

## **Trad pseudo-clerics only simulating Mass and Sacraments**

© Copyright 2011, T. Stanfill Bennis *(This text may be downloaded or printed out for private reading, but it may not be uploaded to another Internet site or published, electronically or otherwise, without express written permission from the author. All emphasis within quotes is the author's unless indicated otherwise.)*

### **Introduction**

Complacency comes in many packages. Generally stay-at-home Catholics believe that they are not complacent and have more or less avoided all the pitfalls of the Traditionalists. In the interests of “charity” however, which may be rooted in human respect and the desire to avoid the wrath of their Traditionalist critics, stay-at-homes often remain willingly in the shadows and refrain from comment when what they really need to do is band together and speak out. Before they take this step, however, they should update their understanding of the consequences of Vatican II and the impact of Traditionalist operations in the light of new information and a better understanding of the matter. For example, the one error that can most easily be attributed to the ongoing reconciliation negotiations of the Society of St. Pius X (SSPX) with Rome can be traced to their belief that true popes could actually change the Church’s doctrine and traditions, when all know that these truths can never change. Stay-at-homes believe that Pius XII was the last true pope; Sedevacantists arrived at this conclusion in the early 1980s. Yet when pinned down, many still vacillate on the “pontificate” of John 23. The fact that the SSPX has always accepted John 23 as a true pope should have long ago raised red flags and placed the SSPX in a category just one step removed from their Novus Ordo brethren. After all, Lefebvre’s ongoing “dialogue” with the NO is proof that he believed it to be the mother church gone awry, a problem he obviously felt could be corrected by a few paltry concessions from Paul 6 and later Wojtyla.

Since those days, additional information about Roncalli has surfaced concerning his status as a suspected modernist; his Masonic affiliations and his work to reconcile the Vatican with Freemasonry; his doubtful election as pope, also his implementation of the revised Canon later found in the Novus Ordo Missae, long before its official promulgation in 1969. While many Sedevacantists consider Roncalli a bad and doubtful pope, few have officially classified him as an antipope. And yet the evidence just mentioned above is clear and unmistakable. But because this information has not been revised in accordance with new discoveries in Canon Law and papal teaching, some of the same old misconceptions, held for decades even by stay-at-home Catholics, keep cropping up. Too much has been left to the realm of opinion when in reality Catholics are obligated to believe certain things as teachings of faith or at least teachings that must be firmly accepted until the end of this present interregnum. Doubts too often are labeled as “opinions” when in fact they are bound to be investigated and resolved one way or the other, not sent into limbo. Until they are duly examined and resolved, Catholics cannot even act on any given set of beliefs, according to the moral theologians. This article is an attempt to update the present status of the situation in the Church according to Catholic

beliefs and the application of Canon Law to facts taught by the Church, as this author knows and understands them.

Before proceeding with what is below, please see the article "Death Knell for 'Good Pope John,'" documenting Roncalli's heresies while in office, (see <http://betrayedcatholics.com/wpcms>). These heresies invalidate his "papacy" and prove that he is an antipope according to Pope Paul IV's bull "Cum ex Apostolatus Officio," which also can be downloaded at the website above. This information will be used as the basis to document the date of the current interregnum. That date is the death of Pope Pius XII, Oct. 9, 1958. Using this date, the following criteria will be examined to see where those presumed to be clerics and others now posing as Traditionalist clergy stand based on Canon Law. This will be determined according to who ordained and consecrated them and when these alleged ordinations and consecrations took place. While Traditionalists have always taught that in the early days of the Church even those in schism were allowed to exercise their orders with papal permission, and this can be true when the Roman Pontiff exists to supply for their sacramental administrations, any function without permission from the Roman Pontiffs was always condemned. Thus we find Pope Honorius II decreeing the following with the Lateran Council in 1139: "Let no one unless *canonically* elected extend his hand for consecration to the episcopacy. But if he should presume to do so, let both the one consecrated and the one consecrating be deposed without hope of restoration," (DZ 363).

Canon Law is of primary importance in determining whether clerics are validly and licitly created. In examining all these Canons, it is important to remember that contrary to Traditionalist practice (which clearly implies their beliefs), the Church holds her disciplinary laws to be indirectly infallible. This is the common teaching of theologians on the subject. Pope Pius IX, in his encyclical to the Armenians "Quartus Supra," wrote as follows: "As Our predecessor Pius VI warned in his Apostolic letter condemning the civil constitution of the clergy in France, discipline is often closely related to doctrine and has a great influence in preserving its purity. In fact, in many instances, the holy Councils have unhesitatingly cut off from the Church by their anathema those who have infringed its discipline." But the definitive declaration on this subject is contained in this definition by the Vatican Council: "If anyone shall say that the Roman Pontiff has the office of inspection or direction but not *the full and supreme power of jurisdiction* over the Universal Church, not only in things which belong to faith and morals but also in those which relate to the *discipline and government* of the Church spread throughout the world; or assert that he (the Roman Pontiff) possesses merely the principal parts and not all the fullness of this supreme power, or that this power he enjoys is not ordinary and immediate both over each and all the Churches and over each and all the pastors and the faithful, let him be anathema."

### **What is a cleric**

It is a teaching of Catholic faith that heretics and schismatics, themselves validly ordained and consecrated, can validly ordain or consecrate, although they do so illicitly. This is true even if they are deposed and degraded. The orders themselves must be administered using the proper matter, form and intention in order to actually be valid. The

subject for ordination is the cleric himself. He must be validly baptized to receive orders validly, (Can. 968). Unless the rite of tonsure has been properly administered and received, he is not a cleric and cannot receive orders. This can be seen from Can. 108, which states: “Those who have been assigned to the Divine ministry at least by first tonsure are called clerics. “ Then we read Can 153: “The candidate for promotion to a vacant office must be a cleric and must have the [necessary] qualifications...when the person appointed to an office lacks the requisite qualifications, the conferring of the office is null and void,” but only if the common and particular law, or rules of a religious foundation contains this provision. Canon 154 reads: “Offices which entail the care of souls, either in the external or the internal forum, cannot be validly conferred upon clerics who are not ordained priests,” and unless they validly receive tonsure, candidates for the priesthood never become clerics, far less priests. Canon 203 states that a confessor acts invalidly if he absolves penitents after his mandate has expired. Canon 453 requires that those who are appointed pastors be priests, not clerics in minor orders. And Canons 872 and 879 declare absolution of sins invalid without the required delegated jurisdiction.

Then there is Can. 118: “Only clerics can obtain the power of either orders or ecclesiastical jurisdiction...” And following it, Can. 147: “An ecclesiastical office cannot be validly obtained without canonical provision. Canonical provision means the grant of an ecclesiastical office by competent ecclesiastical authority, made according to the sacred canons,” (Can. 147). Rev. Charles Augustine, commenting on Can. 118 explains that the nature of first tonsure clearly indicates that it arises from the Ordinary's office as an act issuing from his *jurisdictional* faculties granted by the Pope and not specifically the power of Orders, since tonsure is not an order but a ceremony or rite. According to Can. 949, tonsure is not listed among the rites to be given according to the power of orders. Can. 950 includes it among the terms of order, ordination, and sacred ordination, but this is for ease of reference and does not indicate any real inclusion as an actual order. Revs. Woywod-Smith explain in their history of ordination that, “***Tonsure is not an order but a sacred ceremony*** by which young men are enlisted in the ranks of the clergy before they receive any orders.” If tonsure is not an order, and the laws of the Church indicate it is not, then heretical and schismatic bishops who have no jurisdiction cannot validly convey it, anymore than they can validly absolve penitents when they hear confessions. When Woywod-Smith explain what validly consecrated bishops can do, they state only that they can validly “confer all orders from the minor orders to the episcopate inclusively,” (commentary on Can. 951). This does not include tonsure.

---

#### **Saint Thomas Aquinas:**

Schismatics do not, of course, lose the power of order; their priests can say Mass, their bishops confirm and ordain. But they lose all jurisdiction, so that “they cannot either absolve, excommunicate, or grant indulgences, or the like;’ and if they attempt anything of the kind ***the act is null***,” (Summa Theologica II-II q39 a3).

#### **St. Robert Bellarmine, de Romano Pontifice, Bk. 2, Chapter 40:**

The Holy fathers teach unanimously not only that heretics are outside of the Church, but also that they are *ipso facto* deprived of all ecclesiastical jurisdiction and dignity... Saint Nicholas I (epist. Ad Michael) repeats and confirms the same. Finally, Saint Thomas also

teaches (II-II, Q39, A3) that schismatics immediately lose all jurisdiction, **and that anything they try to do on the basis of any jurisdiction will be null.**

Canon Law also excludes some of those suspended from office *ab officio* or *a jurisdictione*, from the exercise of jurisdiction, (Can. 2284). **Only if the exercise of jurisdiction is not invalidated by the suspension is it licit to invoke Can. 2261§2,** (commentary on Can. 2284 by Revs. Woywod-Smith.) Canon 2315 and 188§4 state that those who become heretics or schismatics automatically, *ipso facto*, lose all offices, pensions, benefices and dignities. Jurisdiction comes with the office and as such is lost when these censures are incurred. This is proven by the fact that Can. 2261§2 supplies jurisdiction when the faithful have no recourse but to request the Sacraments from excommunicated clergy. But as Can. 2284 indicates, this is not always the case. And returning to Can. 147 above, there is another very serious game-changing problem that Traditionalists have never taken into consideration at all.

