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STUDIA FRIBURGENSIA

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JOHN CAHILL O.P.

THE DEVELOPMENT
OF THE THEOLOGICAL CENSURES
AFTER THE COUNCIL OF TRENT

(1563-1709)

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"Satis non est haereticam pravitatem devitare, sed oportet illos quoque errores diligenter fugere, qui ad illam plus minusve accedunt; quare omnes debent etiam constitutiones et decreta servare quibus pravae huiusmodi opiniones a Sancta Sede proscriptae et prohibitae sunt".

(C. I. C., can. 1324.)

PREFACE

The idea of this work first presented itself to me when I was teaching dogmatic theology at Tallaght, Co. Dublin. The fact that not all the propositions condemned by the Church are heretical, but that there are greater and less degrees in heterodoxy and corresponding dogmatic censures, then took on for me a new force and a particular significance. A study having for its object the nature of these censures seemed feasible, not from the point of view of their actual application, but in virtue of the fact that opposites throw light on each other. In other words, a study of the different modes of heterodoxy should enlighten us on orthodoxy. An investigation into the nature of the dogmatic censures should bring out more clearly the nature of orthodox theology according to the mind of the Church.

Later, I put this idea before Fr. Hoffmann O. P. at the University of Fribourg, Switzerland, and he gave me every encouragement. I now take the opportunity of thanking him for his help and direction in this undertaking, and also Fr. Stirnimann O. P., professor at the same university, for many valuable suggestions. The Commission of the *Studia Friburgensia* has been pleased to accept this work for inclusion in its collection. It is now offered in the hope of making some contribution, no matter how small, in the domain of theology and to the advancement of truth.

JOHN CAHILL O. P.

SIGLA

DTC	=	Dictionnaire de Théologie Catholique.
Dz	=	Denzinger-Bannwart, Enchiridion Symbolorum, ed. 24-25, Barcelona 1948.
Hurter N. L.	=	Hurter S. J., Nomenclator Literarius Theologiae Catholicae, ed. 3, Oeniponte 1907.
Msi	=	Mansi, I. D., Sacrorum Conciliorum nova et amplissima collectio, Florentiae 1759 seqq.
T. C. C.	=	Migne, J. P., Theologiae Cursus Completus, Parisiis 1839.

TABLE OF CONTENTS

Preface	VII
Introduction	XIII

CHAPTER ONE

The Erroneous Proposition

ARTICLE I

The Censure of <i>Error</i> as Applied in the Condemnations of the Church.	1
--	---

ARTICLE II

The Erroneous Proposition as Explained before Melchior Cano	4
A. The opinion of S. Antoninus (1477).	5
B. The opinion of Turrecremata (1489)	7
C. The opinion of Silvester Prierias (1516).	9
D. The opinion of Alphonsus de Castro (1547)	9
E. The opinion of Jacobus de Simancas (1552)	13
F. Concluding remarks	14

ARTICLE III

The Censure of <i>Error</i> According to Melchior Cano (1563)	15
A. Cano on the distinction between heresy and <i>error</i>	17
B. The first grade of <i>error</i>	20
C. The second grade of <i>error</i>	25
D. The third grade of <i>error</i>	26
E. The theological conclusion according to Cano	28

ARTICLE IV

Cano's Explanation under Scrutiny	31
A. Jacobus de Simancas (1575)	31
B. Dominicus Banez (1584)	32
C. Petrus de Lorca (1614)	34

ARTICLE V

The Erroneous Proposition According to Suarez (1621)	38
A. Suarez examines the interpretation of Cano	40
B. Suarez' own explanation of the erroneous proposition	42
C. Theological conclusions according to Suarez	44

ARTICLE VI	
Lugo Endorses the Interpretation of Suarez (1646)	46
A. The erroneous proposition constitutes a distinct censure.	47
B. Lugo on the interpretation of S. Antoninus	47
C. Lugo considers the opinion of Alphonsus de Castro	48
D. Lugo considers the doctrine of Cano	49
E. Lugo's interpretation of the erroneous proposition	53
ARTICLE VII	
The Salmanticenses and the 'More Common Opinion' (1679)	55
A. The more common opinion	56
B. The theological conclusion according to the Salmanticenses	57
C. Concluding remarks	60
ARTICLE VIII	
Antonio de Panormo (1709)	60
A. The erroneous proposition is opposed to mediate revelation	62
B. Are the censures of <i>error</i> and heresy incompatible?	66
C. The erroneous proposition in relation to heresy	68
D. A proposition judged erroneous on extrinsic evidence	69
E. Examples of erroneous propositions.	71
ARTICLE IX	
Recapitulation and Conclusion	76
CHAPTER TWO	
The Proposition which is <i>Haeresi Proxima</i>	
ARTICLE I	
Interpretations of <i>Haeresi Proxima</i> before Lugo	83
A. Melchior Cano (1563)	83
B. Petrus de Lorca (1614)	86
C. Franciscus Suarez (1621).	88
ARTICLE II	
Lugo's Interpretation of <i>Haeresi Proxima</i>	90
A. Lugo's interpretation (1646)	90
B. The censure of <i>haeresi proxima</i> is extrinsic to the condemned proposition	92
C. <i>Haeresi proxima</i> in comparison with the censure of <i>error</i>	93
D. <i>Errori proxima</i>	95
E. Conclusion	96
ARTICLE III	
Panormo Corrects the Interpretation of Lugo (1709)	98
A. Probable heresy, as distinct from <i>haeresi proxima</i>	98
B. An alternative explanation.	101

ARTICLE IV	
Recapitulation and Conclusion	104
CHAPTER THREE	
<i>Haeresim Sapiens — De Haeresi Suspecta</i>	
ARTICLE I	
<i>Haeresim Sapiens</i> and <i>De Haeresi Suspecta</i> , as Used in the Condemnations of the Church	110
ARTICLE II	
<i>Haeresim Sapiens</i> According to the Doctrine of Cano (1563)	111
A. Different interpretations of <i>haeresim sapiens</i> before Cano	112
B. Cano examines the definition of Castro	113
C. Banez interprets the mind of Cano (1584).	115
D. Lorca agrees with Cano and Banez (1614)	116
ARTICLE III	
<i>Haeresim Sapiens</i> According to the Doctrine of Suarez (1621)	117
A. Suarez on the opinion of Simancas	117
B. Suarez on the opinion of Castro	118
C. Suarez gives his own interpretation of <i>haeresim sapiens</i>	120
ARTICLE IV	
A Distinction Introduced by Lugo (1646)	122
ARTICLE V	
The Salmanticenses Combine the Doctrine of Cano and Lugo (1679)	124
A. The Salmanticenses on <i>haeresim sapiens</i>	125
B. The Salmanticenses on <i>de haeresi suspecta</i>	127
ARTICLE VI	
The Opinion of Antonio de Panormo (1709).	128
A. <i>Haeresim sapiens</i> according to Lauria (1673).	128
B. Panormo is influenced by Lauria	129
C. Panormo rejects Cano's interpretation.	131
D. Panormo gives his own interpretation of <i>haeresim sapiens</i>	132
ARTICLE VII	
Recapitulation and Conclusion	134
CHAPTER FOUR	
<i>Male Sonans — Piarum Aurium Offensiva</i>	
ARTICLE I	
<i>Male Sonans</i> and <i>Piarum Aurium Offensiva</i> , as Applied in the Dogmatic Condemnations of the Church.	142

ARTICLE II	
The Period of Identity	143
A. Different interpretations before Cano	144
B. The interpretation of Cano (1563)	145
C. Influence of Cano on subsequent opinions	149
ARTICLE III	
The Period of Distinction	151
A. Suarez introduces a distinction (1621).	151
B. Lugo determines the distinction of Suarez (1646)	152
C. The Salmanticenses select the most authoritative interpretation (1679).	156
ARTICLE IV	
The Second Period of Identity	159
A. Laurentius Brancatus de Lauria (1673)	160
B. Panormo depends on Lauria (1709).	162
C. Panormo gives his own explanation of the censure	163
D. Montaigne is influenced by Panormo (1732)	164
ARTICLE V	
Final Distinction: Jos. Gautier (1756).	166
ARTICLE VI	
Recapitulation and Conclusion	169
General Conclusion.	173
A. The censure of <i>error</i> according to the most authoritative sources.	174
B. The censure of <i>haeresi proxima</i> according to the most authoritative sources.	178
C. The censures <i>haeresim sapiens</i> and <i>de haeresi suspecta</i> according to the most authoritative sources	183
D. The censure of <i>male sonans</i> according to the most authoritative sources.	185
E. The censure <i>piarum aurium offensiva</i> according to the most authoritative sources.	188
Bibliography.	190
Index of Authors.	193

INTRODUCTION

The purpose of this dissertation is to investigate the nature of the more important theological censures which are less than heresy. The theological or dogmatic censures — as distinct from ecclesiastical censures — represent different modes of deviation from Catholic truth. Heresy is naturally the greatest form of deviation, in so far as it represents immediate and direct opposition to what the Church holds to be doctrine of faith. However, there are different degrees of error which do not imply such blatant opposition to faith as the heretical proposition, and it is these lower degrees of heterodoxy which we wish to investigate.

