The papalism of Johannes de Turrecremata must always be seen against the background of his times. As we have noted, he wrote to refute two assaults on papal primacy—Hussitism and conciliarism. To his mind, Hussites shared with Lollards the antipapal errors of the Waldensians: thus, Hus had claimed that Christ, not the pope, was head of the Church, and Hussite envoys to the Council of Basel had twitted the fathers for defending papal primacy in theory while denying it in practice. Nor was this last criticism without foundation. Conciliarists, like Gerson, Cusa, and Panormitanus, thought that the pope had wide, but not unlimited, powers; but the Council of Basel, afraid that Eugenius IV would defeat its reforming efforts, tried to disestablish the Roman curia, an action rendered suspect by the foundation of a conciliar curia. Under such pressures within and without the Catholic fold, papalists were driven to make or remake claims about the exalted nature of papal power, which in some cases sounded quite extreme. Nevertheless, remembrance of the Schism made the more responsible papalists, the Dominican cardinal foremost among them, retain traditional safeguards against the abuse of papal power.

But Turrecremata's papalism was also related to the inherited writings of generations of papal apologists, which he had to sift well. One of the worst conceptual tangles in
the papalist tradition concerned the meaning of the term *Romana ecclesia*, which could denote the pope, pope and cardinals, the diocese of Rome, or—its most common meaning—the universal Church. Furthermore, canonists and publicists had ascribed to the Roman Church the supreme power of ecclesiastical government and unfailing faith. Here indeed was fertile ground for ecclesiological controversies. One dispute raged between Hus and his former colleague Stanislav of Znojmo, who described the Roman Church, composed of pope and cardinals, as the supreme ecclesiastical authority. Hus's own argument that the Roman Church was merely a local part of the universal Church, though it was not dissimilar to arguments used by fellow Hussites, was viewed with suspicion by Catholic apologists. The parallel conciliarist argument rested on the Decretists' identification of Roman Church and universal Church, which Huguccio and others deemed the only *ecclesia* free of stain and wrinkle. Zabarella and other conciliarists argued that a council represented this pure Roman Church when it met to act for the good of the whole *ecclesia*.

This general form of argument allowed the specific contention that Jerome's description of the world as greater than the city—"Orbis maior est urbe"—proved that a council, representing the Church (world), was greater than the pope (city).

Countering these conflicting definitions, Turrecremata proposed instead a consistent papalist interpretation of *Romana ecclesia*. In glowing terms he described the Roman Church as the head of the congregation of the faithful, the guardian of ecclesiastical unity, the unerring teacher whose faith and authority would not fail to the end of time. In sum, all other ecclesiastical dignities were founded on the Roman Church, any denial of whose vital importance was heretical.

Of course, Turrecremata carefully chose to identify this Roman Church with the papacy: any identification of Roman Church and universal Church rested on the supremacy in jurisdiction that Christ had given to Peter and his successors, who founded all local churches and instituted all local prelates:

All other churches diffused throughout the world were instituted and founded by the Roman Church; therefore, all
the authority of ecclesiastical jurisdiction of prelates was derived from the pope or Roman pontiff.¹

Like infallibility this dignity pertained to the pope's office, not to his person. It was the office that raised the pope above all other men, making him, in the sphere of ecclesiastical government, virtually the whole Church.² On this basis Turrecremata brushed aside the conciliarist version of Jerome's "Orbis maior est urbe" as a mere reference to local Roman customs compared with those of the whole Church.³

According to Turrecremata, pope and Roman Church had supreme power of ecclesiastical government by Christ's own mandate. Although he largely ignored Peter's martyrdom in Rome and the presence of his relics there, factors which had weighed heavily in the establishment of papal supremacy in the West,⁴ Turrecremata did cite the Quid Vadis? story to prove that Christ had chosen Rome as the seat of the papacy.⁵ However, the sedes, or office of the pope, could be moved temporarily if such a transfer would serve the welfare of the Church. As an example Turrecremata cited the common practice of removing the papal court to the countryside in a plague year.⁶

In elaborating his papalist definition, Turrecremata also faced the controversial idea of Romana ecclesia as comprising pope and cardinals. And the heritage concerning the cardinalate was especially complex, involving as it did the interplay of a changing institution and evolving theories right up to Turrecremata's times.