### **But does Can. 2261§2 supply in common ignorance?**

As for common error, this must not be confused by the faithful with common ignorance, or the *de fide* necessity of jurisdiction itself. Both Revs. Francis Miaskiewicz and Raymond Kearney, who cite several others in their respective canon law commentaries, condemn the “liberal and excessively radical” extension of Can. 209 to cases involving “ignorance, confusion and false certitude,” (Miaskiewicz, “Supplied Jurisdiction According to Canon 209,” Catholic University of America, 1940, p. 214). Miaskiewicz cites two cases of the Rota ruling that common ignorance is not sufficient to invoke the Canon. He then states: “All light, unsubstantial, negative, and therefore improbable doubts do not become beneficial factors for the supplying of jurisdiction, for they are all, taken singly or even collectively, juridically inadequate to make any demands upon the jurisdictional favors which Can. 209 is ready to bestow,” (*ibid.*, p. 220). Rev. Kearney treats the case, ineptly proposed by Kelly, that as long as no one knows the minister lacks jurisdiction, the Church will supply it. He then demonstrates this teaching as “inadmissible... Knowledge, true or false, is inconceivable without sense perception; the mind conceives what the senses perceive... Error is a false judgment; it is a positive act of the mind by which something is misapprehended. Ignorance, however, implies no act of cognition; it is a lack of knowledge. Since error is defective knowledge, it presupposes ignorance. Thus an infidel to whom the Gospel has not yet been preached is in ignorance of Christ, not in error concerning Him, since no judgment has been made. Error adds ignorance to a false judgment. In a word, ignorance is nothing, while error is something,” (“The Principles of Delegation,” Catholic University of America, 1929, p. 132-34).

To wit, there must be some **solid** fact that causes one to believe the priest already possesses jurisdiction, even if this fact is not true (common error), or there must be some positive doubt concerning the existence or the application of a law in this regard. “Common error is scarcely conceivable without some *apparent* title... some foundation for error... The object of such an error must be the personal qualifications of an agent who is, therefore, believed to possess powers that he actually lacks... All that is required is that here and now many of the faithful are in error; they must labor under a false impression or persuasion. They must be so mentally disposed that they would respond

that this particular agent is a confessor, a pastor, a judge or the like...Until such a state of mind is corrected, or entirely lost by the lapse of time, the error exists virtually, subconsciously but really," (ibid., p. 125).

The remedies for the *ignorance* of Traditionalists concerning the mechanics of jurisdiction, and its absolute necessity for the validity of absolution, have been available for over 25 years and are still available. Any possibility of "common error" ceased to exist at that time. But in reality, common error could never have served as the actuating principle for the necessary jurisdiction in the absence of the Roman Pontiff, who alone could supply it. The weighty evidence provided by various Traditionalists over 20 years ago concerning the absolute necessity of jurisdiction to exercise priestly and episcopal orders should have been sufficient to cause at least positive doubt; to make the average Catholic with a working conscience pause for a space to investigate this possibility and re-evaluate the situation. Despite these objections, however, Traditionalist "clerics" marched on with their followers trailing behind, dismissing their critics with a wave of the hand.

Yet the seemingly willful ignorance of such Catholics will not justify the use of Can. 209, nor for that matter Can. 2261§2. If anyone thinks it will, try using that same defense in a court of law: that you broke the law because you just didn't realize it was wrong to pass that person on the right-hand side or to drive your vehicle while intoxicated. Even in the civil law, ignorance, especially of those laws intended to protect the physical well-being of ourselves and others, is no excuse. The catechism tells us that the Sacraments are sacred gifts from Christ Himself; the Mass is "the most sacred action that can occur in the world," (Approach to the Liturgy," Confraternity of Christian Doctrine, Archdiocese of St. Paul. Minn., 1949). How can any true Catholic think himself justified to be ignorant of the laws that govern the use of the Church's most sacred traditions, the very instruments by which She maintains Her connection to Christ? He cannot, nor can those calling themselves "Traditionalist" clerics. What applies to us by way of civil law and physical safety is a thousand times more binding when it concerns Canon Law and the spiritual welfare of the faithful. Ignorance is a ruse, and it is time that this unworthy excuse for satisfying perceived "needs" is exploded once and for all.

### **Even valid Trad clergy should be treated as *vitandus***

According to the Canon Law Digest Vol. III, in 1950 the Sacred Congregation addressed the matter of canonical appointments to ecclesiastical offices and benefices. In this decree, the Congregation stated that: "No one can presume to intrude himself or others into ecclesiastical offices and benefices without a legitimate canonical investiture or provision." Offices and benefices are treated much alike in the law, (Can. 146). An office in Can. 145 is defined as: "A stable position, created either by Divine or ecclesiastical law, conferred according to the rules of the sacred canons and entailing some participation in ecclesiastical power, whether of order or jurisdiction." As all can see, none of this applies to Traditionalists, who created their own "offices" and religious types of "orders" following the false V2 council. In creating these offices, Traditionalists had no authority whatsoever and certainly did not follow Canon Law, as they were required to do. For as Can. 147 states, "Canonical appointments (investitures and provisions) can

only be conferred by competent ecclesiastical authority in harmony with the sacred canons,” and during this extended interregnum, no competent *visible* authority exists. In its decree, the Sacred Congregation quotes DZ 960 from the Council of Trent: “If anyone says that... those who are neither duly ordained nor sent by ecclesiastical and canonical authority, ***but who come from elsewhere*** are legitimate ministers of the word and of the Sacraments, let him be anathema.” And Tradis affirm this heresy every time they attend the services of Traditionalists.

The Congregation then levies excommunications specially reserved to the Holy See both for occupying or intruding anyone without canonical investiture or provision into an ecclesiastical office or benefice or for directly or indirectly taking part in these crimes. It should be understood that the Council of Trent’s anathema in DZ 960 was addressing the errors of Protestantism, as the laity (the English monarchs) were at that time creating offices for men not appointed or called by their ordinary or by Rome. These errors had again reared their heads in China during Pope Pius XII’s time, with the bishops appointed by the government there. And an ominous note is added to this stern prohibition under this canon. In at least one case, excommunication as a *vitandus* was inflicted for accepting office from lay authority, (see Can. 2394, AAS 42-195, Canon Law Digest, Vol. 3), and similar results could be expected in similar cases, especially when the disregard for excommunication and Canon Law in general is so widespread today. *Vitandus* means to avoid; divine services may not proceed if one is present, (Attwater’s “A Catholic Dictionary”). While a person cannot be considered a *vitandus* unless personally named as such by the Holy See, ***it cannot be assumed that just because we have no pope to so declare, these men can proceed as though they were mere tolerati.*** This we learn from St. Robert Bellarmine:

“There is no basis for that which some respond to this: that these Fathers based themselves on ancient law, while nowadays, by decree of the Council of Constance, ***they alone lose their jurisdiction who are excommunicated by name or who assault clerics.*** ***This argument, I say, has no value at all,*** for those Fathers, in affirming that heretics lose jurisdiction, did not cite any human law, which furthermore perhaps did not exist in relation to the matter, but argued on the basis of the very nature of heresy. The Council of Constance only deals with the excommunicated, that is, those who have lost jurisdiction by sentence of the Church, while ***heretics already before being excommunicated are outside the Church and deprived of all jurisdiction.*** For they have already been condemned by their own sentence, as the Apostle teaches (Tit. 3:10-11), that is, they have been cut off from the body of the Church without excommunication, as St. Jerome affirms... All the ancient Fathers... teach that manifest heretics immediately lose all jurisdiction, and outstandingly that of St. Cyprian (lib. 4, epist. 2) who speaks as follows of Novatian, who was Pope [i.e. antipope] in the schism which occurred during the pontificate of St. Cornelius: “He would not be able to retain the episcopate [i.e. of Rome], and, if he was made bishop before, he separated himself from the body of those who were, like him, bishops, and from the unity of the Church.”” — St. Robert Bellarmine, An Extract from St. Robert Bellarmine, *De Romano Pontifice*, lib. II, cap. 30, (<http://www.cmri.org/02-bellarmino-roman-pontiff.html> .This link is placed merely for purposes of attribution; no endorsement of this site is hereby intended.)