From the earliest times the Church has always been vigilant in defending the deposit of faith, and has condemned as heretical a host of perverse doctrines which appeared in the course of centuries. However, it was not only the censure of heresy which the Church applied. There is ample evidence of opinions being condemned as *haeresi proxima*, *haeresim sapiens*, *de haeresi suspecta*, etc.

The origin of the lesser dogmatic censures is lost in antiquity. They were applied by the universities and theologians long before they were officially used by the Church in dogmatic condemnations. However, as we shall presently see, no serious effort was made to determine their meaning until the sixteenth century.

The Church never explained officially the meaning of these lesser censures. This was left to the interpretation of the theologians; so that to-day there are many and varied opinions regarding the nature of the lesser doctrinal censures. It is in the hope of gleaning some concrete information from the most reliable sources that we undertake our present investigation. In this way it may be possible to construct an authoritative definition and description of each censure.

It is hardly necessary to stress the utility and importance of our project. These censures are intimately connected with faith and the

very principles of theology. Consequently, it is imperative that the theologian should be equipped with an authoritative interpretation of the theological censures to enable him to understand the mind of the Church, as expressed in so many dogmatic condemnations. Likewise, from the point of view of giving a theological judgment on questionable doctrine, a knowledge of the doctrinal censures is indispensable.

The title of this dissertation suggests that we have selected the post-Tridentine period for special investigation, and that we are going to trace the development of the censures during that time. While all this is quite true, there is still need for clarification. Firstly, though the post-Tridentine period is the main field of our research, we are not confining ourselves to it. As we shall presently see, it will often be necessary to investigate opinions which were advanced both before and long after the Council of Trent. Secondly, though we shall proceed in chronological order, our aim is not purely historical. As stated in the very first line of the introduction, the purpose of this dissertation is to investigate the nature of the lesser theological censures, and not just an historical study. However, the best way to investigate the nature of these censures is to trace their development after the Council of Trent. In short, the selection of the post-Tridentine period and the tracing of the development of the censures is a means to an end. It is our contention that this is the best means to suit our purpose. This relationship between the means and the end will become much clearer if, at this stage, we give the results of our preliminary research.

The Council of Constance (1414-1418) is of great importance for many reasons. There is one aspect of this council, however, which is very rarely stressed and yet, from the point of view of theological censures, it may be termed as epoch-making. It is not so much the fact that so many articles of Wyclif and Huss were condemned, as the mode in which these propositions were censured. Here the Church applied cumulative censures, or as it was termed in the language of later theologians, condemned the propositions *in globo*. In this special mode of condemnation instead of censuring each error specifically, a list of the unorthodox propositions was drawn up and to it was affixed a number of theological censures. This meant that there was no proposition which did not incur at least one of the censures, and that each censure named could be applied to at least one of the given articles. As to which censure each proposition merited, however, the Church

did not determine. That was a matter which was left to the interpretation of the theologians. In the mind of the Church it sufficed that such errors should be condemned, and thus the faithful were put on their guard against them.

It was only natural that the curiosity of the theologians should have been aroused as to the nature of these censures which were thus applied by the Church. We are not surprised, therefore, in finding this question discussed in most of the theological treatises which were written immediately after the Council of Constance¹. It was in his consideration of heresy that the theologian usually enquired into the nature of the doctrinal censures which are less than heresy.

In the post-Constance period, the main authorities on these censures were S. Antoninus O. P. († 1459), Turrecremata O. P. († 1468), Silvester Prierias O. P. († 1523), Alphonsus de Castro O. Min. († 1558), and Jacobus (Didacus) de Simancas († 1583). These theologians were pioneers in interpreting the lesser theological censures. They were obviously groping in the dark, seeking out the most likely explanation in each case. We shall see that most of the opinions put forward between Constance and Trent were totally abandoned in later years. However, they served as a starting point for subsequent theologians who gained at least some negative knowledge from the mass of conflicting views.

Immediately after the Council of Trent, considerable progress was made regarding the interpretation of the theological censures in the doctrine of Melchior Cano O. P. He minutely examined and rejected the main opinions which existed before his time, and made full use of every piece of evidence which he could glean from the condemnations issued at Constance to guide him in his project. Unlike his predecessors, Cano was not satisfied with a few lines of explanation. He gave an adequate description of each censure, and brought forward arguments to establish his doctrine.

¹ It was often taken for granted by these theologians that the first dogmatic condemnations *in globo* took place at the Council of Constance. This supposition was false, however, since this mode of censuring was observed by the Church in the condemnation of the Fraticelli in the year 1318 (cf. Dz 484-490); Marsilius Patavini and Ioannes de Ianduno in the year 1327 (cf. Dz 495-500), and in the condemnation of Ekard in 1329 (cf. Dz 501-529). Admitting that the lower censures and the particular mode of condemnation which was termed *in globo*, were officially used by the Church before Constance, nevertheless, it was this council which put them before the public eye and aroused speculation as to their nature.

However, writing at such an early date with nothing but the decrees of the Council of Constance to guide him, Cano was at a great disadvantage and made many mistakes, as became evident in the light of subsequent condemnations. Nevertheless, his exposition began a new epoch in the development of the censures. After him, theologians had something more definite to work on in so far as many outstanding difficulties were now solved. Ideas gradually became clearer and more definite until the year 1709, when Antonio de Panormo's *Scrutinium Doctrinarum* appeared. We refer to the years which intervened between Cano and Panormo as the post-Tridentine period. It was during this time that all the main opinions regarding the censures were put forward. After Panormo, theologians were content merely to quote from their predecessors, and their doctrine differed according to the authority which they used.

We have now set out three great periods in the history of the theological censures. Firstly, there was the post-Constance period (1418-1563 A. D.). Hardly any opinion which was advanced at this stage survived in later years. Secondly, there was the post-Tridentine period which began with the publication of Cano's *De Locis Theologicis* (1563) and lasted until the year 1709, when Panormo's *Scrutinium Doctrinarum* appeared. During these years the problem of interpreting the lower theological censures was seriously considered. Thirdly, we have the modern period which began after Panormo. In this period very little advance was made, and theologians were content to depend on their predecessors rather than give the problem serious attention themselves.

Thus far it has been explained why our choice fell on the post-Tridentine period to investigate the evolution of the censures. But now another problem arises; which theologians are to be consulted? This difficulty is easily solved since the number of authors in this period who wrote on the censures and made a real contribution towards their correct interpretation, is comparatively small. The main opinions were advanced by the following theologians: Melchior Cano († 1560), Jacobus de Simancas (in the second edition of his *Institutiones Catholicae*), Banez († 1604), Petrus de Lorca O. Cist. († 1606), Franciscus Suarez S. J. († 1617), Joannes de Lugo S. J. († 1660), the Carmelites of Salamanca (their tract on faith was written in 1676 and first published in 1679), Laurentius Brancatus de Lauria O. Min. Conv. († 1693) and Antonio de Panormo, (it is not known when he died, but he certainly was

living in the year 1714). The authority of each one of these authors will be made clear when we examine their doctrine in detail. Some were more important than others, and made greater contributions towards giving a clear interpretation of each censure.

Even though the above mentioned theologians are the main authorities, we shall not confine ourselves to them. For instance, to understand correctly the doctrine of Cano it will be necessary to examine the opinions which preceded him and the difficulties he had to face. Likewise, it will often be necessary to go beyond Antonio de Panormo and see how a particular interpretation fared in later years. However, the main authorities are those we have cited above. These were the only opinions which were referred to in later years. Consequently, in examining the post-Tridentine period we are simultaneously examining and judging a host of opinions which were advanced in the modern period because, as we have stated, the modern authors blindly followed the opinions of the earlier theologians.

So far we have determined the period of our investigation and the authors who are to be consulted. Here another problem arises; how are we to judge the individual opinions? We have already pointed out that the Church never determined the nature of the lower censures but left this matter for the theologians to interpret. As we shall presently see, there was no unanimity regarding the nature of each censure. Since our purpose is to find out the most authoritative interpretation in each case, we must have some criteria to judge the individual opinions.

Firstly, we ourselves shall make a careful analysis of each opinion, and closely examine the arguments brought forward in its support. Then we shall see the theologians discussing the opinions of one another and advancing arguments for and against in each case. We shall carefully note such criticism, and when we think that a particular doctrine or opinion is sufficiently disproved, we shall abandon it as a suitable explanation of the censure in question. However, the greatest criterion we shall use will be the official or dogmatic condemnations of the Church.