Originally the cardinals were those bishops of the Roman province, and clergy of Roman churches, who officiated at services in the major basilicas. As papal power increased, the cardinals became the pope's chief assistants in the government of the Church. The reign of Leo IX marked an important stage in this development, when the prestige of the Sacred College was increased by the inclusion of such eminent churchmen as Peter Damian and Humbert of Silva Candida. In 1059 Nicholas II gave the cardinals sole right to elect the pope, and in the thirteenth century, the consistory—pope and cardinals together—heard important lawsuits and decided matters touching laymen and clerics alike. During the Avignon period these "princes of the
Church" gained a regular share of the curia's revenue and had their own particular tribunals. Princes, prelates, and religious communities, as well as humbler suitors, found the friendship of cardinals an effective means of advancing their own interests. Moreover, since kinsmen of popes, servants of kings, and well-born clerics were made cardinals, the Sacred College became one of the proudest, as well as one of the most influential, institutions in Europe. 14

These historic developments had their parallels in the realm of theory. Peter Damian termed the cardinals the "Church's senators"; Humbert of Silva Candida attributed a divine origin to the Sacred College. Some early canonists described the Roman Church as pope and cardinals sharing governance of the Church Militant, since cardinals were parts of the pope's body, his most intimate collaborators. If the pope fell into heresy, the cardinals could judge him. 15

The Decretists were quite interested in the role of cardinals in the ecclesiastical government, particularly when the papal chair was vacant and the Sacred College might be considered the head of the Church. Huguccio's dominant opinion denied such wide powers to so new an institution as the Sacred College, but the Decretalists, particularly Hostiensis, saw pope and cardinals as a corporation whose powers did not lapse upon the death of its leading member, the pope. So, Hostiensis claimed for the cardinals a share in the papal plenitude of power during the Roman pontiff's lifetime (including a voice in deciding important questions), as well as in the exercise of that power after his death. 16

Johannes Monachus, a canonist cardinal often at odds with Boniface VIII, supported this line of argument, which did not, however, gain universal support among canonists. When the cardinals convoked the First Council of Pisa, this drift toward cardinalatial oligarchy was temporarily grafted onto conciliarism. Zabarella argued that the cardinals, representing the Church, might depose a heretic pope or summon a council to do so. 18 At Constance, d'Ailly wrote tracts intended to prove that the cardinals should direct the council's proceedings. Like Humbert, d'Ailly thought that Christ had founded the Sacred College in the persons of the Apostles, his companions, and that cardinals succeeded to that position just as the pope succeeded to Peter's role as Vicar of Christ. 19 (D'Ailly found support for
his theory in the works of publicists like Giles of Rome, Augustinus Triumplus, and Petrus de Palude, who were more concerned with jurisdiction—a power in which all cardinals might claim a share—than with orders, in which some of them were inferior to bishops.) But the alliance between conciliarism and cardinalatial pretensions was tenuous and short lived. At Constance the fathers carefully limited the role of cardinals in the decision-making process, even in the election of Martin V, while at Basel they tried to restrict the numbers, powers, and revenues of the cardinals.21

While this breach was growing, Eugenius IV ruled that cardinals outranked all bishops, even when the cardinal was not a bishop and not resident in Rome.22 For their part, the cardinals transferred their pretensions back into curial politics, usually manifesting them in the form of electoral capitulations, in which each cardinal in a conclave promised, if elected, to increase the powers and revenues of the Sacred College. During the Schism there was some excuse for such capitulations, since they hound each new pope to work for ecclesiastical unity; after the Schism, however, bitter struggles ensued between popes and cardinals over broken promises made in conclave. (At one point Dominicus de Dominicis advised Calixtus III to make concessions to the cardinals but then withdrew the suggestion during the reign of Pius II.23 Paul II forced the cardinals to renounce the capitulations made before his election and employed writers like Theodoro Lelli and Andreas Barbatia to defend his actions; these polemicists went so far as to question the belief that Christ had founded the Sacred College.)24

Turrecremata's only recorded role in all of these papal-cardinal proceedings was his ready cooperation with Pius II in the pontiff's dealings with the College of Cardinals. Yet, our cardinal, borrowing from d'Ailly's works, wrote about the Sacred College in very lofty terms. Accordingly, Hubert Jedin has suggested that Turrecremata's works on ecclesiology, with their exaltation of the cardinalate, contributed (at least indirectly) to the oligarchic movement in the Sacred College—an opinion that requires some reexamination.

According to Turrecremata, the Sacred College was founded by Christ in the persons of the Apostles. They
served Peter in the same way before undertaking their separate missions; then a separate College of Cardinals, with its own apostolic succession, was created to assist Peter's successors, the popes. Therefore the cardinalial dignity anteceded the episcopal and took precedence over it. Cardinals advised popes, aided them, and elected their successors; through their pastoral labors bishops assisted popes less directly. As the pope's direct assistants in Church government, the cardinals could be described as parts of his body or, figuratively, as the Church's representatives and its Senate. Because of the cardinals' collaboration in the papal work of ecclesiastical government, their powers could be termed universal.