“Finally, the Holy Fathers teach unanimously not only that heretics are outside of the Church, but also that they are “ipso facto” deprived of all ecclesiastical jurisdiction and dignity. St. Cyprian (lib. 2, epist. 6) says: “We affirm that absolutely no heretic or schismatic has any power or right”; and he also teaches (lib. 2, epist. 1) that the heretics who return to the Church must be received as laymen, even though they have been formerly priests or bishops in the Church. St. Optatus (lib. 1 cont. Parmen.) teaches that heretics and schismatics cannot have the keys of the kingdom of heaven, nor bind nor loose. St. Ambrose (lib. 1 de poenit., ca. 2), St. Augustine (in Enchir., cap 65), St. Jerome (lib. cont. Lucifer.) teach[es] the same.” Does this sound as though Traditionalists, who have pertinaciously violated all the laws regarding the Divine necessity of jurisdiction for decades, should be treated as mere *tolerati*? If it walks and squawks like a duck, it is a duck, and the Church does not need to officially declare this in order for it to have its effect, according to St. Bellarmine and as affirmed by the Holy See. On July 30, 1934, a response of the Pontifical Commission for the Authentic Interpretation of the Code...state(d) that *the declaration of fact is not necessary in order that a religious be considered as ipso facto legitimately dismissed...**The religious must be considered dismissed even before the declaration of the fact takes place,***” (*Ipsa Facto Dismissal of Religious*, Rev. Benedict Pfaller, O.S.B., J.C.L., Catholic University of America Canon Law dissertation, 1948, Vol. 34, No. 7, page 743-4, April 1934; emph. added).

Now Can. 2261§2, which allows the faithful to request the Sacraments from excommunicates, is followed by Can. 2261§3. This canon tells us that in the case of the *vitandus*, the faithful may request these sacraments only in danger of death. Concerning this canon, A. H. Ayrhinac states in his “Penal Legislation in the New Code of Canon Law” that, “Grave necessity would not suffice.” Moral theologians unanimously teach that where there is doubt concerning the valid reception or conferral of the Sacraments, they cannot be conferred or received even in danger of death, and below not just doubt but solid proofs that Trad ministers cannot function will be established. Therefore, based on the actual teaching and practice of the Church as well as other penalties these men have incurred — in order to safeguard the Sacraments — absolutely no one can approach even presumably valid Trad clerics. It should be noted that in one case similar to the Trad situation — that of Michael Collin, who later declared himself a “pope” — Pius XII ordered him to be reduced to the lay state for founding associations and orders, established without “the approval of competent ecclesiastical authority.” The decree on Collin warns the faithful that “to all juridical effects,” he is a layman.

In incurring this censure under Can. 147, the laws governing heresy must be applied. “The faithful are bound to profess their faith publicly whenever silence, subterfuge or manner of acting would otherwise entail an implicit denial of their faith, a contempt of religion, an insult to God or scandal to their neighbor,” (Can. 1325). And the Sacred Congregation cited the heresy they commit as DZ 960. Consorting with a possible *vitandus* who uses subterfuge to hide his true condition is cooperating in sin and joining in the services of non-Catholics, when in reality Catholics are bound to prevent these men from engaging in Divine services. Failing to profess the faith publicly by tolerating these false clerics is an insult to God, gives scandal and amounts to contempt of religion. Traditionalists who continue to do so once they discover this incur their own censure,

according to Can. 2316: Those who willingly and knowingly help in any manner to propagate heresy or who communicate in sacred rites with heretics in violation of Can 1258 incur suspicion of heresy, (Can. 2315). Failure to amend in six months results in *ipso facto* excommunication for heresy, (Can. 2314) and infamy of law.

### **Are the followers of these ministers in schism?**

There will be those who immediately object that no one can classify Traditionalists as non-Catholic or schismatic and therefore neither they nor their ministers have incurred any censures. They claim to believe what past popes taught and read their encyclicals. They point to the fact that they call themselves Catholics, so intend no break with unity in the Church. But so also did the Anglicans, the Armenians and the Old Catholics include Catholic in their names, and this did not make them members of the Church. Nor did reading or believing what the popes said save them if they did not obey them in all things concerning faith and morals. Pope Pius IX says of the Armenians concerning this ruse in *Quartus Supra*:

“The chief deceit used to conceal the new schism is the name of ‘Catholic.’ The originators and adherents of the schism presumptuously lay claim to this name despite their condemnation by Our authority and judgment. It has always been the custom of heretics and schismatics to call themselves Catholics and to proclaim their many excellences in order to lead peoples and princes into error. St. Jerome, presbyter, referred to these men, among others, when he said: “The heretics are accustomed to say to their king or to Pharaoh, ‘We are the sons of wise men who have handed down to us from the beginning the Apostolic teaching; we are the sons of ancient kings who are called kings of the philosophers; and we possess the knowledge of the scriptures in addition to the wisdom of the world’ ... ***But the neo-schismatics say that it was not a case of doctrine but of discipline, so the name and prerogatives of Catholics cannot be denied to those who object.*** Our Constitution *Reversurus*, published on July 12, 1867 answers this objection. We do not doubt that you know well how vain and worthless this evasion is. ***For the Catholic Church has always regarded as schismatic those who obstinately oppose the LAWFUL prelates of the Church and in particular, the chief shepherd of all.*** Schismatics avoid carrying out their orders and even deny their very rank. Since the faction from Armenia is like this, ***they are schismatics even if they had not yet been condemned as such by Apostolic authority,***” (and the laws and infallible decrees given us by past popes and councils were issued by lawful authority. Yet Traditionalists do not obey them, choosing instead to listen to their “priests.”)

“For the Church consists of the people in union with the priest, and the flock following its shepherd.... ***Nor can the Eastern Churches preserve communion and unity of faith with Us without being subject to the Apostolic power in matters of discipline...*** ***Teaching of this kind is heretical, and not just since the definition of the power and nature of the papal primacy was determined by the ecumenical Vatican Council:*** the Catholic Church has always considered it such and abhorred it. Thus the bishops at the ecumenical Council of Chalcedon clearly declared the supreme authority of the Apostolic See in their proceedings; then they humbly requested from Our predecessor St. Leo confirmation and support for their decrees, ***even those which concerned discipline.***

Accordingly, then, unless they abandon the unchanging and unbroken tradition of the Church which is so clearly confirmed by testimonies of the Fathers, ***the neo-schismatics can in no way convince themselves that they are Catholics even if they declare themselves such...But since discipline is the rampart of faith, the Apostolic See needed to restore discipline.*** It has certainly never abandoned this most serious duty even in adverse times when it could attend only to transitory needs while it awaited more favorable times,” (end of Quarts Supra quotes). Discipline is regulated by Canon Law and disciplinary decrees issued by the Holy See. It is these very laws and decrees that Traditionalists ignore, misinterpret on their own authority, dispense themselves from and even declare non-applicable or non-existent. This despite the fact that Volume V (v), of the Catholic Encyclopedia, under 'Discipline' states that it is the UNANIMOUS OPINION of the theologians that discipline enjoys “a negative, indirect infallibility, i.e., the Church can prescribe nothing that would be contrary to the natural or Divine law, nor prohibit anything that the natural or Divine law would exact.” So not only papal decrees on this subject are infallible; Canon Law itself enjoys an indirect infallibility. But Traditionalists will not even follow infallible decrees of the continual magisterium, so it is no wonder they ignore Canon Law. There is no “one law, one faith one Baptism” among Traditionalists.

So these disjointed sects can scarcely point to unity as their identifying mark, for numerous Traditionalist sects operating separately all disagree on certain points of faith or practice. They of course have no unifying head in the papacy and obviously are not in agreement on what constitutes infallibility and what Catholics must accept as infallible. Most importantly, they do not possess apostolic succession, which cannot exist in those not in communion with a true pontiff and who do not teach every doctrine the Church has always taught. In his definitive decree on Church unity, Pope Pius IX tells us that if ONE mark is lacking in any group claiming to be Catholic, all the marks are lacking. Moreover he stresses as the prime mark union with “blessed Peter, Prince of the apostles and of his succession in the Roman chair...No other Church is Catholic except the one founded on the one Peter...,” (DZ 1686). The official definition of a schism is “The refusal to submit to the authority of the pope or hold communion with the members of the Church subject to him...The sacraments may not be administered to schismatics, even those in good faith.” (Donald Attwater; A Catholic Dictionary, 1941). In his “Handbook of the Christian Religion,” Rev. W. Wilmers S.J., an advisor at the Vatican Council wrote: “All who support a priest, bishop or diocesan administrator who has not lawfully received his mission from the pope and all who hold intercourse with him in spiritual matters are, like him who they support, ***treated by the Church as schismatics***, because by such action ***they separate themselves from the Church’s unity.***”

This should cinch the deal on the status of those following Traditionalists as ***at least*** material schismatics, for it leaves no wiggle room. And Rev. Adolphe Tanqueray, whose textbooks were used for instruction in seminaries worldwide prior to Roncalli’s election, teaches that: ***“Those who refuse the infallible teaching authority of the Church are excluded from the body of the Church, even if their heresy [or schism] is only material,”*** (Manual of Dogmatic Theology, Vol. 1; translated into English and printed by Desclee Co., Feb., 1959). And Rev. A H. Ayrhinac, S.S., D.D., D.C.L. states in his “Penal Legislation in the New Code of Canon Law” (1920, Benziger Bros.) that:

***“Schism is formally assimilated now to heresy and apostasy in every respect, at least in regard to the penalties,”*** of Can. 2314. “Often schism springs from heresy or implies the denial of some article of faith.” Rev. Ayrhinac defines a schismatic as one who: “While claiming to remain a Christian, refuses to recognize the authority of the Pope, or to communicate with the faithful who are subject to him, (Can. 1325)... Particularly since the Vatican Council, schism almost invariably leads to the rejection of papal infallibility, if it does not presuppose it,” (no. 193). And of course Pope Pius IX above clearly testifies to this. The fact that a pope cannot be elected at present does not excuse anyone from following every dictate of all the previous popes. If Traditionalists were truly loyal to the Church and to the papacy, they would not even consider following men ordained or consecrated without the express permission of the pope. They would never consider allowing such men to establish churches or pretend to offer Mass/administer sacraments.