The interest of the theologians regarding the nature of the theological censures was first aroused when the Council of Constance condemned several articles of Wyclif and Huss *in globo*. After Constance, this interest was kept alive by many subsequent similar condemnations. This mode of censuring *in globo* did not end with the Council of

Constance. As we shall presently see, it continued until the eighteenth century when Pope Clement XI used it for the last time in condemning the errors of Quesnel. The theologians carefully considered all these condemnations in the hope of gleaning any evidence available to help them in interpreting the censures. If, for instance, two censures were applied in the same dogmatic condemnation, this was a sign that according to the mind of the Church these censures are distinct from each other. Likewise, the theologians considered the enumeration of the censures in each cumulative condemnation. If the censure of *error* was listed immediately after heresy, (as is the case in the condemnations applied by the Council of Constance) this constituted a sign that *error* is the next gravest censure after heresy. Further down we shall make a list of all the dogmatic condemnations which took place between Constance and 1713 A. D., and in which the lower theological censures were applied. We shall carefully examine the text of each decree, and then when we discuss the doctrine of any theologian, we shall take into account what dogmatic condemnations were available to him, and what evidence was at hand. If his doctrine should be in contradiction to later decrees of which he was not aware, then we shall abandon it as a suitable explanation of the censure in question.

As we shall see later on, a number of theologians based an interpretation of a censure on the use of a particular word in a dogmatic condemnation. In such a case, we shall examine later condemnations to see if their theory was corroborated. If, for instance, we should see Melchior Cano holding that the erroneous proposition is contrary to *doctrina catholica* because the Council of Constance stated that some of the articles of Wyclif and Huss were '*non catholici sed erronei*', we shall make a careful study of this condemnation to see if the term '*non catholici*' governs the erroneous propositions alone. Then we shall examine later dogmatic condemnations to see if they used similar expressions.

These then are our criteria for judging the different interpretations of the theological censures: firstly, we shall make a careful analysis of each opinion ourselves; secondly, we shall study the criticisms which theologians make of one another's doctrine; thirdly, we shall compare each opinion with the evidence which is available from the dogmatic condemnations of the Church. In this way we hope to be able to seek out the most authoritative interpretation of the censures, *error*, *haeresi*

proxima, *haeresim sapiens*, *de haeresi suspecta*, *male sonans* and *piarum aurium offensiva*. It will be noted that there is a gradation in gravity in these censures. This will become more apparent when we consider each one in detail.

In spite of the fact that we are treating of six different theological censures in this dissertation, we shall see that they are intimately connected with each other. In fact, it is easier to treat of six than to treat of just one, because the same notions which some theologians suggested to explain a particular censure were applied by others to explain something totally different. In treating of all six censures together, we shall be better equipped to judge each opinion. Once we have determined the most authoritative interpretation of one censure, we can reject any opinion which puts forward the same notion to explain something else.

Nothing now remains but to give the list of dogmatic condemnations which took place between the Council of Constance and the condemnation of the articles of Quesnel in 1713 A. D., and which influenced the different interpretations of the censures¹. Before concluding our introduction, however, we would like to remark that the principles we have laid down thus far will be justified in the following chapters. In the course of our investigation, our choice of period, theologians and criteria will be vindicated. It is obvious that these cannot be examined more closely at this early stage.

¹ In this list we are omitting the dogmatic condemnations of moral doctrines which took place under Pope Alexander VII in the year 1666 (cf. Dz 1101-1145), and under Pope Innocent IX in 1679 (cf. Dz 1151-1215). In the former condemnation all the propositions are censured together as '*ut minimum tanquam scandalosae*', and in the latter, the propositions are censured as '*tanquam scandalosae et in praxi perniciosae*'. It is obvious from the matter condemned in these two decrees, and from the nature of the censure affixed in each case, that they are of no value to us in our present investigations.

Dogmatic Condemnations in which the
Lower Theological Censures were Used
1418-1713 A. D.

1^o The Oecumenical Council of Constance, 1414-1418 A. D.

a) Session VIII.

Forty-five articles of Wyclif were condemned as follows:

"... quibus articulis examinatis, fuit repertum (prout in veritate est) aliquos et plures ex ipsis fuisse et esse notorie haereticos, et a sanctis patribus dudum reprobatos; alios non catholicos, sed erroneos; alios scandalosos et blasphemos, quosdam piarum aurium offensivos, nonnullos eorum temerarios et seditiosos."

Cf. Dz 581-625; Msi, t. 27, col. 634.

b) Session XV.

Thirty articles of Huss were condemned as follows:

"... articulos infrascriptos... non esse catholicos, nec tanquam tales esse dogmatizandos; sed ex eis plures esse erroneos, alios scandalosos, aliquos piarum aurium offensivos, pluresque eorum esse temerarios et seditiosos, et nonnullos eorumdem esse notorie haereticos..."

Cf. Dz 627-656; Msi, loc. cit., col. 752.

c) In the papal bull, '*Inter Cunctas*' (22nd Feb. 1418), Pope Martin V drew up certain interrogations for the followers of Wyclif and Huss. One of these interrogations concerned the condemnations issued by the Council of Constance. It reads as follows:

"Item specialiter litteratus interrogetur, utrum credat sententiam sacri Constantiensis Concilii super quadraginta quinque Ioannis Wicleff, et Ioannis Hus triginta articulis superius descriptis latam, fore veram et catholicam: scilicet, quod supradicti quadraginta quinque articuli Ioannis Wicleff et Ioannis Hus triginta non sunt catholici, sed quidam ex eis sunt notorie haeretici, quidam erronei, alii temerarii et seditiosi, alii piarum aurium offensivi."

Cf. Dz 661.

2^o Pope Leo X (15th June 1520) condemned 41 Lutheran errors as follows:

"Praefatos omnes et singulos articulos seu errores tanquam, ut praemititur, respective haereticos, aut scandalosos, aut falsos, aut piarum

aurium offensivos, vel simplicium mentium seductivos, et veritati catholicae obviantes, damnamus, reprobamus, atque omnino reicimus."

Cf. Dz 741-781.

3^o Pope S. Pius V (1st Oct. 1567) condemned 79 articles of Baius as follows:

"... in rigore et proprio verborum sensu ab assertoribus intento haereticas, erroneas, suspectas, temerarias, scandalosas, et in pias aures offensionem immittentes respective... damnamus."

Cf. Dz 1001-1080.

4^o The Holy Office (28th August 1687) condemned 68 errors of Molinos. This condemnation was afterwards reiterated by Pope Innocent XI.

"Damnatae tanquam haereticae, suspectae, erroneae, scandalosae, blasphemiae, piarum aurium offensivae, temerariae, christianae disciplinae relaxativae, eversivae, et seditiosae respective."

Cf. Dz 1221-1288.

5^o In August 1690, the Holy Office condemned two propositions; the first pertaining to the goodness of human acts, and the second pertaining to the culpability of a philosophical sin. This was a specific condemnation in the sense that each article was censured separately. The condemnations were as follows:

a) Declarata et damnata uti haeretica.

b) Declarata et damnata uti scandalosa, temeraria, piarum aurium offensiva, et erronea.

Cf. Dz 1289-1290.

6^o The Holy Office (7th Dec. 1690) condemned 31 propositions of the Jansenists as follows:

"Damnatae et prohibitae tanquam temerariae, scandalosae, male sonantes, iniuriosae, haeresi proximae, haeresim sapientes, erroneae, schismaticae, et haereticae respective."

Cf. Dz 1291-1321.

7^o Pope Innocent XII (12th March 1699) condemned 23 propositions of Fénelon as follows:

"Damnatae et reprobatae tanquam sive in obvio earum verborum sensu sive attenta sententiarum connexionione, temerariae, scandalosae, male sonantes, piarum aurium offensivae, in praxi perniciosae ac etiam respective erroneae."

Cf. Dz 1327-1349.

8^o Pope Clement XI (Sept. 1713) condemned 101 propositions of Quesnel as follows:

"Declaratae et damnatae tanquam falsae, captiosae, male sonantes, piarum aurium offensivae, scandalosae, perniciosae, temerariae, Ecclesiae et eius praxi iniuriosae, neque in Ecclesiam solum, sed etiam in potestates saeculi contumeliosae, seditiosae, impiae, blasphemae, suspectae de haeresi ac haeresim ipsam sapientes, necnon haereticis et haeresibus ac etiam schismati faventes, erroneae, haeresi proximae, pluries damnatae, ac demum haereticae."

Cf. Dz 1351-1451.

CHAPTER ONE

The Erroneous Proposition

ARTICLE I

The Censure of "Error" as Applied in the Condemnations of the Church

Before considering the different explanations of the censure of *error*, it will first of all be necessary to see how it was used in the official condemnations of the Church. As we have already stated in the introduction, the interest of theologians in the nature of these censures was first aroused by the Council of Constance (1418), which applied a cumulative censure to certain propositions of Wyclif and Huss. This interest was kept alive by subsequent similar condemnations which we have already outlined in the introduction. We shall now see how the censure of *error* was applied in each case¹.

1^o a) In the condemnations of the errors of Wyclif in the eighth session of the Council of Constance, *error* is applied together with heresy and five other theological censures. It must be remembered that for the theologians, this was a sign that according to the mind of the Church all these censures were distinct from one another. It is also to be noted that in this decree, *error* occupies the next place to heresy, coming before all the other censures.

b) In the fifteenth session of the same council, the condemnation applied to the errors of Huss is almost identical with that which we have just seen above. However, in this case the list begins with *error* and ends with heresy; all the other censures coming in between.