Although such general statements lend some substance to Jedin's assessment of Turrecremata's influence, they should be counterbalanced by the cardinal's specific ideas on the role of the Sacred College. For Turrecremata the most signal function of the cardinals was the election of the pope. Certain conciliarists, notably Zabarella and Panormitanus, thought the Sacred College represented the whole Church in performing this task. Turrecremata, on the other hand, thought that since the power of election had been conferred on the cardinals by Cod alone, no one, not even a reigning pope, could take it away. Neither could a pope circumvent normal procedures by nominating his own successor, an act which would undermine the status ecclesiae, nor even a saint become Christ's Vicar by different means. Whomever the cardinals chose, following proper procedures and unswayed by corruption, became pope. And the pope-elect would succeed immediately to the jurisdictional powers of his office even if he were a mere layman lacking priestly ordination and episcopal consecration. (Here Turrecremata followed the canonists and such publicists as Augustinus Triumphus, ignoring the ancient idea that all episcopal powers were inherent in consecration—a concept of prelacy revived by Jean Gerson, as noted above.) Moreover, since the pope assumed an office—and did not, as in the ancient concept of episcopate, marry his see—he could resign if he thought that would promote the Church's welfare. (Here Turrecremata echoed the arguments that had surrounded the abdication of Celestine V, when legists and the Franciscan theologian Peter Olivi had defended the concept of office from the spiritual Franci-
If the cardinals were to become entangled in a disputed election, they should not resolve the dispute themselves, thought Turrecremata, since judging their own case would violate all norms of justice. Decision between claimants belonged to a general council. Looking to the precedent set at Constance, Turrecremata said that a council's combination of power and prestige could best establish an indubitable pope on Peter's chair. When discussing problems arising from a conclave, he failed to mention electoral capitulations but made it clear that it was not the choice of the cardinals that conferred the power inherent in the papal office: upon election the pope-elect received his official authority from Christ. Thus, it was inconsonant with Turrecremata's ecclesiology that the new pope be bound to carry out the cardinals' will.

So much for the electoral role of the cardinals. But what did Turrecremata view as their role in ecclesiastical government during a vacancy of the Roman see? Hostiensis, as we have seen, had argued that the plenitude of power devolved onto the cardinals, a claim buttressed by the idea that the Romana ecclesia consisted of pope and cardinals. And some conciliarists even thought that the plenitude of power reverted to the universal Church and its representative, the general council. But Turrecremata consistently denied that anyone but a new pope could succeed to the plenitude of power inherent in the papal office identified as the true Roman Church. The cardinals were only figuratively parts of the pope's body, and thus they were unable to exercise papal power during a vacancy. The plenitude of power simply lay dormant in the immortal office for want of a proper administrator. (Likewise a cathedral chapter could not exercise the episcopal powers of a dead bishop.) Turrecremata specifically criticized an aspect of Hostiensis's oligarchic theory by denying that cardinals could coopt new members into their own ranks during vacancy. Yet the Church was not helpless or ill-provided during such a period. The sacramental functions of the clergy, dependent directly on Christ, never lapsed, and the ordinary exercise of jurisdiction in partem sollicitudinis still belonged to bishops and other prelates. Their powers were, after all, derived from the immortal papal...
office, not from the mortal person of the pope.\textsuperscript{37} A brief interregnum was unlikely to see the eruption of a major crisis; Turrecremata provided for an emergency, however, in claiming that the prelates of the Church had sufficient authority to meet in general council in order to provide any necessary remedies. The cardinals could convocate such an assembly, not on their own authority, but \textit{vicem capitis}.\textsuperscript{38}

Finally, oligarchic ideas espoused by Hostiensis and Johannes Monachus included the suggestion that cardinals should consent to important papal decisions.\textsuperscript{39} Turrecremata (his attitude toward this pretension is the best guide to his view of the oligarchic movement) thought that the cardinals were the pope's assistants and chief counsellors, forming with him the highest tribunal of the Church. This share in the pope's governing responsibilities served as further proof that the cardinalate was the second rung of the ecclesiastical hierarchy.\textsuperscript{40} But all these marks of status were purely derivative, because the cardinals "are assumed by the supreme pontiff, the Vicar of Christ, to his assistance and co-operation in the rule of the Christian commonwealth." Any share the cardinals had in the exercise of the papal plenitude of power was a matter of delegation only.\textsuperscript{41} Thus, the pope did not need the cardinals' consent to any decision: the pope could do without the cardinals whatever he can do with the cardinals. The advice of the Sacred College might add the prestige of learned counsel to papal pronouncements but nothing more.\textsuperscript{42}