Instead, they would insist on observing the censures and penalties the Church has levied against such men and would shun their services. They would devote themselves to study to learn their obligations according to Church law and teaching pre-October 1958 and would not depart from that teaching. Instead, they would esteem it as the approved teaching of the Church and superior to anything preached, written or verbally relayed after that date, unless the teaching was only quoted from approved sources. They would put God, not their perceived needs and wants, first, and refuse to run the risk of dishonoring Him by receiving illicit and/or invalid sacraments. They would value their own souls so highly that even if they believed someone was validly ordained or consecrated, they would not run the risk of incurring the censure for *communicatio in sacris*, demanding proof such a man had unquestionably valid jurisdiction from one consecrated prior to October 9, 1958. There has been no attempt by Traditionalist to do these things. They freely allow their clerics to usurp papal jurisdiction, bend papal laws and teachings and make all this possible by showing up for services on weekdays and Sundays. They shun “homealoners” and demonize them when nearly all those in this group avoid Traditionalist “clergy” and their followers in order to follow Church law and teaching, especially papal teaching.

So please explain how, when their activities are so clearly condemned above, Traditionalists are *not* schismatic?

Had it not been for their pathological need for the Sacraments and blind obedience to false shepherds, Traditionalists might have avoided these heretics altogether. But it seemed reasonable to them at the time to invoke Can. 2261 §2 because Canon Law says they have a right to request the Sacraments from the hierarchy. There is a dark side, however, to Can. 2261 §2 — Traditionalists did not know who they were dealing with; obviously it wasn't the hierarchy. Traditionalist ministers made it appear that they had successfully answered all objections that might prevent them from fulfilling these requests. The faithful had no idea that in reality, they were requesting these ministrations from men who most likely would long ago have been declared *vitandus* by a true pope. Without their requests, these men would have no reason for existence; their patronage since the 1970s has created the need for their ministrations and Traditional clerics have used that patronage to expand their ranks. They cultivate this implicit desire of the

faithful to justify conferring these Sacraments, using it as a sort of emergency mandate to exercise their orders outside any papal mandate. By this reception, those partaking of the sacraments commit sacrilege, eventually succumbing to heresy, and the minister sins grievously in conferring them. By accepting the “call” of the faithful to fulfill their spiritual needs, whether it be consecrating the hosts and administering Holy Communion; ordaining, or being ordained or consecrated, these men, according to both the old law and present Canon Law, give stones, not bread. They are perpetrating the same crimes they accuse the NO church of perpetrating.

### **Infamy of law**

Canon 2314 §1 declares that by the commission of heresy, apostasy or schism as well as in operating non-Catholic sects in violation of Can. 1258, Traditionalist ministers also incur infamy of law *ipso facto*. Revs. Woywod-Smith explain in their Canon Law commentary that: "Infamy is the loss of good repute...by law or fact...[It] is incurred only in those cases in which the Code attaches this penalty to the commission of an offense...The infamy of law is of itself a permanent impediment, ***unless a dispensation from the Holy See is obtained***... The following crimes are punished with infamy of law either by the very commission of the crime or when the ecclesiastical court orders a sentence to be passed. Number one on this list is “Formal adherence to a non-Catholic sect on the part of any Catholic,” per Can. 2314 §3, (commentary #930). The penalty found attached to Can. 2314, § 1, no. 3 states: “If they have joined a non-Catholic sect or have publicly adhered to it, they incur infamy *ipso facto*,” as well as *ipso facto* excommunication for heresy and/or schism (no. 1). Can. 2294§1 reads: “A person who has incurred infamy of law is not only irregular, as declared by Can. 984 n. 5, but in addition, ***he is incapacitated from obtaining ecclesiastical benefices, pensions, offices and dignities, from performing legal ecclesiastical acts, from discharging any ecclesiastical right or duty, and must be restrained from the exercise of sacred functions of the ministry.***” Can. 1935 states that “The obligation to denounce an offender exists whenever one is obliged to do so, ***either by law or by special legitimate precept, or by the natural law in view of the danger to faith or religion*** or other imminent public evil.” Trad ministers may only be suspected *vitandus*, but they also have incurred infamy of law and the effects are the same. In regard to divine services they are to be treated just as *vitandus* are treated and if they dare attempt to posit sacred functions of the ministry, their acts have no effect.

Commenting on Can. 2294§1, Woywod-Smith state: “***The person who has incurred ...an infamy of law...cannot validly obtain ecclesiastical benefices, pensions, offices and dignities, nor can he validly exercise the rights connected with the same, nor perform a valid, legal ecclesiastical act.***” When imposed in the form of a penalty attached to law, this sentence takes place immediately. Canon 16 tells us that “No ignorance of invalidating or inhabilitating laws excuses from their observance,” unless the law so states. Woywod Smith comment on Can. 16: “The common welfare demands that these laws have their effect.” St. Alphonsus Ligouri teaches concerning the presumption of law: “If no serious reasons can be found to prove or directly disprove that *a certain law has ceased or been abrogated*, the principle to be followed is: ‘In doubt, decide for that which has the presumption.’ In this case ***the presumption is for the***

*continuance of the law, since it was certainly made, and there is no probability for its non-continuance.*” So once again, even if these ministers insisted on providing the Sacraments in danger of death, they are null and void for lack of valid administration.

### **Status of those ordained and/or consecrated under Pius XII**

So clearly it is of the utmost importance to determine how this affects the Sacrament of Orders these suspected *vitandus* have conveyed since the death of Pope Pius XII. Because some have implied that in examining the laws above we are impugning the validity of orders conferred by heretical and schismatic bishops, although we have never denied that ordinarily they can validly confer these orders while a Roman Pontiff reigns, it will be helpful to examine the chronology of those receiving orders since the death of Pius XII. For as Rev. Adolphe Tanquerey, whose works were used as seminary texts reminds us, “The power [of supreme jurisdiction] over the universal Church is given immediately by God to the Roman Pontiff once he is [canonically] elected and accepts his office [Canons 109, 219]; *this power comes to an end at the time of his death* or of his resignation,” (Manual of Dogmatic Theology, Vol. I, p. 152; 1959) A chronology of the orders mentioned is addressed in the numbered headers listed below.

#### **1. Those priests and bishops validly and licitly ordained and consecrated before the death of Pope Pius XII.**

These bishops were not held culpable until the death of Pope Pius XII and before they realized the imposture of John 23<sup>rd</sup> or Paul 6. Had they at that time remained in their respective dioceses and chosen to begin the work to elect a true pope; had they never engaged in the V2 council or accepted the changes to the Mass made by John 23, or at least left the minute they realized that these changes violated Divine tradition, they would have retained full faculties. Francis Schuckardt, who started out as a lay worker for the Blue Army in the 1960s, was one of several early Traditional bishops. He held the Novus Ordo Missae as invalid, renounced Vatican II as a false council and rejected Paul 6 as an antipope. He was ordained in October 1971 and consecrated a bishop only days later, in November of the same year. His consecrator was an Old Catholic bishop who abjured his heresy, professed Catholicism, ordained and consecrated Schuckardt, then shortly thereafter, returned to the Old Catholics. Did he validly tonsure Schuckardt? No, because the jurisdictional power needed to convey valid tonsure was lacking, and no pope existed at that time to supply for it.

Did he possess the proper intention to ordain Schuckardt given the fact that he returned to his heresy? This poses a positive doubt that he did not, and as Pope Innocent XI decreed in DZ 1151, probable opinions about the validity of the Sacraments cannot be used to confer or receive them. Innocent XI’s proposition is one of many listed by the Catholic Encyclopedia under excommunications deserving of censure, (see excommunications). And it is the unanimous opinion of theologians, cited as infallible by Pope Pius IX (DZ 1792) and by moral theologians such as Davis and Prummer that probable opinions cannot be used to receive the Sacraments. Schuckardt was the founding Father of Mt. St. Mary’s in Spokane, Wash., later taken over by the CMRI. He ordained a number of priests and several bishops, and some have claimed he considered himself the true pope.