¹ Here we refer to the outline of these condemnations which is to be found in the introduction. If this outline is used in conjunction with the following observations, unnecessary references will be avoided.

c) In the interrogations prescribed by Pope Martin V (1418), the suspected heretics were to be asked if they believed in, and agreed to the condemnations of the errors of Wyclif and Huss. Here in the interrogations the censures relating to the two sets of propositions are repeated in a general way, and once again we see the censure of *error* being listed immediately after heresy.

2° In the condemnation of Luther's errors by Pope Leo X (1520), there is no mention of the censure of *error*.

3° In a similar condemnation of seventy-nine propositions of Baius by Pope S. Pius V (1567), heresy and *error* were once again applied. *Error* is listed immediately after heresy, and before *suspecta* i. e. suspicion of heresy.

4° When Pope Innocent XI condemned sixty-eight propositions of Molinos (1687), heresy and *error* were again used, but this time the censure *suspecta* is listed after heresy and before *error*.

5° During the pontificate of Pope Alexander VIII (1690), the Holy Office condemned two propositions. The first, pertaining to the goodness of human acts, was condemned as heretical, while the second, dealing with the culpability of a philosophical sin, was censured as erroneous. This is the only specific condemnation which falls within the scope of our present investigation, and for this reason it is of considerable importance. This condemnation afforded a concrete example of what the Church deemed to be an erroneous proposition.

6° Also during the pontificate of Pope Alexander VIII, there was a cumulative condemnation attached to thirty propositions of the Jansenists. Here again heresy and *error* are to be found, but the censure *schismatica* is placed next to heresy, thus separating it from *error*. This condemnation is important because the censures *haeresi proxima* and *haeresim sapiens* are here applied for the first time, and both are distinguished from *error*.

7° In the condemnation of twenty-three propositions of Fénelon during the pontificate of Pope Innocent XII (1699), the censure of *error* was applied once again, but this time, there was no mention of heresy.

8° The last of the cumulative condemnations took place during the pontificate of Pope Clement XI (1713), when over a hundred propositions of Quesnel were condemned. Here we find that all the important theological censures (of which we are treating in this dissertation) were used and thus distinguished from one another. It is to be noted, however, that here the censure *haeresi proxima* occupies first place, coming next to heresy and before *error*.

As may be seen from this list, in all the above mentioned condemnations with the exception of one, the censure of *error* is used. It appeared in the very first cumulative condemnation which was applied by the Council of Constance¹. We have already mentioned that these decrees greatly influenced the theologians in their efforts to explain the theological censures. Consequently, it will always be necessary to state exactly which condemnations were available to the individual authors. Then, for instance, if we should find a theologian identifying *error* with the censure *haeresi proxima*, we must examine the official condemnations of the Church to which he had access and find out if he had ever seen these two censures applied, and furthermore, if he had seen them in the same dogmatic condemnation.

In our brief outline of the censure of *error* in the condemnations of the Church, we have seen that in most cases it is placed very close to heresy in the list of censures applied. At first sight it would seem

¹ We do not mean to suggest that the censure of *error* was for the first time used by the Church in the Council of Constance. We can point to the following instances when propositions were condemned as erroneous by the Church, long before the Council of Constance took place. In 1327 A. D., this censure was used against the articles of Marsilius Patavini and Ioannes Iandune. (cf. Dz 495-500). In 1347 A. D., this censure was used against the articles of Nicholas of Autrécourt. (Dz 553-570.) Finally, in 1368 A. D., three propositions of Dionysius Foullechat were condemned as false, erroneous, and heretical. (Dz 575-577.)

In this dissertation, however, we are not concerned so much with the condemnations of the Church which were issued before Constance, for the simple reason that in all our investigations and research, we have never found a theologian referring to them. It was Constance which first aroused interest as to the nature of the theological censures, and it was to this council and subsequent condemnations that the theologians looked for guidance in their efforts to explain the censures. Whether these previous condemnations were unknown or unavailable, it is difficult to say. The main point is, however, that the theologians never referred to them. Consequently, in our efforts to ascertain the possible circumstances which may have influenced the different opinions, we are not directly concerned with any condemnation which was issued before the Council of Constance.

that there is an hierarchic order in these lists, because they always either begin or end with heresy which is almost invariably followed by *error*. Against this, however, is the fact that in the last condemnation mentioned above¹ the censure *haeresi proxima* comes between *error* and heresy, while in the condemnation of the Jansenistic errors² this order is reversed, *error* coming next to heresy.

It is difficult to argue, therefore, from the order of the censures in these condemnations as to which is the more serious. For all information on this point, as well as on the nature of each censure, we must depend upon the interpretation of theologians.

ARTICLE II

The Erroneous Proposition as Explained before Melchior Cano

We have stated in our introduction that we wish to begin our investigation regarding the interpretation of the different theological censures with Melchior Cano. In our estimation, he was the first great authority to treat of them with any air of definiteness. To appreciate Cano's position, however, it is necessary to examine, if only briefly, the different opinions which existed before his monumental work *De Locis Theologicis* appeared (1563).

Ever since the Council of Constance (1418), the interest of the theologians had been aroused as to the nature of the theological censures. However, of all the theologians who wrote between this council and the publication of Cano's work, very few were afterwards cited as authorities regarding the theological censures. Usually their opinions were referred to only to be disagreed with. Among these theologians some were more eminent than others and were referred to more frequently in later years. We shall now consider these in chronological order, with special attention to their interpretation of the censure of *error*. This, we trust, will put us in a better position to appreciate Cano's doctrine, which we hope to consider more fully later on.

¹ Cf. outline of condemnations in introduction, no. 8.

² *Ibid.*, no. 6.

A. The opinion of S. Antoninus O. P.¹ (1477 A. D.)

The first theologian of note to be considered is S. Antoninus. When treating of heresy in his *Summa Theologica*, he devoted a special chapter to the ways in which one may deviate from Catholic truth short of being heretical. There we find his doctrine regarding the nature of of the erroneous proposition².

Of all the condemnations of the Church which we have listed above, S. Antoninus had access only to one, i. e. the condemnations of the Council of Constance³. It is not surprising, therefore, if we see him examine but a few of the theological censures. Besides heresy, he confines himself to *error* and the temerarious proposition.

For S. Antoninus, these three censures are intimately connected. Each heretical proposition is simultaneously erroneous and temerarious. This is not reciprocal, however, and it cannot be said that each temerarious proposition is both erroneous and heretical, or that each erroneous proposition is necessarily heretical⁴.

According to S. Antoninus, it is temerarious to assert anything relating to theology and faith without sufficient argument either from authority or reason to prove it. Even if the proposition be true, it is still temerarious to assert it without the requisite authority⁵.

Over and above the temerarious mode, the erroneous proposition

¹ S. ANTONINUS O. P. (1389-1459 A. D.), Archbishop of Florence. His principal work is the *Summa Theologiae Moralis*. Neither HURTER (N. L., t. 2, p. 957) nor MANDONNET (DTC, t. 1, col. 1450) give any definite information as to when the first edition of this work appeared. Both of these authors, however, give lists of the different editions to prove the frequent publication and popularity of the work, and in each case, the earliest date given is that of the Venice edition, 1477 A. D.

² Cf. S. ANTONINUS, *Summa Theologica*, tit. 12, cap. 5. Veronae (1740) col. 1162 et seqq.

³ Cf. outline of condemnations in introduction, no. 1.

⁴ Cf. S. ANTONINUS, op. cit., tit. 12, cap. 5, col. 1162 A. "Sciendum, quod circa ea quae sunt fidei vel etiam morum, quorum notitia necessaria est ad salutem, ista tria habent se per ordinem, scilicet, temerarium, erroneum et haereticum. Non enim omne quod est temerarium est erroneum, nec omne quod est erroneum est temerarium et haereticum; sed e contra, quod est erroneum est temerarium, et quod est haereticum est erroneum et temerarium."

⁵ *Ibid.*, col. 1162 B. "Temerarium ergo in huiusmodi est asserere tamquam certum illud, quod non potest ratione vel auctoritate probari efficaciter, sicut asserere quod mundus terminetur post centum vel ducentos annos: quamvis enim hoc possit esse verum; tamen, hoc asserere tamquam certum, est temerarium, quia ad hoc, nec auctoritas nec ratio efficax habetur."

includes falsity in matters of faith¹. At first sight this explanation of *error* seems to correspond to what is normally held to be heretical. It will be interesting, therefore, to see what extra elements S. Antoninus requires for a fully-fledged heretical proposition.

Mere falsity in matters of faith is not sufficient to constitute an heretical proposition. Such falsity must be notorious, and to it must be joined subjective pertinacity which is necessary for the sin of heresy. It is one thing to stray inculpably from the faith, but quite another to do so willingly and be heretical².