To resume, although Turrecremata exalted the Sacred College, he rejected its more extreme oligarchic pretensions, those associated with such great names as Hostiensis, d'Ailly, and, in his own day, Nicholas of Cusa. He believed that the College of Cardinals was indeed founded by Christ, with a great dignity and an important role in ecclesiastical government. Nevertheless, Turrecremata's rejection of what he felt were unnecessary limits on papal power left him outside the camp of those who favored cardinalatial oligarchy.\textsuperscript{43}

\textit{The Office of Vicar of Christ}

In his consideration of yet another historically evolved concept of the papacy—the pope as the Vicar of
Christ—Turrecremata characteristically avoided extremes and acknowledged limits, while exalting the papal office.

Just as the Roman see had experienced varying fortunes, so too the very concept of papal power had changed gradually during the ages before the Dominican cardinal wrote his treatises. The earliest theoretical emphasis lay on the continuing presence of Peter in Rome, through his relics or through the pope as his successor and representative (\textit{vicarius Petri}). In the later Middle Ages, papalists went far beyond this doctrine, claiming that the Roman pontiff was Christ's representative on earth (\textit{vicarius Christi}) and possessed the plenitude of power. The term "\textit{vicarius Christi}," adopted by Innocent III from the writings of Bernard of Clairvaux into the official vocabulary of the papal chancery, was adopted by canonists like Alanus and Hostiensis, by publicists like Augustinus Triumphus, and by theologians like Petrus de Palude and Herveus Natalis. The most extreme of these theorists ascribed to the Roman pontiff a quasi-divine status with minimal restrictions on the exercise of his powers." It was exactly this confidence in any reigning pope which upset Hus. Not being a lawyer given to distinguishing between office and person, the Czech reformer, and many like him, could not believe that tenure of office conferred on the Roman pontiff a quasi-divine status independent of his individual sanctity. Hus therefore demanded that the pope's conduct be so pure as to demonstrate that he was Christ's representative.\textsuperscript{45}

In his writings Turrecremata ascribed a wide variety of titles to the pope as an illustration of papal preeminence. A few, such as "father," referred to the primacy of honour held by the pope,\textsuperscript{46} but most involved the plenitude of power, through which the hierarchy was founded and directed. The pope was the head through which the body (the Church) received all sense stimuli, that is, all jurisdiction, the power in which the pope was virtually the whole ecclesiastical body.\textsuperscript{47} Like many Thomists Turrecremata considered monarchy the best form of human government and the best promoter of both unity and peace. Following this version of Aristotelean political theory, he argued that God had wisely founded the Church as a papal monarchy.\textsuperscript{48} In fact, after Christ the pope was the second founder of the Church. As Christ was the rock on which the Church rested, so Peter was the cornerstone of the edifice.\textsuperscript{49}
As heir to the papalist tradition, Turrecremata placed the greatest emphasis on the papal title "Vicar of" Christ. Thus, he wrote that "the pope holds the place of Christ in the Church." In more cautious terms, he described Peter and his successors as holding Christ's place as visible head of the Church—uniting, ruling, and teaching the faithful by virtue of his office. Although the interior influx of grace depended directly on Christ, the exterior influx of jurisdiction came through the office of his Vicar. Turrecremata denied that this doctrine left the Church with two heads and so violated its unity or (what was blasphemous in Hussite eyes) that it closely identified Christ and the pope. The Roman pontiff held a juridical office as Christ's representative on earth, and only within the scope of this commission were his judgments to be considered those of Christ himself.

The powers assigned the pope were such that they could only come from God, not men. Indeed these powers were so great that papal acts could be described as those of the Church itself. Consequently, the pope's ability to act for the welfare of the Church could not be impeded by the wishes of the faithful. The Vicar of Christ was supposed to serve their best interests, not their whims. To preserve this freedom of action, Turrecremata denied all other theories of the origins of papal power, whether they were propounded by heretics like Marsilius, by conciliarists, or even by past papalist writers. He even rejected the hoary term "vicarius Petri," because it inserted an intermediary between Christ and the reigning Roman pontiff. Papal power was universal, unconfined by local ecclesiastical boundaries; if it were only local, the Church would be headless and disorderly. With the Hussites in mind, Turrecremata claimed that rejection of this unifying principle was tantamount to heresy and treason. Moreover, papal power was immediate to each member of the Church. Despite the use of subordinates to tend his scattered flock, the pope could minister to the needs of any Christian anywhere. Answering the old episcopal argument that local prelates were more immediate to the faithful, Turrecremata argued that the pope, font of all jurisdiction, was more immediate than any lesser prelate, whose authority was local and derivative; others, that is, the friars, could be
assigned to help bishops care for the neglected spiritual needs of the faithful without the friars' privileges violating any fundamental ecclesiastical principle. Defiance of papal decisions designed to save souls was a schismatic act.  