Scandals involving drugs, sex and weapons, also large amounts of money, made the news at one point, and many consider Schuckardt to have been a cult leader. He died in 2006.

Abp. Marcel Lefebvre and Bp. Peter Martin Ngo-dinh-Thuc signed Vatican II documents; this now is a public fact. For years Lefebvre's apologists denied he had signed them. At that point both suffered the consequences of Can. 1258, lost all jurisdiction according to the censures for heresy and schism and incurred infamy of law. For all intents and purposes, Lefebvre and Thuc never left the Novus Ordo church, with Thuc reportedly hearing confessions and assisting at the NOM right up to the time he issued his declaration and consecrated des Lauriers, (this topic is treated fully under "[The Episcopal Masters of Disaster](http://betrayedcatholics.com/wpcms)" at <http://betrayedcatholics.com/wpcms>). Most priests began functioning as Traditionalists after 1969, setting up their own chapels independently or under the banner of such organizations as the Orthodox Roman Catholic Movement or the Catholic Traditionalist Movement. Lefebvre, of course had his "pries." And Thuc was a notorious schismatic even before he laid hands on des Lauriers. Even the NO church rightly saw his Palmar ordinations and consecrations as schismatic.

After establishing a seminary in Ecône, Switzerland in 1971, Lefebvre went on to ordain priests, beginning in 1976. He had to have known that without jurisdiction or papal mandate from Paul 6, he acted outside the law. Thuc also ordained and consecrated several men, beginning in 1975. Did they validly tonsure these men? No, because the jurisdictional power needed to convey valid tonsure was lacking, and no pope existed at that time to supply for it, as was the case with Shuckardt as well. By these acts, Shuckardt, Lefebvre and also Lefebvre's friend Thuc incurred the *ipso facto* excommunication under Can. 147 and should be considered as suspected *vitandus*, for the very reason that they repeatedly and contemptuously violated Canon Law. Those priests acting quietly in their own jurisdictions privately for the good of the faithful and not joining these other schismatic groups also lost all jurisdiction they might have had at one time when the time or case limit for that jurisdiction ran out. A very few had missionary faculties or other special grants of power that would have allowed them to minister privately to the faithful indefinitely, as long as they did not join a schismatic group, venture outside their jurisdiction, or commit schism or heresy some other way. It must be remembered that some 10,000 men in America abandoned the priesthood between 1963-1976 and France lost nearly half of her priests, (Catholic Research Centre brochure, Brisbane Australia; circa 1980s). So in reality, there were very few indeed left to even consider the Traditional "alternative."

## **2. Those priests in the seminary at the time of Pope Pius XII's death receiving ordination/consecration after the death of Pius XII from bishops consecrated before the death of Pope Pius XII.**

Those receiving valid tonsure were called by the proper bishop, and are assumed to have already received tonsure from these bishops before Pope Pius XII's death. They also are assumed to have been ordained before the rites changed in 1968. These men actually became clerics. By all appearances, they were later validly but illicitly ordained and consecrated. Their first Masses, however, were said in communion with an anti-pope; also those in communion with an antipope assigned the offices they received. They basically were in the service of a non-Catholic Church by the time they received

ordination, whether they understood this or not. And even though a few later left this church, they did not do so to elect a true pope but to set up yet another schismatic, non-Catholic church. These men incurred infamy of law and were barred from celebrating divine services and fulfilling their other duties. Their consecrating bishops signed V2 documents and remained in the NO church. Therefore their intention to do what the Church does in ordaining these men was suspect, making their ordinations doubtful.

**3. Those already in the seminary at the time of Pope Pius XII's death who received priestly or Episcopal orders after the death of Pius XII, from bishops consecrated after Pius XII's death by bishops validly and licitly ordained and consecrated before Oct. 9, 1958.**

The men in group (3) are assumed to have been “called” by bishops who were established in office under John 23. These bishops did not receive episcopal office according to Pope Paul IV's bull “Cum ex...” although they appeared to do so. For Pope Paul IV's bull states that once the heresy of an antipope becomes manifest: “To any so promoted to be Bishops, or Archbishops, or Patriarchs, or Primate or elevated as Cardinals, or as Roman Pontiff, no authority shall have been granted, nor shall it be considered to have been so granted either in the spiritual or the temporal domain.” This law is retained in the 1917 Code as a *Fontes* under Canons 188§4 and 2314 so is the parent law concerning heresy and loss of office — the old law — to be followed according to Can. 6§4. They therefore could not call men to the priesthood and their administration of first tonsure was invalid. This is true because the bishops creating these priests (prior to 1968) were not directly ordained by bishops in group (1) but received orders from second-tier bishops — bishops not validly and licitly ordained under Pius XII but validly and illicitly (no papal mandate) created after his death by those in group (1).

Pope Innocent III insists that only “By the tonsure *given according to the form of the Church* [is] the clerical status conferred,” (Woywod-Smith). *Who* must confer it? Pope Innocent III again tells us in his profession of faith proposed to the Waldenses (DZ 424) that the consecration of the Eucharist and the Holy Sacrifice of the Mass cannot be performed by just anyone, “however honest, religious, holy and prudent [he] may be...Unless he be a priest, regularly ordained by a *visible and perceptible bishop*.” (The Waldenses were wont to allow those not ordained to handle holy things and administer the Sacraments.) Pope Innocent III defines such a priest as one who is “*established by a bishop for that office*; and those solemn words which have been expressed by the holy Fathers in the canon; and the faithful intention of the one who offers himself. And so we firmly believe and declare that whosoever without the preceding episcopal ordination believes and contends that he can offer the Sacrifice of the Eucharist is a heretic and is a participant and companion of the perdition of Core and his followers and he must be segregated from the entire holy Roman Church.” Therefore, no one can become a cleric who has not validly received first tonsure from the hand of one possessing the necessary jurisdiction to so convey it, and only clerics can be “regularly ordained,” (Canons 118, 147, 154, 453).

**4. Those trained in seminaries established by Pope Pius XII receiving**  
• **priestly or Episcopal orders in the ancient rite (before 1968)**

- from bishops consecrated after Pius XII's death by those bishops validly and licitly ordained and consecrated before Oct. 9, 1958
- who therefore believe they received both papal mandate and jurisdiction from John 23.

**5. Not considered here are those who a) were ordained or consecrated in the new rites; b) in seminaries established by John 23 and operated by bishops who received both their papal mandate and "jurisdiction" from him or c) were tonsured/ordained/consecrated by Conclavist "popes." Item (c) will be discussed at greater length below.**

Those in group (4) essentially were incorporated into the NO and really do not differ from those in group (5), or for that matter, those in group (3). There are, then, it seems, very few men who became actual clerics post-1958 and fewer still who became Traditionalists. Fr. Louis Vezelis was ordained in 1956. He was consecrated by "Bp." Musey who was raised to the episcopate on April 1, 1982 in Acapulco, Mexico, by Bishop Moises Carmona, assisted by Bishop Adolfo Zamora. Musey consecrated Vezelis that same year. Both of these men received their consecrations from Bp. Thuc. Musey reportedly had connections to the autocephalous Traditional Byzantine Rite Church and to the Old Catholics. Fr. McKenna was ordained in June 1958 and consecrated by Guerard des Lauriers (deceased), who also received episcopal orders from Bp. Thuc. Unfortunately, all these men's orders were doubtfully valid, coming as they did through the Thuc line, (see [site link for "Episcopal Masters of Disaster" given above](#)); and McKenna's, Musey's and Vezelis' were even more so than des Lauriers.' According to the criteria used by Pope Leo XIII to determine the validity of Anglican orders, these second-tier bishops do not enjoy the same presumption of validity enjoyed by the initial breakaway bishops, who themselves were validly ordained and consecrated. But in the end, it would matter little. All those mentioned in the first part of this paragraph were *excommunicated* under Can. 147 for seeking their orders from notorious schismatics to fulfill the at least implicit requests of the laity and suffered infamy of law.

