10-11). This early piece of legislation reproduces the still earlier teaching of Christ, 'And if he will not hear the church, let him be to thee as the heathen and the publican' (Matthew 18:17); it also inspires all subsequent anti-heretical legislation. The sentence on the obstinate heretic is invariably excommunication."

Many other examples from theological commentaries could be provided, but the point has been made: The requirement to prove pertinacity in the external forum must be carried out by ecclesiastical authority (the legitimate trier of fact), and not vigilante sedevacantist priests and laymen who have no authority in the Church. This is the true and unequivocal meaning of Titus 3:10 upon which Bellarmine relies.

¹⁵ ST, II-II, Q 11, Art 3, *sed contra*).

¹⁶ Rheims New Testament, p.549.

John of St. Thomas, one of the greatest Thomists the Church has ever known, confirms that the “two warnings” mentioned by Bellarmine must come specifically “from Church authority, and not according to private judgment.”¹⁷ Bellarmine clearly states that the foundation for the automatic loss of office of a manifest heretic (punishment) is an inquiry by ecclesiastical authority (whether or not a declaration of the crime is made, or rendered unnecessary by the same authorities, for example, in the case where a Pope openly joined another religion), and not private judgment. In other words, the Pope accuses himself of the crime (he, in a sense, “binds on Earth”), and God imposes the punishment, without the necessity of a declaration (He “binds in Heaven”).

Again, whether the Church issues a declaration of the crime of heresy (as Suarez says) or not (as Bellarmine says) is not absolutely essential to the point. The point is that Church authority, based on Titus 3:10 and not private judgment, determines the offense, with God (and the Church) imposing the punishment. In Bellarmine’s teaching, an ecclesiastical inquiry is needed, and it is quite unreasonable to imagine his approach would be different in the case of the conciliar Popes, particularly where pertinacity has not been established. In fact, a more obvious need for official inquiry from Church authorities for a sitting Pope who claims to be Catholic is difficult to imagine. The ecclesiastical process of warnings factually establishes that the Pope is “pertinacious” (crime of heresy), only *after* which time he can be “avoided...before any excommunication and judicial sentence” (human punishment). He further affirms that “heretics” (whose crime is determined on the authority of Titus 3:10) “are cut off from the Body of Christ” as a punishment for their heresy (divine punishment).

Fr. Sebastian Smith also confirms that Bellarmine and Suarez held the same “common opinion.” His classic work *Elements of Ecclesiastical Law* (1881) provides: “*Question*: Is a Pope who falls into heresy deprived, *ipso jure*, of the Pontificate? *Answer*: There are two opinions: one holds that he is by virtue of divine appointment, divested *ipso facto*, of the Pontificate [Bellarmine and Suarez on the **punishment**]; the other, that he is, *jure divino*, only removable [Cajetan]. Both opinions agree that he must at least be declared guilty of heresy by the church [Bellarmine and Suarez on the **crime**] i.e., by an ecumenical council or the College of Cardinals. The question is hypothetical rather than practical.” We see Fr. Smith making this same clear distinction between Bellarmine and Suarez’s common treatment of the crime versus their common treatment of the punishment, a distinction that sedevacantists have failed to notice or acknowledge (but will surely claim to have done after the publication of this article).¹⁸

¹⁷ See “Robert Siscoe and John of St. Thomas Respond to Fr. Cekada,” Catholic Family News, September 2014, p. 28.

¹⁸ Fr. Boulet correctly describes the Fourth Opinion (of Cajetan) as: “The heretical pope would lose effectively his pontificate only upon an official declaration of heresy.” However, he incorrectly accuses Suarez of holding this position: “Even though such opinion is defended by serious theologians, like

The following quotes prove how sedevacantists have misunderstood the teachings of Suarez and thus have failed to recognize the distinction between the crime and punishment aspects of the process. For example, sedevacantist priest Fr. Cekada erroneously interprets Suarez to require a declaration of the punishment, when Suarez was actually referring to the declaration of the crime. Fr. Cekada boldly proclaims: “But Suarez, who tended to lose most controversies with other Catholic theologians, was the **only** theologian [also not true!] who held that position [that a declaration of punishment was required]. The rest all taught that a schismatic pope loses the pontificate automatically because heresy and schism both represented ‘defection from the faith” (emphasis added).¹⁹ We could thus say about Fr. Cekada what he has publicly said about his opponents: “He’s a windbag who has no idea what he is talking about.”²⁰