Practical ramifications of this papal power were multiplex in theory and practice; they included disposition of cures of souls, collation of benefices, exemptions, and the like. The pope could dispose of all ecclesiastical offices, even by granting reservations in the lifetimes of their tenants. (Here Turrecremata placed the governmental supremacy of the Roman see ahead of demands made at Constance and Basel for reform of the much abused papal patronage system.) Moreover, all indulgences flowed to the faithful from the Roman pontiff through his agents, the clergy.  

The sacraments and dogmatic canons derived their validity directly from Christ, of course, but the positive law of the Church, canon law, was established by the pope, directly or through lesser prelates. As founder of the law, the Roman pontiff was untramelled by its provisions (legibus solutus), like the emperor in Roman law. The pope, therefore, could change even the most ancient regulations handed down by the Fathers, alter conciliar canons, and revoke the decretals of his predecessors whenever such changes served the welfare of the Church. Nevertheless, the pope was not exempt from divine law or natural law: though not bound in positive law by his predecessors' enactments (par in parem non habet imperium), a heretic pope, as Johannes Teutonicus had noted, fell under any condemnation of false doctrine issued by a previous pontiff. Even in matters of positive law, the pope should set an example of obedience for his subjects. However great were papal powers in matters of law, Turrecremata’s discussion of them was designed to promote the welfare of souls, not just papal absolutism.  

Moreover, as founder of canon law, the Roman pontiff was also its chief interpreter and the source of dispensations from its provisions. This latter power extended to dispensation from (though not abolition of) the canons of the Apostles and other fundamental ecclesiastical regulations. Similarly, the pope was the chiefjudge of the faithful. By virtue of his plenitude of power, he was the ecclesia of Matt.
18:17, “If he [your brother] refuses to hear them, tell (he Church.” Conciliarists understood this text as referring to the powers of a council, since a council represented the Church. Turrecremata replied that most disputes could not easily be referred to such an assembly, let alone to all the faithful; thus, the pope was the chief judge of ecclesiastical causes, even those involving his fellow bishops. Furthermore, the chief judge was also the chief reformer of abuses. Though papal judgments primarily concerned spiritual matters, they could extend to secular affairs relevant to the salvation of souls. The attempt of Basel to impede appeals from council to pope was an unjust assault on this papal judicial supremacy.

The offices of pastor, legislator, and judge required coercive power to insure obedience. Thus, Turrecremata argued that the pope had at his disposal the two swords (Luke 22:38), temporal as well as spiritual force, to be wielded for the welfare of the Church. This Biblical metaphor had been used by Gratian and Bernard of Clairvaux to demonstrate the availability of both spiritual and temporal coercion to help end a schism. Huguccio wrote that the pope possessed the spiritual sword but that the temporal sword was in the emperor's hand. Alanus replied that the pope held both swords and bestowed temporal power on princes, an argument taken up by such extreme papalists as Giles of Rome. Turrecremata reverted to the earlier theory of Gratian and Bernard, arguing that the pope possessed the spiritual sword and could direct the employment of its temporal counterpart. While rejecting the hierocratic extreme of Alanus and Giles, Turrecremata also eschewed its opposite. Critics of the papacy, like Marsilius, Wycliff, and Hus, had argued that the Church had no right to temporal power. Turrecremata replied that the pope could employ force against heretics, schismatics, and other obdurate malefactors and even censure princes who failed to coerce them. Coupled with these temporal concerns was the pope's role as chief administrator of the Church's goods. Although ownership of material goods, according to Turrecremata and most canonists, belonged to the faithful for the support of good works, the pope could dispose of these goods as he saw fit, without the consent of others.