In conclusion, owing to a lack of jurisdiction, those men tonsured after the death of Pope Pius XII by bishops receiving jurisdiction from John 23 were never tonsured because John 23 could not provide jurisdiction, either as a pope or a bishop. Those providing tonsure with jurisdiction received during the reign of Pope Pius XII but after his death gave valid tonsure. Nearly all of the men acting as priests today did not receive valid tonsure because those conferring tonsure with "jurisdiction" from John 23 never received it, and tonsure is a jurisdictional act. Nor was there a Supreme Pontiff who could supply it. Valid tonsure is required for valid and licit ordination. Therefore, juridically speaking, these men remain laymen. The few who were validly ordained or consecrated incurred the censure attached to Can. 1258, also infamy of law the minute they set up or were assigned to a chapel and/or established a Traditionalist sect. Here we have in mind Shuckardt, Vezelis McKenna and others. Everything they did from then on was nullified in advance of its performance; it never happened. Lefebvre and Thuc signed V2 documents as members of a non-Catholic sect, incurred infamy of law and also incurred other censures for their ordinations and consecrations, which, once again were nullified in advance and never happened. This is not a judgment but only the conclusions

and consequences of those Canon Laws to which ipso facto penalties are already attached. The class of laws that govern Canons 984 no. 5, 985 no. 1 and 2294§1 on infamy of law is called invalidating and incapacitating laws, and these Msgr. Cicognani explains at length here from his “Canon Law,” (1935) in the next section.

### **Invalidating laws**

“An invalidating law is one that renders invalid, that is of no value, acts which by the natural law and the general principles of positive or human law would otherwise be valid...Such acts should be termed unperformed acts or acts that are null and void in themselves. For the Latin *irrito* means the same as *irritum reddo*, that is, I make invalid or of no value...A disqualifying law is one that renders a person incapable of performing certain acts...It does not directly affect the act, but the person. Thus if a cleric in major orders attempts marriage, the contract is null, for Can. 1072 imposes this disability on clerics in major orders...If the laws forbid and at the same time nullify an act, they oblige in conscience to omit the act...[Invalidating and disqualifying laws] demand that certain acts are not to be upheld as valid, nor are they to be considered as a source of rights or emoluments...The Roman law considered a law perfect when it both forbade something to be done, and if done, rescinded it. A less perfect law was one which forbade something to be done, and if done did not rescind the act but imposed a penalty on the transgressor.” Roman law, officially interpreted by the lawmakers, decreed that if prohibited acts were performed they were “to be considered as having never taken place, even though the lawgiver only forbade them. Canon Law adopted this law by making it one of the [Rules of Law] in the Liber Sextus: “That which is done against the law must be considered as not done at all.””

“Canon 1680 declares that an act is null and void when either the essential constituents of the act are wanting, or some formalities or conditions are lacking which the Sacred Canons require under nullity. So too Can. 1148§2 declares that consecrations and blessings ...are invalid if the formula prescribed by the Church is not employed.” Cicognani makes it clear that the law “must decree that the act is null, that the person is disqualified and this it must state either explicitly or equivalently. There is explicit invalidation when [it is] declared in clear and manifest terms; implicit when equivalent terms are used.” Canons 147, 153, 154 and 453 above all are invalidating laws. Canons 147 and 153 seem to satisfy this demand; that the person is disqualified and the act null and void. Canons 154 and 453 mention only that certain acts performed without the necessary requirements when appointing clerics to office are invalid. Can 1680, however, declares that, “An act is null and void only when either the essential constituents of the act are wanting or some formalities or conditions are lacking which the Sacred Canons require under pain of nullity.” And what is wanting in both these canons are men who actually received tonsure and validly and licitly became priests.

One of the most interesting examples of invalidating laws can be found in Pope Paul IV’s papal bull “Cum ex Apostolatus Officio,” recognized as the infallible source for the current Canon Laws concerning heresy. In this bull, where Paul IV teaches the faithful “by Our Apostolic authority,” we find phrases such as this: “As mentioned above, [those secular princes and clerics who] have strayed or fallen into heresy or have been apprehended, have confessed or been convicted of incurring, inciting or committing

schism *or who, in the future, shall stray or fall into heresy or shall incur, incite or commit schism* or shall be apprehended, confess or be convicted of straying or falling into heresy or of incurring, inciting or committing schism, *being less excusable than others in such matters*, in addition to the sentences, censures and penalties mentioned above, *(all these persons) are also automatically and without any recourse to law or action, completely and entirely, forever deprived of, and furthermore disqualified from and incapacitated for their rank...* They shall be treated, as relapsed and subverted in all matters and for all purposes, just as though they had earlier publicly abjured such heresy in court. *They can never at any time be re-established, re-appointed, restored or recapacitated for their former state...*

“That, moreover, they shall be *unfit and incapable* in respect of these things and that they shall be held to be backsliders and subverted in every way... *They shall be excluded on pain of invalidity* from any public or private office, deliberation, Synod, general or provincial Council and any conclave of Cardinals... If ever at any time it shall appear that any Bishop, even if he be acting as an Archbishop, Patriarch or Primate; or any Cardinal of the aforesaid Roman Church or even the Roman Pontiff, prior to his promotion or his elevation as Cardinal or Roman Pontiff, has deviated from the Catholic Faith or fallen into some heresy, *the promotion or elevation, even if it shall have been uncontested and by the unanimous assent of all the Cardinals, shall be null, void and worthless. It shall not be possible for it to acquire validity (nor for it to be said that it has thus acquired validity) through the acceptance of the office, of consecration, of subsequent authority, nor through possession of administration, nor through the putative enthronement of a Roman Pontiff, or veneration, or obedience accorded to such...* Each and all of their words, deeds, actions and enactments, howsoever made, and anything whatsoever to which these may give rise, *shall be without force* and shall grant no stability whatsoever nor any right to anyone...”

Aside from those belonging to the St. Pius X Society, most Traditionalists believe that we live during a time of interregnum. Paul IV’s law, therefore, should be familiar to them and provides a rule of thumb they can relate to. According to Can. 6§4 in the Code, whenever there is a doubt concerning the application or meaning of the law, one must adhere to the old law. “Cum ex...” is cited as the old law under the penalties for heresy, apostasy and schism, meaning that they satisfy the law as established in Can. 6§6: that only those laws derived from the natural and positive divine laws, the laws from approved liturgical books and those laws preserved in the code (as Fontes) retain their force and effect. In reading “Cum ex” above, can there be any doubt that the present invalidating and incapacitating laws for heresy, apostasy and schism yet bind? And since they do bind, is it not forbidden to help those who violate these laws in any way? Paul IV tells us that: “Whoever knowingly presumes in any way to receive anew the persons so apprehended, confessed or convicted, or to favor them, believe them, or teach their doctrines shall *ipso facto* incur excommunication, and, become infamous.” And this penalty is reiterated in the 1917 Code.

Can invalidating and inhabilitating laws ever cease? Yes, Canon Law says, as long as there is a positive doubt (meaning there are grave reasons for doubting) in regard to the

law or some fact and it cannot be resolved, the law can presumably cease to bind. Negative and objective doubts are not admitted; these Cicognani says under Can. 16, amount to ignorance, and “no ignorance of invalidating and disqualifying laws excuses from observance,” (Can. 16§1). So what constitutes a positive doubt? Cicognani explains the conditions in his work "Canon Law." Concerning the law, we know *the law exists* forbidding those unable to act or forbidden to act from acting validly and licitly and in more than one circumstance involving the present situation. As we will soon learn below, the lawgiver wishes that the law *continue in existence* even during an interregnum; so there has been no *cessation of the law*. And the *force of the law* — as we shall next demonstrate — is clear, since it is infallibly decreed. Concerning doubts of fact, they occur when one questions whether the law binds in certain circumstances, and that is precisely the case here. In doubts of fact the acting ordinary (bishop) or the Pope can ordinarily dispense from the law under Can. 15, provided it is a law from which they usually dispense.

However, the *condemnatory* excommunication for heresy, apostasy and schism (attached to the law) can never be lifted without full abjuration, absolution and satisfaction for damages done, and no Traditionalist to date has ever admitted to the need for papal dispensation from this or any other excommunication or penalty for heresy or schism, far less made reparation for these grave offenses. Also, the satisfactory resolution of such cases is far from guaranteed. Cicognani writes that, “There are certain cases in which the Roman Pontiff is not wont to dispense though empowered to do so, for the reason that a dispensation would harm the common good. This is true of the Sacred Order of Priesthood...” Empowering priests to act under the circumstances in which we find ourselves today would amount to perpetuating the idea that the Church can exist without a Roman Pontiff. This is specifically proscribed in the Vatican Council documents and by Pope Pius XII personally, in an infallible document.