It is obvious from all this that according to the doctrine of S. Antoninus, the strict heretical proposition must depend on the subjective dispositions of its assertor. If pertinacity is not correlated to such a proposition, then it cannot be called heretical but erroneous.³

¹ Ibid., "Erroneum autem addit super temerarium, falsitatem, quia errare est recedere a via recta. Et quia habere veritatem in talibus pertinet ad viam ducentem ad beatitudinem, omnis autem falsa assertio recedit a rectitudine veritatis; ideo falsa assertio in talibus vocatur error, sicut erroneum est dicere quod Christus fuerit homo in triduo sepulturae suae; quod tamen Magister Sententiarum asserit in Tertio Sententiarum."

² Ibid., col. 1162 C. "Haereticum autem addit super errorem simplicem, quod falsitas sit notoria, et quod tali falsitati adhaereatur pertinaciter. Non enim omnis error est haeresis, alioquin non diceret Augustinus: errare potero, haereticus non ero."

³ This peculiar doctrine of S. Antoninus which correlates the sin of heresy to the heretical proposition, was upheld by a number of later theologians. For instance, MELCHIOR CANO (*De Locis Theologicis*, cap. 6.), after giving a lengthy examination of this problem, concludes that for the strict heretical proposition, the subjective sin and pertinacity of the assertor must be taken into account. Material opposition to truths of faith will not suffice. Pertinacity enters into the sin of heresy, and consequently, is required also for the heretical proposition.

According to this peculiar doctrine, no proposition may be censured as heretical, unless it can be proved that the assertor has all the subjective dispositions which are necessary for the sin of heresy. It is to be noted, however, that while Cano follows S. Antoninus regarding the nature of the heretical proposition, he does not uphold his opinion regarding the erroneous proposition, i. e. that it is a false statement in matters of faith, without the subjective elements which are necessary for heresy. Later, we shall discuss more fully Cano's doctrine on the censure of *error*.

Like Cano, Banez also upholds the doctrine of S. Antoninus regarding heretical propositions. (Cf. BANEZ in 2/2 S. Thomae, q. 11, a. 1.) If these subjective dispositions are not taken into account, he states, then the proposition may be said to be heretical only *secundum quid*, and not *simpliciter*.

SUAREZ (de fide, disput. 19, sect. 2, no. 2-10), disagrees with this opinion, and points out that the corresponding theological note is called doctrine of faith, without reference to the subjective faith of the Christians who may be here and now believing it. This latter opinion which is here proposed by Suarez, is commonly taken for granted to-day.

B. The opinion of Cardinal Turrecremata O. P. (1489 A. D.)¹

Later theologians, when treating of the theological censures, very often had occasion to refer to Turrecremata. This does not imply, however, that he is to be regarded as an authority on this question. If we examine these references more closely, we shall find that more often than not his opinion is quoted only to be rejected. It must be remembered that Turrecremata, like S. Antoninus, was at a great disadvantage when explaining these censures. As yet, very little had ever been written on the matter, and the chief dogmatic condemnation he had for guidance was that of the Council of Constance². It is not surprising, therefore, to find that his exposition of the theological censures is a rather short one. He treats of them all in two short chapters in his *Summa de Ecclesia*³.

Regarding the censure of *error*, he has very little to say except that the erroneous proposition asserts something which is false⁴. Unlike S. Antoninus, he does not state the difference between heresy and *error*. In explaining the heretical proposition, he merely cites seven ways in which revealed truth may be contradicted, according as the doctrine of faith is found in Sacred Scripture, divine tradition, or defined by the Church, etc. From this short exposition, therefore, it would seem that for Turrecremata the erroneous proposition has a wide signification, embracing all doctrine which is false, including heresy.

Before concluding our examination of the doctrine of Turrecremata, there is one last remark which is worthy of note. When he has finished outlining his seven degrees of heresy he states that there

¹ JOANNES DE TURRECREMATA O. P. (1388-1468 A. D.), may be ranked as one of the most illustrious theologians who flourished in Spain in the 15th century. He became Master of the Sacred Palace under Pope Eugene IV and was later created cardinal. Twenty-seven of his works have been edited, while fourteen still remain unpublished. The work for which he is most noted to-day is his *Summa de Ecclesia*, which first appeared in Rome, in 1489 A. D. It is in this book that we find his short exposition of the theological censures.

² Cf. outline of condemnations in introduction, no. 1.

³ Cf. TURRECREMATA, *Summa de Ecclesia*, lib. 4, pars 2, capp. 10-11. Venetiis (1561) pp. 383-4.

⁴ Ibid., cap. 11. "Propositio erronea dicitur propositio asserens aliquid quod est falsum, unde Augustinus, Libro de Academicis dicit; error est falsi pro vero approbatio."

are some propositions which, while not being absolutely heretical, come rather close to being so. Such propositions, he notes, may be termed *haeresim sapientes*, and the perverse doctrine which they enunciate, even though not heretical, will certainly culminate in heresy when another true principle is taken into account. To explain this he gives an example. The proposition which states that everyone living in Rome is in the state of mortal sin, is not heretical. Yet, when another known fact is taken into account, e. g. this infant, newly baptised, is in Rome, then heresy necessarily follows, i. e. this infant, newly baptised, is in the state of mortal sin. This conclusion is heretical, because it denies the efficacy of the sacrament of Baptism¹.

If we substitute a more simple example for this rather involved one of Turrecremata and employ the same principles, we shall have a clearer idea as to what the author means by the censure *haeresim sapiens*.

The proposition which states '*Christus est risibilis*', is not of faith. Yet if this fact is denied and another known principle — '*Omnis homo est risibilis*' — is taken into account, then heresy follows.

Christus non est risibilis,
Sed omnis homo est risibilis,
Ergo, Christus non est homo.

It seems clear from this that for Turrecremata, the denial of a theological conclusion will merit the censure *haeresim sapiens*. We mention this here because, as we shall see later on, the theological conclusion became intimately associated with the censure of *error in* later years.

¹ Ibid., cap. 10. "Praeter autem has species haeresum distinguitur quaedam species falsae assertionis, videlicet assertionum quae etsi absolute haereticæ non sint, sunt tamen *haeresim sapientes* quia haeresi propinque, qualis est quae asserit dogma perversum ex quo cum notorio vero quod negari non potest, sequitur haeresis proprie dicta. Verbi gratia, ista propositio, omnis homo existens Romae est in peccato mortali, potest dici sapere haeresim, quia ex ea cum aliquo vero coassumpto, videlicet quod infans noviter baptizatus est Romae, sequitur quod infans noviter baptizatus Romae sit in peccato mortali, quod est haereticum. Nam in Baptismo omnis homo sive parvulus sive magnus moritur peccato..."

C. The opinion of Silvester Prierias O. P.¹ (1516 A. D.)

There is nothing new regarding the censure of *error* to be noted in the doctrine of this author. Not only does he adhere to the opinion of S. Antoninus, but he states it in the same words².

D. The opinion of Alphonsus de Castro O. M.³ (1547 A. D.)

Of all the theologians who wrote on the theological censures before the publication of Melchior Cano's *de Locis* (1563), Alphonsus de Castro is, without doubt, the greatest authority. In his much quoted work *De Justa Punitione Haereticorum*, he devotes the third chapter of the first book to a consideration of the theological censures⁴. We are now about to consider this chapter in detail to ascertain his doctrine regarding the erroneous proposition.

At the outset, Castro candidly admits that he is at a loss to explain the difference between heresy and *error*. He notes that if we confine ourselves to a consideration of the name of this latter censure, then it has a very wide and generic signification, including even heresy. Generally speaking, *error* means the approval of falsity for truth or the rejection of truth for falsity. The erroneous proposition is necessarily false, and such a proposition in matters of faith — *error in*

¹ SILVESTER PRIERIAS O. P. († 1523), so called because of the place of his origin, Prierio, Piedmont, Italy. Like his predecessor Turrecremata, he was Master of the Sacred Palace. He was one of the first theologians to write against the errors of Luther. His principal work was the *Summa Summarum*, or, as it is also called, the *Summa Silvestrina*. This was first published at Cremona in 1516 A. D. In this *Summa*, the subject matter is arranged alphabetically, and we find his exposition of the theological censures in his consideration of the word 'heresy'.

² Cf. *Summa Silvestrina*, pars 1, 'haeresis', no. 3. Lugduni (1593), p. 478.

³ ALPHONSUS DE CASTRO O. Min. († 1558) A. D., was a Spanish theologian who attended the Council of Trent. His principal work was the compilation and alphabetical arrangement of all heresies which existed in the Church from the earliest times to his own day. This compilation was first published in Paris in 1534 A. D., under the title, *Adversus Omnes Haereses*. The work with which we are concerned here, however, is *De Justa Punitione Haereticorum*, where Castro examines the theological censures. This book was first published at Salamanca in 1547 A. D.

⁴ Cf. CASTRO, *De Justa Punitione Haereticorum*, lib. 1, cap. 3. (*Opera Omnia, Parisiis* 1571, col. 1051 et seqq.)

fide — is in contradiction to truth which is of faith¹. How, he asks, can this be distinguished from heresy²?