Turrecremata's enumeration of such papal powers and
titles was hardly new. Any papalist of the preceding century—Petrus de Palude, Giles of Rome, Augustinus Triumphus—had used expressions either as strong or stronger to describe papal primacy. And Turrecremata’s younger contemporaries, Arévalo or Theodoro Lelli, for example, were less cautious papalists than he. Only the conciliar epoch—a backdrop of theories designed to limit the exercise of papal power—made Turrecremata’s defense of the papacy, against severe checks on its work for the welfare of the Church, appear to be absolutist theorizing.71

The Limits of Papal Power

As we have seen, for Turrecremata the papal office was the true Roman Church, and tenure of that office made the pope the highest ecclesiastical authority, one with a right to command princes to certain correct actions. But tenure of that office also imposed limits on the pope’s actions. If the pontiff passed these bounds—violating natural or divine law, teaching heresy, or otherwise threatening the welfare of the Church—he was a tyrant who could lose his see and be punished.72 Turrecremata was hard put to balance his defense of papal power with this very real concern for the welfare of the Church. He contended that the pope was subject only to Christ, whose vicar he was, and providence would preserve the Church, even by striking the pope dead. Yet Turrecremata could not rest content with this assertion of trust in Providence. From reverence for traditional ideas about the possibility of papal heresy, or moved by memories of the Schism, Turrecremata created safeguards on the exercise of papal power, designed to protect the Church’s welfare without destroying the pope’s freedom of action.73

Two key questions had long been involved in limiting the abuse of papal power: what crimes could be punished and how that punishment should be administered. Throughout the Middle Ages there was no single accepted solution to either problem, but, rather, two major traditions about each, which are best represented by the conflicting opinions of the canonists Huguccio and Alanus. Whereas Huguccio believed that the pope was subject to punishment
for heresy and other crimes that, because they scandalized the faithful, were tantamount to heresy, Alarms, intent on preventing irresponsible attacks on the pope’s orthodoxy, argued that only obstinate adherence to false doctrine could be punished. Huguccio’s doctrine described the pope as automatically falling from his see when he erred grievously: the erstwhile Vicar of Christ became less than any Christian and subject to punishment since his errors had cost him the papal judicial immunity. Alanus demanded a formal judgment of the erring pope by a general council: at the time he wrote, there was less likelihood for such a judgment to be unjustly rendered than for enemies of the Roman see to claim that the pope had deposed himself through misconduct or error; nor could those foes summon a council; for, under canon law, that was the prerogative of the pope. Most canonists, like Guido de Baysio, were inclined to accept Alanus’s doctrine. Huguccio’s doctrine, however, found advocates in diverse figures like the Franciscans Peter Olivi and Michael of Cesena, who feared abuse of papal power, and papal apologists like Augustinus Triumphus and Petrus de Palude.

By Turrecremata’s time, the Schism made these questions of immediate importance to responsible ecclesiastics. They sought means to rid the Church of conflicting pretenders to the papacy—claimants who, though orthodox, endangered the welfare of the institution. Thus, most conciliarists adopted Huguccio’s doctrine on crimes which made the pope vulnerable to judgment. Jurists like Zabarella and Conrad of Gelnhausen were willing to judge the pope’s fitness to reign by potentially subjective standards, a theme taken up by Panormitanus and Cusa, who argued that a pope could be deposed for scandalizing the faithful or for impeding his own work for the welfare of the Church. Cusa even suggested that a pope could be deposed for incompetence. But it is worth noting that Cusa became the Hercules of the Eugenians and Panormitanus opposed, on behalf of the House of Aragon, any rash attempt to depose Eugenius IV. In the crucial debate on deposition, canonists proved less willing than theologians to believe Eugenius guilty of crimes against the Church.

For his part, Turrecremata reacted strongly against any too close identification of moral failings with heresy, ar-
guing (with Hussites as well as conciliarists in mind) that subjective standards for judging prelatial acts could reduce the Church to chaos. In such a case each man would be faced with a choice of which commands he would obey. Nevertheless, Turrecremata did not embrace the fullness of Alanus's doctrine. He permitted denunciation of the pope for any crime which, by its very nature, deprived him of his immunity. According to Turrecremata the chief of these crimes was heresy, the stubborn contradiction of Scripture or defined dogma; an erroneous pronouncement violated the pope's duty of teaching the truth to the faithful. Further, the pope was supposed to maintain the status ecclesiae, the good order of the ecclesiastical institution, so that it could function for the salvation of souls. Included under this rubric was the observation of all divine ordinances: divine law, natural law, the order of the sacraments, and the fundamental principles of Christian morality. A pope could never deliberately contradict any of these without harming the Church and making himself liable to judgment. Scholars have often emphasized the way in which the concept of office freed the pope from control by his inferiors, but Turrecremata thought that the papal office itself also had limiting effects. The pope could not act contrary to the saving purpose for which his office existed without risking loss of his judicial immunity.