Canon 16 §1 sheds further light on why no ignorance excuses from the observance of invalidating and inhabilitating laws. As Cicognani explains, “They are enacted...with a view to the public good...An act performed, even in ignorance or error, contrary to the prescriptions of an invalidating or disqualifying law, unless it be given as a penalty for an offense, is invalid, just as if a person performed the act with full knowledge.” (This means the act committed resulting in the penalty, all other things considered, was valid, but afterwards such acts would be invalid.) “Hence the legislator decreed: ***No ignorance of invalidating or disqualifying laws can make acts valid which [these laws] have rendered invalid, nor can it make persons incapable of acting whom they have declared incapacitated for acting. Nor can subjects be excused from the observance of these laws, for the matter is in no way dependent on the will of the agent, but on the contrary depends entirely on the will of the legislator [the Roman Pontiffs, General Councils, Congregations, etc.] who issued such laws because the common good required it.***”

And no, *epikeia* does not soften these laws under the guise of equity, for Cicognani states: “*Epikēia* has no place in invalidating laws, ***for the common good demands certitude concerning the validity of acts.***” Rev. Lawrence Joseph Riley also explains this clearly in his “The History, Nature, and Use of *Epikēia* in Moral Theology,” (Copyright

1948, The Catholic University of America Press, INC. Imprimatur: + Richardus Jacobus Cushing. D.D., 7 May, 1948). Human invalidating laws sometimes cease to bind, he says, but *epikeia* may not be applied to human invalidating laws. “At most, *epikeia* can excuse the individual from the precept, but it can never confer the capacity to act. ***Epikeia cannot bestow upon him the power which he does not now possess***, nor can *epikeia* restore the power which the law has withdrawn. For such bestowal or restoration of power a positive act is required,” (emph. Riley’s). And Cicognani spells out the positive act referred to here when commenting on Can. 16: “The validity of such acts and the juridic capacity of these persons can be restored ***only by law***, in no respect by the will of the agent.” So when CMRI “Bp.” Pivarunas publicly states during a debate that CMRI ministers could not (under normal circumstances) do under Canon Law what they currently do unless they relax the law, he is telling those listening that he is applying *epikeia* to invalidating and inhabilitating laws, although in reality that is the least of his problems. Really this amounts to a subtle form of blackmail; in other words, “If you want your mass and sacraments, you’ll let us relax the laws.”

All doubts concerning any of these laws, then, have been removed by a higher law, and this is clear and explicit from the wording of “Cum ex...”. Pope Paul IV makes what is meant by the invalidity referenced above unmistakably clear and Cicognani explains that doubt or ignorance does not excuse from the observance of these laws. There also is another law reminiscent of Paul IV’s law which invokes invalidity as a penalty, and this law is specific to our times. The law we speak of is Pope Pius XII’s “Vacantis Apostolica Sedis,” and it provides the final and decisive word now needed to remove any lingering scruples concerning how invalidating and disqualifying laws must be applied today.

### **Vacantis Apostolica Sedis**

Note that throughout the first three paragraphs of this document below found under Caput I of Pope Pius XII’s papal election constitution, the pope is speaking to the cardinals, the highest officials in the Church next to the pope and those historically in charge of convening a papal election. If even the cardinals have no power in these things, it is the height of arrogance for those unlawful and self-appointed ministers calling themselves Traditionalists to presume to circumvent these laws. It must be remembered, as pointed out in the 1989 work, “Will the Catholic Church Survive...” that in the absence of Cardinals and the other Roman authorities to whom the election may fall, the duty to elect devolves upon the remaining valid and licit bishops and the senior members of the priesthood. As the electing body, the cautions in this constitution also would apply to them; Pope Pius XII makes it clear in his discussion of the different modes of election that in necessity another method could be used, a backhanded reference to the devolution process which would fall under settling questions about the election itself. This is permitted in the constitution, duly entered in the Acta Apostolica Sedis (AAS 38-65). There we find these three introductory paragraphs, which condemn in advance any potential electing body’s attempts to act outside the jurisdiction of the Roman Pontiff or transgress the laws of the Church:

***1. While the Apostolic Seat is vacant, let the Sacred College of Cardinals have no power or jurisdiction at all in those things which pertain to the Pope while he was alive...but let everything be held, reserved for the future Pope. And thus we decree that***

*whatever power or jurisdiction pertaining to the Roman Pontiff, while he is alive (unless in as far as it is expressly permitted in this, Our Constitution) the meeting of Cardinals itself may have taken for exercising, is null and void.*

2. “Likewise we order that the Sacred College of Cardinals is not able to dispose of the rights of the Apostolic Seat and the Roman Church in any manner it wishes, ***nor may it attempt to detract wheresoever from the laws of the same, either directly or indirectly through a species of connivance, or through dissimulation of crimes perpetrated against the same laws, either after the death of the Pontiff or in time of vacancy, [however] it may seem to be attempted.*** Indeed, we will that it ought to guard and defend against the same contention of all men.

3. “Laws given by the Roman Pontiffs are in no way able to be corrected or changed through the meeting of the cardinals of the Roman Church [the See] being vacant; nor is anything able to be taken away or added, ***nor is there able to be made any dispensation in any manner concerning the laws themselves or some part of them. This is very evident from pontifical Constitutions [on]...the election of the Roman Pontiff. But if anything contrary to this prescript occurs or is by chance attempted, we declare it by Our Supreme authority to be null and void,***” (Vacantis Apostolica Sedis, paras.1- 3, Ch. 1; Pope Pius XII, 1945; **Acta Apostolicæ Sedis**, XXXVIII (1946), 65-99).

Forbidding the cardinals (and “all men”) to dispose of the laws of the Apostolic Seat or the Roman Church in any manner “in a time of vacancy” should prove sufficient to convince a rational man or woman that this law extends far beyond any specific law to cover all laws and any attempting to contravene them. The laws of the Apostolic Seat and Roman Church can only mean disciplinary and other decrees entered into the AAS, Canon Law Digests and Canon Law itself, for the Church has no other law. Pius XII’s law here is but a compendium of all papal election law as it has developed throughout the centuries. It differs very little from the tenor of Pope Paul IV’s bull “Cum ex.” Taken together with “Cum ex,” it is the definitive and final law governing interregnums, enacted with the pope’s supreme authority, and all along has provided us with the answers to the questions raised concerning Canon Law. It is one thing for the law itself to tell us that penalties for its abrogation make future acts null and void. ***It is another thing entirely to have the Supreme Pontiff infallibly decree that these same laws and teachings of the Church and Pope — also any exercise of papal jurisdiction — are inviolate, and that any acts contrary to these are null and void during an interregnum. To transgress these laws clearly demonstrates contempt of the faith and an especial contempt for the office of the papacy.***

Those practicing the dissimulation anticipated by Pius XII in no. 2 above already have set out to convince Catholics reading this constitution that the pope was speaking not about all laws, but only about the constitution itself. If clear words mean anything anymore to anyone, then this can definitely be proven not to be the case. Revs. Woywod-Smith state in their commentary on the three points of heading one above that: “[The cardinals] cannot make any disposition of the rights of the Holy See, but must strenuously and sedulously guard them. ***They cannot make any changes in the laws of the Church or***

*dispense from them*, particularly in regard to the provisions of this constitution.” Revs. Bouscaren and Ellis say the same in their commentary. So this gives the lie to the Traditionalist contention that the Pope’s prohibitions in this document are limited to violations of his constitution. And if all laws are included, then likewise the penalties prescribed by Canon Law for breaking these laws also hold.

We are bound to rely on the assessment provided by those approved by proper authority during the lawgiver’s reign, not the specious criticisms of those who specialize in ignoring Canon Law and violating it. While it is true that Revs. Woywod-Smith state under Can. 951 that the orders given by heretical and schismatic bishops are valid, providing those consecrating intend to do what the Church does, they make it clear that these orders are not to be exercised until “a certain rite of reconciliation” with the pope or his designee takes place. In other words, as the authors explain: “The canonical and juridical consequences of such orders were not admitted by the Church.” Are they valid if exercised and the faithful request the sacraments? No, because under Can. 147 these men were excommunicated for heresy, and in any case they are not able to fulfill these requests because they also incurred the penalty of infamy of law.

There can be no doubt that Pope Pius XII meets Cicognani’s criteria for both declaring the College of Cardinals (and any other electors who might succeed them) as incapacitated and when attempted, any of their *acts* null and void. Moreover, he does this through his supreme authority, telling us that what he has said on this matter is infallible. Later, in 1950, Pope Pius XII would elaborate on this, making it clear that no cleric could violate Can. 147 without the possibility of being declared a *vitandus*. The declaration of future acts as null and void and certain persons as incapacitated by law for these acts is completely within the supreme power and jurisdictional authority of the Roman Pontiff. Canon 2222 states that legitimate superiors, even if it is only probable that a person has committed a crime, have not only the right but the duty to refuse to promote to higher orders a cleric of whose fitness he is not certain, or to prohibit a cleric the exercise of the sacred ministry or even to remove him from office according to the rules of law. And this is permissible even when a penalty is not in place. Commenting on this canon, Woywod-Smith write: “Only in cases where great scandal or the special gravity of the violation of a law without a penal sanction demands immediate action may the superior punish without previous warning.” Of course here there IS a penal sanction, but everyone is ignoring it. Woywod-Smith continue: “***The spiritual welfare of the Church demands reparation of scandal and atonement of serious misconduct,***” and this is the purpose of the law.