The difference between these two censures, he states, is either non-existent or so occult that it has escaped the detection of all previous theologians who have written on the subject³. He notes that most

¹ We note that Castro here introduces a slightly new terminology by referring to the censure as *error in fide*, instead of simple *error*. It is clear from the context, however, that both mean the same thing. Afterwards, we find Suarez (*de fide*, disput. 19, sect. 11, no. 11) using the same terms, '*error in fide*', and likewise in this case, when we examine the context it becomes perfectly clear that *error in fide* and simple *error* are meant to signify the same thing. The exact words of Suarez are: "In secundo gradu damnabilium propositionum proponitur propositio erronea SEU error in fide."

We note this point to avoid confusion with another terminology which seems to have arisen in modern times. To cite but one example, we refer to a recent publication where this new terminology has been used. FR. CATHECHINI S. J. (*De Valore Notarum Theologicarum*, Romae 1951, p. 51 et seqq.), considers *error in fide* as a special censure corresponding to the theological note, *de fide divina*, (as distinct from *de fide catholica*). In this way, it is distinguished from *error in theologia* which corresponds to *theologie certum*.

The author points out that it is possible to have divine faith without any reference to the magisterium of the Church, as in the case of many Protestants, and as also in the case of the old testament before the advent of Christ. A denial of such faith cannot be censured as heresy, because there is no relation to the expressed teaching of the Church. To meet this difficulty, the censure *error in fide* is applied, which indicates a grave sin against faith, but which is not heresy in the juridical sense.

Though all the foregoing may be conceded, it is very difficult to admit *error in fide* as a theological or dogmatic censure, at least in the way we are considering such censures here. A theological censure, when applied by the Church, has a dogmatic value for all the faithful, and not just for the person who may have uttered the perverse doctrine. It is difficult to see how the censure *error in fide*, proposed as a dogmatic condemnation for the universal Church. Of its very nature, such a censure concerns individuals and their intimate relations with God, just as the corresponding theological note, *de fide divina*, signifies faith without the intermediary action of the Church. For these reasons we cannot consider *error in fide*, as understood in this modern sense, to be a distinct censure. Likewise, it has never been officially used by the Church.

² Cf. CASTRO, loc. cit., col. 1052 A. "Sed difficultas est non parva agnoscere quo pacto inter se differunt haeresis et error in fide. Quoniam, si est propositio erronea in fide, oportet ut falsitas illius sit contra veritatem fidei. At falsum quod veram fidem oppugnat, nescio qua via eximi possit, ne haeresis dicatur."

³ Ibid., "... quo fit, ut nullum sit inter illa duo (i. e. haeresis et error) discrimen: et certe si aliquod est, tam occultum est illud ut omnes qui de hac re damnabilium scripsit, quidquam docuit unde haec diversitas possit agnosci."

of his predecessors, like Turrecremata, took the easy way out by giving *error* such a wide signification as to make it include heresy. Against this, however, he points to different condemnations, and especially to the decrees of the Council of Constance¹, where the censure of *error* and that of heresy are distinguished from each other in the same condemnation². Seeing that the Church has made such a distinction in these dogmatic condemnations, Castro is convinced that there must be a greater difference between the heretical and erroneous proposition than the theologians have hitherto admitted. Now he puts forward his own opinion as to what constitutes this difference.

It is clear from the way Castro introduces his own opinion that he is not at all certain as to its theological value. Seeing that previous theologians had not held for a clear-cut distinction between heresy and *error*, he has no authority to quote. The only argument on which he can base his explanation is the fact that the Council of Constance used both censures separately. Castro's doctrine may be stated as follows.

In the deposit of faith there are two types of *credibilia*. Firstly, there is supernatural truth, e. g. the mystery of the Blessed Trinity which exceeds the natural power of the human intellect. Such truth is the proper object of the supernatural virtue of faith, and its contradiction means heresy in the strict sense. Secondly, there are truths which, of themselves, do not exceed the human intellect, e. g. the existence of God, the unity of God, etc., but nevertheless are revealed because of the difficulty which man experiences in their comprehension. A contradiction of this latter type of truth will merit the censure of *error*³.

¹ Cf. outline of condemnations in introduction, no. 1.

² Cf. CASTRO, loc. cit., col. 1052 C. "Ex aliquibus tamen variarum universitatum et diversorum conciliorum censuris, videtur aliquod esse inter illa duo discrimen, quoniam de variis assertionibus illi definientes aliquas censent esse haereticas, aliquas in fide erroneas. Quod autem ita res habeat, ex his quae in Concilio Constantiensi definita sunt, convinci potest."

³ Ibid., col. 1052 E. "Si tamen cogor fateri aliquod esse inter propositionem erroneam in fide et propositionem haereticam discrimen, dicam quod sentio: paratus tamen meliora docenti obedire. Ut autem quod dixerim apertius fiat, admonere prius oportet diversa esse credibilium genera. Quaedam enim sunt talia, quod superant virtutem nostri intellectus, ita ut ad illa intelligenda non possit pertinere noster intellectus, nisi prius crediderit... Et ista sunt, circa quae proprie versatur fides. Assertio autem, quae haec credibilia oppugnat, haere-

This explanation of Castro is the first to make a real distinction between the two censures. The difference is founded on the two types of *credibilia* which are revealed. We recall that for S. Antoninus the erroneous proposition was, in fact, the heretical proposition without the requisite pertinacity. The distinction was not placed between the truths which are denied but with regard to the internal dispositions of the assertor. For Castro, however, the distinction between the heretical and erroneous proposition is more objective, as we have just seen.

If at this point Castro had finished his exposition of the censure of *error*, his doctrine could be regarded as having made a considerable advance in distinguishing *error* from heresy. We note, however, that before ending his explanation, he adds that if the doctrine which is denied by the erroneous proposition were also to be found in the deposit of faith, then such a proposition would be simultaneously heretical and erroneous¹. Here we point out that in his previous description of the erroneous proposition, he stated that the truth which is denied, while not absolutely exceeding the power of the human intellect, is nevertheless revealed. His exact words were:

Alia sunt credibilia quae non omnem virtutem intellectus superant, et sunt illa quae intellectus ex virtute sua... attingere potest: sed peccatis obscuratus intellectus cognoscere non potest, et propter hoc Deus nostri miseratus, illa per Scripturam Sacram nobis innotescere voluit... Assertio ergo talis, quae est contra credibilia quae naturali ratione probari possunt, erronea in fide dicitur.

From this it seems that for Castro, it is impossible to have a proposition which is merely erroneous and not heretical at the same time. By stating that the denial of the revealed natural truth would also mean heresy, Castro minimises to a great extent the distinction

sis proprie dicitur. Alia sunt credibilia quae non omnem virtutem intellectus superant, et sunt illa quae intellectus ex virtute sua... attingere potest: sed peccatis obscuratus intellectus cognoscere non potest, et propter hoc Deus nostri miseratus, illa per Scripturam Sacram nobis innotescere voluit... Assertio ergo talis, quae est contra credibilia quae naturali ratione probari possunt, erronea in fide dicitur."

¹ Ibid., col. 1053 D. "Si autem credibile aliquod huiusmodi fuerit, ut praeter rationem naturalem possit etiam probari per Sacram Scripturam, aut Ecclesiae determinationem, aut per alias vias, quibus ea quae credere tenemur, probari possunt, assertio quae illud credibile oppugnat, dicitur haeretica simul et erronea in fide."

which he has already made. True, he does not claim that it is possible to have a proposition which is merely erroneous, nor does he explicitly state that the erroneous proposition must of necessity be heretical. However, the latter position is the logical outcome of his doctrine which states that the object of the erroneous proposition is in contradiction to revealed natural truth.

We have already noted that Castro is not at all certain as to the value of this doctrine, and that he rather hesitantly introduces his opinion as a possible explanation. Now he ends on the same note of uncertainty by stating that he has no wish to argue with anyone who might disagree with his view on the censure of *error*. He would ask the dissenter, however, to put forward a better explanation than the one he has given above¹.

E. The opinion of Jacobus de Simancas² (1552 A. D.)

Simancas was another theologian of this period whose doctrine on the theological censures was very often cited in later years. His short exposition is to be found in his work *Institutiones Catholicae*³. We shall now examine this with regard to the censure of *error*, and see if any progress has been made in the five years which have elapsed since the publication of Castro's *De Justa Punitioe Haeticorum*.

Whatever Simancas may have said regarding the other theological censures, his exposition of the erroneous proposition is definitely disap-

¹ Ibid., col. 1054 B. "Si cui hae distinctiones inter propositionem haeticam et erroneam in fide non placent, ego adversus illum contendere nolo: sed rogo illum, ut offerat meliorem."