Turrecremata's doctrine on the punishment of an erring pope varied with his personal experiences. At Basel he began by admitting that, as was stated in Haec sancta, a council could overrule a pope in matters of heresy, schism, and reform of the Church in head and members. By the time of his break with the Council of Basel, however, Turrecremata was near to rejecting all limits on papal power. In his Flores sententiarum, ignoring relevant materials in Aquinas's works, Turrecremata's last word on an erring pope was concerned with fraternal correction, not deposition. During his debate with Cesarini at the Council of Florence, Turrecremata reaffirmed the possibility of deposition, and thereafter he carefully described and circumscribed the machinery for calling to account an erring pope.

This machinery is best studied in the context of doctrinal deviation, where conciliarists and papaiists followed dif-
ferent legal opinions. In a period of crisis like that of the Schism, the Church resorted to the convocation of general councils to deal with its problems. In such an atmosphere, it became possible for a pope to be accused and tried before a council in accord with the doctrine of Alanus, echoes of which can be found in the works of Turrecremata's contemporaries, among them Panormitanus, Nicholas of Cusa, and John of Segovia. The Councils of Constance and Basel actually conducted the sort of trials these described. Turrecremata deliberately avoided this approach, instead adopting the doctrine of Huguccio, who thought that the pope could automatically lose his see through doctrinal deviation. That doctrine gave the Church some measure of safety against abuse of papal power but left no space for conciliarist pretensions to formally judging the pope.

Accordingly, Turrecremata established a set of procedures by which the presumption of self-deposition could be reached. Strict limits were placed on the first step, accusation, the point on which Huguccio's doctrine left the pope most vulnerable, since many crimes could be equated with heresy. As we have noted, Turrecremata narrowed the possible charges to those most closely connected with faith or the welfare of the Church. Not even the notorious crime of simony was a ground for accusation, since it was a moral rather than a theological problem. Even a heresy case was supposed to concern errors already condemned. Nor could just anyone accuse the pope of heresy. Charges had to be brought by trustworthy and learned men, such as the cardinals, to whom the truth of the accusation was painfully obvious. Mere suspicion did not justify subjecting the Church to a crisis of leadership. Moreover, the pope should be allowed every opportunity to clear himself of the charges by making a profession of faith and, if necessary, doing penance; to obviate scandal, he could even resign his see. But the Roman pontiff could not merely dismiss the charges. It was best for the accused to consult responsible individuals or, preferably, to call a general council.

If the pope failed to clear himself voluntarily, the cardinals could demand convocation of a council to inquire into the case. Turrecremata could hardly believe that an accused would fail to call a council, since a refusal would lend credibility to the charges. If, however, the pope also
refused to call a council, the power of convocation devolved on the cardinals, who could, as true guardians of the Church, provide for its welfare in such a crisis. The Sacred College could confer upon a council's proceedings its own immense prestige. (Should even the cardinals fail to act, the power of convocation devolved on the emperor, other Christian princes, or even lesser prelates, for the Church's safeguards against papal heresy could not be allowed to fail because someone shirked his duty.) Despite the role assigned the cardinals, Turrecremata wanted to justify more fully a council's ability to examine the case of a pope it could not formally depose. He hoped to provide a minister for the law that safeguarded the Church's welfare, without creating (like the conciliarists) a rival to the papacy. He therefore denied the claim of both Constance and Basel to have received some sort of general commission from Christ to oversee ecclesiastical government. Nor was a council, despite its emergency powers, to become the highest ecclesiastical tribunal: that would make the council the pope's rival when in session, turning the Church into a two-headed monster. Rather, Christ's law lent authority to the council to deal with specific crises. Under this law, the very fact of accusation made a pope, even if innocent, subject to proceedings to determine his true status.

Such council proceedings, Turrecremata insisted, were to be conducted in the most discreet manner possible. If the fathers found any truth in the charge, they should patiently explain to the pope his errors, while employing Scripture and the decisions of the Church. Just as Paul rebuked Peter (Gal. 2:11), even so a council, moved by the truth and pastoral concern, could offer a pope fraternal correction. If the pontiff obstinately refused to accept correction, he was an obstinate heretic who had lost the true faith necessary to hold his office. Without membership in the Church through faith, it was impossible to hold the power of the keys, and thus a heretic pope ceased to be head of the Church. Fallen from the rock of Peter's faith, he lost his judicial immunity along with his tenure of office, making him subject to the jurisdiction of lesser prelates assembled in council. This was true even in a case of secret heresy, since God would make hidden errors public.