Sedevacantist John Lane makes the same mistake when he interprets Suarez as requiring a declaration for the deposition (divine punishment): “Francisco Suarez did in fact hold the discredited minority position that a public heretic would have to be deposed by the Church.”²¹ As we have seen, Mr. Lane commits the same error. Lane also says: “It is true that some authorities have taught that in the extraordinary case of a *pope* falling into heresy (something the best authorities believe to be impossible), the loss of office would not occur, or would not be known, until after a declaration by a General Council or a Conclave. Who are these few? John of St. Thomas, Suarez, Cajetan, Bioux. Not a canonised saint or a Doctor among them, and they constitute a tiny minority.”²² Lane thus denigrates the opinion of the “Doctor Eximus et Pius” without understanding his actual position.

John Daly also says: “Those involved reject the Vatican II changes in liturgy and doctrine, but believe that Wojtyla is still pope because they think that the canonical effects of heresy do not occur automatically and because they follow the opinion of those theologians who hold that a heretic can continue to be pope - Cajetan, Suarez and John of St Thomas.”²³ As we have seen, Suarez (and also John of St. Thomas) did not believe a manifest heretic could “continue to be pope” as Mr. Daly claims, but, like Bellarmine, held that he “is *ipso facto* and immediately deposed by Christ” (punishment), but only *after* ecclesiastical authority (not private judgment) has judged

Cajetan and Suarez, it is not admitted by St. Robert Bellarmine.” As we have demonstrated, this assessment is erroneous.

¹⁹ “Sedevacantism and Mr. Ferrara’s Cardboard Pope,”

(<http://www.traditionalmass.org/articles/article.php?id=66&catname=14>)

²⁰ In addition to stooping to the level of insulting me for my last name in “Salza on Sedevacantism: Same Old Fare” (2011), Fr. Cekada refers to both Chris Ferrara and Robert Siscoe as “windbags” who “don’t know what they are talking about.” See Sedevacantism and Mr. Ferrara’s Cardboard Pope (ibid.), and Siscoe Plays Hopscotch with Bellarmine, <http://www.fathercekada.com/2014/05/07/bergoglio-hes-got-nothing-to-lose/bellarmino-fraud-copy/>

²¹ “Anti-Sedevacantism: Is it Catholic?” <http://sedevacantist.com/isitcatholic.html>

²² “Responses to Some Anti-Sedevacantist Objections,” http://www.the-pope.com/contra_objections.html

²³ “Have We Correctly Understood Schism,?” <http://sedevacantist.com/npis.html>

the offense (crime). Sedevacantist Peter Dimond is so confused on these issues that he even refers to “Suarez’s fallible speculations from 400 years ago” and “the inaccurate speculations of Suarez”²⁴ – which would necessarily include the “fallible” and “inaccurate speculations” of Bellarmine “from 400 years ago” as well!

Sedevacantists cleverly attempt to pit Bellarmine against Suarez, and now we know why: By pretending that they are addressing the same issue, they can argue that Bellarmine’s opinion (loss of office without a declaration for the **punishment**) and Suarez’s opinion (loss of office upon declaration for the **crime**) are two opposing opinions, and that Bellarmine’s opinion must therefore prevail because he is a Doctor of the Church. We have proven this to be a false distinction and thus a completely fallacious argument. Bellarmine and Suarez *both* held that a manifestly heretical Pope automatically loses his office, *ipso facto* – but only after being judged by ecclesiastical authority.

In pursuit of justice and the “certitude of probability,” St. Thomas teaches that when there are witnesses of equal number and standing on both sides of the argument, “the accused should have the benefit of the doubt, because the judge ought to be more inclined to acquit than to condemn...”²⁵ (Should it be any less for the Pope?) However, St. Thomas also says, “Now it is probable that the assertion of several witnesses contains the truth rather than the assertion of one” and thus “the assertion of several witnesses should be upheld.”²⁶ This is the case against sedevacantism, where the assertion of “several witness” (Bellarmine, Suarez, Francis de Sales, John of St. Thomas, and many others) contains the truth against the “one” witness of sedevacantism. Case dismissed.

²⁴ “The Remnant and Robert Siscoe Refuted on Sedevacantism,”
http://www.mostholymfamilymonastery.com/catholicchurch/remnant-robert-siscoe-refuted-sedevacantism/#.VE3JAI_u3VI

²⁵ ST, II-II, Q 70, Art 2, ob 2.

²⁶ *Ibid.*