² JACOBUS (Didacus) DE SIMANCAS († 1582), bishop of Zamora, Spain. He was first and foremost a jurist, but has also some theological works to his name as, for instance, *De Dignitate Episcoporum*, (Venetiis 1568) and *Institutiones Catholicae* where he treats of all the means which are necessary to prevent and extirpate heresy. It is in this latter work that he treats of the theological censures. The first edition appeared in 1552 (Vallisoleti), and was followed by a second edition in Rome 1575 A. D. Hurter remarks that this work is now very rare. However, we have been fortunate in finding both editions at the *Bibliothèque Nationale*, Paris. Here we shall cite from the first edition. Later on, we shall have occasion to consider the second edition, as considerable changes were made by the author. In this second edition, for example, he gives an analysis of Cano's doctrine which had appeared in the meantime.

³ Cf. SIMANCAS, *Institutiones Catholicae*, cap. 52. Vallisoleti (1552), p. 190.

pointing. In this first edition of his work, he is content merely to quote the opinions of Castro and S. Antoninus, and makes no further comment. He does not even take sides with either of these theologians¹.

F. Concluding remarks

We have now concluded our survey of the different opinions regarding the erroneous proposition, which appeared between the Council of Constance and the publication of Cano's *De Locis Theologicis* (1563). The theologians mentioned above were not chosen at random, but selected only after careful consideration. These are the authorities which were afterwards most frequently cited and, with the exception of some minor theologians, were the only authorities who even considered the problem.

The opinions which these authors put forward to explain the erroneous proposition are far from being satisfactory. We have seen that not one of them succeeded even in distinguishing *error* from heresy. S. Antoninus, we recall, placed a mere subjective difference, i. e. regarding the dispositions of the assertor. Turrecremata gave the erroneous proposition such a wide signification as to include heresy. Castro noted that there should be a more objective distinction placed between *error* and heresy but, as we have seen, failed to do so. According to Castro's doctrine, it is impossible to have an erroneous proposition which is not simultaneously heretical.

It seems that the main obstacle which confronted these theologians was the name of the censure, i. e. '*error*'. Seeing that the condemnations of the Church dealt with faith and morals, they naturally concluded that the censure meant error or falsity in matters of faith. If it is regarded in this way, then the task of distinguishing it from heresy becomes almost impossible. All the authorities whom we have considered above were trying to justify the distinction which was made by the

¹ Ibid., no. 5. "Propositio erronea, inquit eodem loco Alphonsus, fere nil distat ab haeretica, nisi discrimen constituatur inter credibilia, quibus propositiones adversantur: ut illa dicatur haeretica, quae est contra credibilia quae superant omnem virtutem intellectus: erronea vero sit contra credibilia quae naturali ratione probari possunt. Sed (S. Antoninus) distinguit erroneum ab haeretico, dicens erroneum esse quod habet falsitatem, haereticum vero addit super errorem, quod falsitati adiungit pertinaciam."

Council of Constance. At the same time, however, they were over anxious to identify the erroneous and heretical propositions, because they regarded *error in fide* in this exaggerated sense. It is only natural that a situation of this kind should have produced opinions like that of S. Antoninus who placed a subjective difference between the two censures; as if the Council of Constance took special cognizance of the fact that Wyclif and Huss had heretical dispositions for some of the propositions which were condemned, and that they inculpably erred with regard to others.

Having thus reviewed the different opinions which were put forward after the Council of Constance, we are now in a better position to appreciate the doctrine of Melchior Cano who was the first major authority to give an adequate exposition of the theological censures.

ARTICLE III

The Censure of "Error" According to Melchior Cano¹ 1563 A. D.

In the twelfth book of *De Locis Theologicis*² Cano gives his exposition of the nature of theology and of theological method. In chapter five, he treats of the theological notes by which questions of faith may be

¹ MELCHIOR CANO (1509-1560 A. D.), was one of the most illustrious of the Dominican theologians who flourished in Spain during the sixteenth century. He was at the height of his fame during the Council of Trent, but premature death in 1560 A. D., left many of his works inedited, and his monumental work, *De Locis Theologicis*, incomplete.

Cano was a disciple of Francis de Vittoria O. P. He himself numbered amongst his pupils, Banez and Medina, who at a later date were also destined to make a profound impression on the theology of sixteenth century Spain.

At this time, partly due to the influence of the Renaissance, theology was undergoing a change in Spain. A new method was introduced by Vittoria which was characterised by patristic erudition and the expression of theological thought in a very literary style, altogether different from the old scholastic simplicity. Vittoria's method had a great influence on Cano, as is evident from *De Locis*. Cano himself admits this indebtedness to his master. (Cf. intro. to bk. XII of *De Locis*.)

With regard to the elevated style introduced by Vittoria and perfected by Cano, it did not last long afterwards, as far as we can judge. Banez, the disciple of Cano, wrote in the simple scholastic vein. MANDONNET (DTC t. 2, col. 1537

judged. All this chapter is taken up with the consideration of the different way in which revealed truth may be recognised. In chapters six, seven and eight, he deals with heresy. Finally, in chapter nine he examines the theological censures which are less than heresy¹.

At a glance, this lengthy chapter indicates that Cano has at least devoted more space to the consideration of the theological censures than any of his predecessors. Likewise, judging by the way he was so frequently quoted afterwards, we may expect great developments in his exposition. It is true that Cano was not always quoted to be agreed with. Considering the time in which he wrote and the little authority he had to go on, this could hardly be expected.

Before examining Cano's doctrine on the erroneous proposition, we must first of all point out the official condemnations of the Church of which he was aware. Of all those we have outlined in the introduction, he knew of only one other condemnation besides that of the Council of Constance, i. e. the condemnation of Luther's errors by Pope Leo X in 1520 A. D.² Curiously enough, this is the only one in which the censure of *error* is not applied. It was in subsequent condemnations that the majority of the censures first appeared, and were thus dis-

et seqq.) asks whether this elevated style lent itself easily to a clear expression of theological thought. He does not answer this question himself, but we must candidly admit that in our opinion, it did not. We have often found considerable difficulty in trying to ascertain what exactly Cano taught, precisely because of his literary style.

That which placed CANO in the first rank of classical theologians was, above all, his monumental work, *De Locis Theologicis*. In this he was a pioneer in theological development, in so far as he perfected a separate branch of theology which was later to be called by the same name as his famous book. This work was indeed a creation, something new. His purpose was to establish scientifically the very foundations of theology, and his success may be measured by the immortality of his name and the endurance of his work as a classic, even to this present day. His premature death impeded the completion of this work, which was, however, posthumously published at Salamanca in 1563 A. D.

² The edition of *De Locis Theologicis* to which we refer in this dissertation is that which is included in Migne, *Theologiae Cursus Completus*, t. 1. (Parisii 1839.) It is to be noted that according to the different editions of this work, the enumeration of the chapters of book twelve changes, according as the introduction to this book is counted as a chapter, or not. To avoid confusion, we shall give our references to the column in Migne, and give the title of the chapter when necessary.

¹ Cf. CANO, *De Locis Theologicis*, lib. XII, cap. 9. *De propositione erronea, sapiente haeresim, piarum aurium offensiva et temeraria*. (Migne T. C. C., t. 1. col. 615 et seqq.)

² Cf. outline of condemnations in introduction, no. 2.

tinguished from each other. From the point of view of guidance from the Church, therefore, we may say that Cano was in the same position as his predecessors, whose doctrine we have already outlined.

In his examination of the censure of *error*¹, Cano states at the outset that there is no unanimity of opinion among the theologians as to what constitutes the erroneous proposition. Some, he states, interpreted the censure as used by the Council of Constance in a very wide sense, so much so, as to consider it as a genus in relation to heresy and any other type of deviation from orthodoxy. Interpreted in this way, there would be only a mental distinction between *error* and heresy; the same distinction which exists between a genus and a component species. Cano does not name the theologians who held for this opinion, but here we immediately recognise the doctrine of Turrecremata which we have already considered, as well as the doctrine of S. Antoninus which is very much akin to this.

A. Cano on the distinction between heresy and error

Cano does not agree with this opinion, and now sets out to disprove it. At the same time, we shall see him giving solid arguments to show that there is a real distinction between the erroneous and the heretical proposition.

First of all, he examines the condemnation which was affixed by the Council of Constance to the articles of Wyclif². This decree states that of the articles under consideration for censure, some are notoriously heretical, others not Catholic but erroneous, others scandalous, and others offensive to pious ears, etc. Cano notes that the wording of this condemnation would be absurd if the erroneous proposition were to be interpreted in a generic fashion, so as to include heresy and every other type of error³. Such condemnations are not made at random, and it is only after exhaustive investigation and with a delicate

¹ Cf. CANO, loc. cit., col. 615-617.

² Cf. outline of condemnations in introduction, no. 1a.

³ Cf. CANO, loc. cit., col. 615. "Sed concilium, ut dixi, ab hac usurpatione longe abest: id quod statim planum faciam, si verba Patrum adscribam: Compertum est, inquit, ex praefatis articulis plures esse notorie haereticos, alios non catholicos, sed erroneos, alios scandalosos, quosdam piarum aurium offensivos, nonnullos temerarios. Quae forma sermonis esset et falsa et absurda, si propositio erronea pro quocumque errore communiter sumeretur."

choice of words that such decrees are issued. This is the first argument which Cano brings forward to show that the difference between *error* and heresy is not that of a genus in respect of its component species, but rather the difference which exists between one species and another¹.