In certain passages, Turrecremata actually said that the
council "deposed" a heretic pope; if meant literally, this would have been a major concession to conciliarism. But Turrecremata usually made it clear that he intended a declarative procedure, in which the council would announce that the pope had lost his office, rather than a formal condemnation. Like John of Paris and Herveus Natalis, Turrecremata thought that a council announced to the faithful the fact that a pope had forfeited his see. The council's power of inquiry thus allowed it to "depose" a pope. This concept of deposition limited possible abuses of papal power but made no real concession to conciliarism. Moreover, Turrecremata tried to deflate conciliarist claims that councils had judged erring popes in the past, by proving that even the safeguards he had outlined had never come into play. The classic cases of papal heresy were those of Anastasius II and Marcellinus, both mentioned in the Decretum, and of Pope Honorius I, cited in a palea. Turrecremata argued that Marcellinus had repented his errors; Anastasius was punished by God, not man; and Honorius was not a Monothelite. As in his doctrine of infallibility, Turrecremata wanted to believe the papacy was unstained by error, though he would not abandon traditional safeguards against it.

Turrecremata treated crimes against the status ecclesiae in the same way that he treated papal heresy. If the pope tried overtly to upset the ecclesiastical constitution, for example, by deposing all other bishops, he could be regarded as a self-deposed heretic. But Turrecremata's approach to other crimes was more cautious in that it encouraged resistance to tyrannical acts without infringing on the pope's judicial immunity. Papal commands dangerous to the welfare of souls, those which violated divine law or natural law, could be ignored because the pope had exceeded his powers. If the pontiff persistently issued such commands, the cardinals could call him to account, offering fraternal correction and insisting that he swear an oath purging himself of the charges. If these actions failed to secure amendment of the pope's conduct, the cardinals could renounce obedience. Their resistance would be virtuous, since it served the welfare of the Church, and could be reenforced through convocation of a council to win support of other prelates and the secular arm. If even this
did not end the crisis, the Church had one further hope, short of a providential event. The pope could persevere in his wrong actions but not defend them: should he do that, he would fall into the heresy of describing evil as good, for which he could lose his see! This, Turrecremata said, was the true meaning of Johannes Teutonicus's declaration that a scandalous pope was a heretic in the eyes of God.103

Finally, Turrecremata tackled the problem of papal schism—a grave threat, not only to the good government of the ecclesiastical institution, but to its very unity, one of the marks of its divine origin. Since Christ had established the papacy to settle divisive disputes, there could not be two popes.104 Turrecremata distinguished between different types of schisms: an attempt by an intruder to oust a licitly elected pope and a dispute between two pretenders whose claims to the papal office were difficult to judge. In either case a council was the best forum for settling the dispute. If it found the case to be one of intrusion, the council could expel the false claimant.105 If, however, the intruder could not be compelled to give up his pretensions, perhaps because he had not been apprehended by a prince or prelate, Turrecremata denied that the true pope could be removed from office as a sacrifice to the cause of unity, denouncing such a suggestion as a source of further scandal and division106 (the pope's conscience might move him to abdicate, however, if it would serve the welfare of the Church).107 In the case of two claimants, certain gambits might be tried to bring an end to the crisis. Turrecremata reviewed all the suggestions made before the convocation of the Council of Pisa: simultaneous resignation of both pretenders, election of one pretender by both obediences after the other pretender's death, a conference between the pretenders, even armed conflict.108 As a former participant in the reunifying work of the Council of Constance, Turrecremata readily concluded that the best recourse was the convocation of a general council. If neither claimant could make a convincing case for himself or was thought worthy of being pope, the council could set both aside to make way for a new election. That he granted a council such a great power over pretenders to the Roman see shows the extent to which Turrecremata shared common ground with his conciliarist contemporaries.109
Certain scholars have unfavorably judged Turrecremata's doctrine of the limits of papal power, either because he did not teach pure papal absolutism or because he granted the pope excessive immunity from formal condemnation. Both criticisms demand from Turrecremata an uncompromising purism foreign to his works. The Dominican cardinal had to pick his way between reaction against the Council of Basel, which often justified its excesses by an appeal to equity, and his concern for the welfare of the Church. Furthermore, the defense of papal judicial immunity and the imposition of limits on the abuse of papal power were both part of the tradition in which he was working. Because he bore all these concerns in mind and did not try to stand firmly in any one narrow, ideological camp, Turrecremata was able to formulate a coherent and balanced, if complex, theory of papal power.