In our examination of the opinions which were in vogue before Cano, we have seen that it was the name of this censure, "*error*", which misled the theologians into insufficiently distinguishing it from heresy. It must be admitted that this word, taken in its obvious signification, has a rather wide and generic meaning. The first argument which Cano gave against this interpretation was by way of a *reductio ad absurdum*, i. e. by pointing to the words of the Council of Constance, as we have just seen. He also gives a more positive proof which consists in a closer examination of this word, and showing the different meanings it may have. He does this by way of analogy with the philosophical term "*dispositio*".

The name of a genus is often given to denominate the most imperfect species which it contains. Take, for instance, the generic term "*dispositio*". This contains first of all the species of *habitus*, and then the species of *dispositio* which is the most imperfect.

<i>dispositio</i> (genus)	}	<i>habitus</i> (species)
		<i>dispositio</i> (species)

The relationship which exists between *dispositio* (genus) and *habitus*, is that of a genus with regard to its species. In other words, there is only a mental distinction between them. In the same way, *dispositio* (genus) is related to *dispositio* (species). However, the relation between *dispositio* (species) and *habitus*, is not that of a genus with regard to its species, but the relation which exists between one species and another from which it is really distinct. Consequently, Aristotle considered *habitus* and *dispositio* (species) as two different predicaments².

¹ Ibid., col. 616. "Sine dubio igitur erronea propositio ab haeretica secernitur, non tanquam genus a specie, quod esset discrimen rationis, sed tanquam una erroris species ab altera; quae vera rerum non modo vocabulorum, distinctio est."

² Ibid. "Nec nostro more nos ita loquimur, sed est etiam hoc in more positum sermoneque majorum, ut nomen generis speciei illi absolute tribuant, quae est in eo genere imperfectissima. Sic Aristoteles in praedicamentis dispositionem sejunxit ab habitu: cum tamen dispositio alias habitus ipsius genus sit. Virtus quippe quam habitum esse nemo est qui nesciat, dispositio est perfecti ad opti-

After considering the above example, Cano now applies the same division to the different notions of error. This word "*error*", when taken in its wide sense so as to include even heresy, must be regarded as a genus. Within this genus there are two species, heresy and *error* (species).

It is clear from this that the difference between heresy and *error* (species) is not that of a genus in relation to its species, but the real difference which exists between one species and another.

By this analogy, Cano clarifies the concept of *error*. From the maze of confused ideas he brings forward this clear-cut distinction between error as a genus and error as a species. His whole doctrine on this point may be summarised as follows. The Council of Constance clearly makes a real distinction between heresy and that which is called the erroneous proposition. Consequently, the term "*error*", as used by the council, cannot be taken in its generic sense so as to include heresy, but rather in some specific sense in which it is sufficiently distinguished from the heretical proposition. Then, by way of analogy, he shows how the word "*error*" can be accepted in this restricted way. Nothing now remains for Cano but to state what will exactly constitute the censure of *error* understood in this specific manner.

This famous distinction between the generic and specific signification of the word "*error*" is the greatest contribution which Cano made to the correct interpretation of the censure. We have already seen that it was this difficulty which misled his predecessors into identifying it with heresy. Castro, as we have already noted, realised that *error*, as used by the Council of Constance, could not have such a wide interpretation as that which Turrecremata and S. Antoninus attributed to it. But he did not give us anything like the clear concepts of Cano to distinguish *error* in a generic and specific sense. Furthermore, when Castro came to stating what exactly constituted the erroneous proposition, he did not succeed in fully distinguishing it from heresy. It will be interesting, therefore, to examine Cano's doctrine on this point, and see if that which he puts forward as constituting the erroneous proposition will make it specifically distinct from heresy.

mum... A qua consuetudine ne Paulus quidem abhorruit, quum animalem hominem dixit, quasi brutum expertemque rationis. Patres item concilii Constantiensis hoc sensu videntur esse locuti, si accurate eorum voces expandamus."

The theological notes which correspond to the erroneous proposition

After examining the signification of the term "error" as used by the Council of Constance, and after determining that a real distinction exists between the heretical and erroneous proposition, Cano goes on to explain how this censure may be incurred.

As the same science deals with contraries, he decides that the best way to explain the erroneous proposition is to determine the theological note which corresponds to it. Instead of one theological note, however, we find Cano placing three, which correspond to three grades of erroneous propositions. We shall now examine these three grades of error and their opposite theological notes.

B. The first grade of error

The theological note corresponding to the first grade of error is a peculiar notion which Cano calls *doctrina christiana* or *doctrina catholica*. To help us understand this concept, he gives a division of Catholic truth¹.

There are certain truths, he states, the denial of which will entail a necessary denial of faith. This category is referred to by Cano as the *fidei veritates*. Below this there is another category of truth which is also Catholic and universal, the denial of which, however, will not destroy faith but weaken it. This body of truth which is distinguished from the *fidei veritates*, is called *doctrina catholica*, and its denial will merit the censure of error.

So far, this division is not very enlightening. We note in the text, however, that Cano seems to indicate that he has already treated of this division. He does not give any reference, but in all probability he is recalling a division of Catholic truth which he has already made at the end of chapter four of his *De Locis*². We shall now go back

¹ Ibid. "Quaedam enim sunt catholicae veritates, quae ita ad fidem pertinent, ut his sublati, fides quoque ipsa tollatur. Quas nos usu frequenti, non solum catholicas sed fidei veritates appellavimus. Aliae veritates sunt etiam ipsae catholicae et universales, nempe quas universa ecclesia tenet, quibus licet eversis fides quaeritur, sed non evertitur tamen. Atque in huiusmodi veritatibus contrariis erroribus supra dixi fidem obscurari, non extinguere, infirmari, non perire. Has ergo nunquam fidei veritates censui vocandas, quamvis doctrinae christianae veritates sunt."

² Ibid., cap. 4, col. 579. "Fidei porro quaestio bifariam intelligitur. Una quae immediate ad fidem attinet, ut vere attinent omnia, quae Deus Ecclesiae suae

and consider this previous division in the hope of getting some further light on the concept of *doctrina catholica*, which is here put forward as the theological note corresponding to the first grade of error.

Firstly, there are truths of faith which are immediately revealed either in Sacred Scripture or Tradition. Secondly, there are *truths of faith* which are *mediately* revealed. These are not revealed in themselves, but only in so far as they are contained in principles which are immediately revealed. This category comprises all the conclusions which may be logically deduced from immediate revelation. Even though such conclusions are said to be only *mediately* revealed, they are nevertheless truths of faith, and their denial will entail an indirect denial of faith... *qui eas negat, is fidem negare hoc modo dicitur*. Thirdly, there are the *appendices fidei* which cannot be called truths of faith in the same way as immediate and mediate revelation. When these appendices are denied, there is no necessary direct or indirect denial of faith. Nevertheless, because of their close affinity to revealed doctrine, their denial will certainly weaken the faith.

After considering this division which appears in the fourth chapter of *De Locis*, we are now in a better position to understand what Cano means by *doctrina catholica* which he places as the theological note corresponding to the first grade of error, in chapter nine.

Catholic doctrine is not only distinguished from truth which is immediately revealed, but also from the conclusions which may be

aut verbo edidit, aut scripto; altera quae mediate fidei est, cuiusmodi sunt omnes conclusiones quas ordine disciplinae ex illis prioribus colligere et definire possumus. Quae quoniam non in seipsis sed in aliis tanquam principiis revelata a Deo sunt, mediate fidei dicuntur esse, et qui eas negat, is fidem negare hoc modo dicitur. Atque equidem illud etiam animadverto, eas non abs re forsitan quaestiones fidei vocari, quae vehementer ad Ecclesiae doctrinas pertinent fideique sunt propter affinitates appendices; non quod aut ex eis pendeat fides, aut iis sublati funditus illa tollatur sed quod affecta aegraque sit, si harum rerum veritas labefiat, quae illi haerent et adjunguntur. Oportet nempe in Ecclesia sanam doctrinam esse et verbum sanum, ut Apostolus ait. Quemadmodum autem morbi quidam lethales sunt, alii vero non interficiunt quidem hominem, sed afficiunt tamen valetudinem: sic errores quidam non fidem extinguunt, sed obscurant: non evertunt, sed infirmant: morbumque afferunt non exitum. Sicut ergo quod saluti est noxium, vitae id quoque noxium est: ita quodcumque sanae doctrinae adversatur, hoc fidei est etiam quodmammmodo adversum. Ex quo intelligitur, quaestiones illas, quae ad doctrinae ecclesiasticae sanitatem spectant, ad fidem suo quodam modo spectare. Sed nos huius generis controversias non in fide proprie sed praeter fidem esse dicimus: nec qui in his errant, eos in fide, sed praeter fidem errare existimamus."