### **What about conclavists who claim to be pope?**

Those hell-bent on elevating themselves even to the highest positions in the Traditionalist anti-church manage to twist the Church’s teachings just enough to justify their bogus claims. Unless DZ 960, Canon Law and Pope Pius XII’s constitution on papal election are carefully studied and fully understood, it will appear to the laity (and to some Trad “clerics”) that they indeed are allowed to elect a pope in an “emergency” such as this, since the Church must have a pope to exist at all. And very few will be able to reason from these documents sufficiently to silence the clamor of these men who would be king. But especially in the case of Vacantis Apostolica Sedis, no reasoning from anything else

is really needed. It is very simple; the cardinals, or in their absence the bishops who have not separated themselves from the Church in any way are alone allowed to elect a pope. The laity never had any right but that of nomination of candidates; this is clear from ancient laws and decrees cited elsewhere. Laity cannot elect and all laymen elected must be able to be immediately ordained. This is impossible to do when one has just denied a truth of faith (that lay people cannot posit elections or appoint bishops) and has been guilty of participating in non-Catholic worship for decades. Only a true pope can remove the infamy of law attached to such heresy. Without said removal, any conferring of orders is invalid — null and void — under Pope Pius XII's Constitution.

One such false pope recently announced that he had been “ordained and consecrated” by a man he “received into the Church” from Anglicanism, when such a person a) cannot be received into the Church by anyone but a validly and licitly ordained priest who b) is operating under a true bishop who c) is in communion with a true pope. Such men in the past were required to attend a Catholic seminary and be reordained, as Anglican orders were declared invalid by Pope Leo XIII in *Apostolica Curae*. A video shows this “pope” offering his first “mass,” and this performance is anything but edifying. In reality, however, as pointed out above, this is only a simulation of the mass, not a TRUE Mass. And any attempt to confer Sacraments by such persons is null and void from the beginning. In fact for many years this same man pretended to validly confer Matrimony and Baptism, also blessings as a layman! (To view photographic evidence of these events, please visit <http://www.shrineofsaintjude.net/home-QBox-015.html>). And now he and his “bishop” — neither of whom were ever validly and licitly tonsured or trained in a seminary nor validly and licitly in receipt of orders — are preparing to create those who will be foisted off on the credulous and unwary as “priests.” The imposture goes on and on, and only when the faithful cry “Enough!” and refuse to allow Christ to be insulted in this way any longer will they be free from that heinous sin known as contempt of Faith.

### **What constitutes contempt of Faith**

In 1944, Rev. Alan McCoy O.F.M., J.C.L. wrote a dissertation, “Force and Fear in Relation to Delictual Imputability and Penal Responsibility,” (Catholic University of America). Under the general heading of “Delictual Acts Interdicted by Divine Authority,” he writes: “When an act is *intrinsically evil*, or involves *contempt of the faith* or of ecclesiastical authority, or *works to the detriment of souls*... imputability is not taken away in such cases since in these instances the observance of the law still urges under the pain of sin, *even though the most severe personal hardship or danger, or also the greatest private harm might come from such observance*. And the reason for this is that some spiritual good, either of God or of the Church or of individual souls is involved... There is consequently always grave guilt in the deliberate transgression of such a law.”

As Rev. William Conway also notes in his “Problems in Canon Law,” grave inconvenience which excuses from the observance of a law applies only to ecclesiastical laws; McCoy speaks here of violations of Divine law and states that not even the gravest personal hardship or greatest private harm excuses from observing the law. *In the violation of the Divine law, positive or natural, only grave fear externally manifested to*

*witnesses would excuse from incurring the censure attached to the violation of such laws,”* (1937 decision by the Pontifical Commission for the Authentic Interpretation of the Code). Most authors agree it does not excuse from the sin, however, and there is no indication that there was ever a question of grave fear in the case of Traditionalists, so the censure still binds. While it applies to delictual acts that are intrinsically evil, it does not excuse from those acts which, “involve contempt of the Faith or work to the public harm of souls,” (Ibid). This is reflected in Can. 1935, which explains that an obligation to denounce an offender exists when one is obliged to do so “by *the natural law* in view of danger to the faith or religion or other imminent public evil.”

On page 92 McCoy discusses what the Code considers to be acts involving contempt of the faith. He identifies the titles in the Code containing these acts as XI and XII of the fifth book, concerning “Delicts Against the Faith and Unity of the Church and Delicts Against Religion.” *These include heresy, apostasy and schism; communication in sacred rites with heretics; usurpation of priestly functions and sacrilege, also any recourse to the civil power from the acts of the Apostolic See and interference with the liberty and rights of the Church, among others.* These last two offenses must be considered because both Pope Pius XII’s papal election law and the Church’s rights have been ignored. As mentioned elsewhere, Catholics are bound by Can. 1325 to profess their faith, especially in the face of persecution. Whether intended or not, the continual violation of Pope Pius XII’s election law, especially the invocation of supplied jurisdiction reserved especially to the Roman Pontiff contrary to this same law, shows a particular contempt for the laws and rights of the papacy. Essentially such behavior at least implicitly denies the necessity of the papacy and the supremacy of the pope, and this undeniably works to the public harm of every soul on earth.

On page 97, under the heading “Acts that Work to the Detriment of Souls,” McCoy writes: “These are all acts which draw people away from the faith or from the practice of Christian morals and thus expose them to the danger of eternal damnation... Those acts which, by their nature, work to the detriment of souls are listed particularly in Titles XVI and XVII of the fifth book of the Code... bearing the headings: ‘Offenses Committed in the Administration or Reception of Orders or the Other Sacraments’ and ‘Offenses Against the Obligations Proper to the Clerical and Religious State.’” Among the offenses McCoy lists that work to the detriment of souls are: “...*the administration of Sacraments to those who are forbidden to receive them...the consecration of a bishop without a papal mandate...the reception of Orders from unworthy prelates...the negligence of a pastor in the care of souls.*”

These are the Church’s ideas of what constitutes contempt of faith and a true danger to souls. Traditionalists have repeatedly committed these crimes. Many of the offenses listed here have been perpetrated by those presenting as bishops and priests who believe that they are serving the common good and furthering eternal salvation by ministering to the faithful; but they were not acting out of fear as McCoy envisions in his commentary. Clearly all these crimes above enumerated by McCoy were censured by the Church to guard against a common danger: sin, fraud, danger of deception or perversion and so forth. And Can. 21 tells us that: “Laws enacted for the purpose of guarding against a

common danger bind, even when there is no danger,” (in individual cases). As McCoy points out, in the case of fear the individual affected is presumed to act “out of frailty rather than through *obstinacy*,” a term associated with the commission of heresy. It is clear that those acting as independent bishops and priests were obstinate in refusing to fully examine all the objections to their ministrations. Once Traditionalism organized itself into various groups and began publicly presenting as the true Church minus Her visible head, it became a non-Catholic sect. Although Trad apologists strenuously insist that their priests and bishops have not incurred these censures owing to ignorance, the law and the facts do not support this. And if we believe them and disbelieve Pope Pius XII, we endanger our eternal salvation.

### **Ignorance of the law not admissible**

According to Rev. Garrigou-Lagrange in his “The Theological Virtues: Faith,” for formal heresy to exist, and the falsification of Christ’s words in the Consecration can be used as an example, “***It is not necessary that the individual believer realizes that the truth in jeopardy has been revealed,***” (that is, that “all men” does not convey the same truth as “for many.” As Pope Pius IX taught at the Vatican Council, “By divine and Catholic faith, all those things must be believed *which are contained in the written word of God...*”) As seen above, these men cannot be excused from culpability because what they have done is intrinsically evil. They can say they did not know the truth but they were bound to know it. All pleas to excuse them on the basis of ignorance fail, because as Rev. Innocent Swoboda, O.F.M., J.C.L. observes in his work, “Ignorance in Relation to the Imputability of Delicts,” (Catholic University of America, 1941):

“One who is well versed in the law, or one who holds an office [or is perceived to do so], in regard to the things pertaining to the office,” is presumed to be unable to claim ignorance of the law or its penalty, or ignorance of some fact concerning the delict. Swoboda explains that in a pastor, priest or judge, a knowledge of the law is so strongly presumed that even if ignorance is claimed, it would most likely be considered *crass* by an ecclesiastical court, or culpable, (meaning the offender is at fault). Crass ignorance is subjectively defined by Swoboda as “*a complete lack of diligence when it is known that the truth could be easily discovered...a complete and total failure to use any effort to fulfill the obligation of knowing the law or the pertinent facts surrounding the law. The failure itself may arise from mere sloth or from a sinful habit of acting without due consideration of the results of one's own conduct...Only the ignorance of those things which can be easily learned can be considered crass or supine.*” Can Canon Law be easily learned? Perhaps not, but as Msgr. Cicognani tells his readers: “The study of Canon Law is *necessary*...for Prelates... and also for priests who have the care of souls...Pope Celestine wrote that “No priest may be ignorant of the Canons...Pope St. Leo [stated]: “If ignorance is hardly tolerable in laymen, how much more so in those who are over them; such ignorance is inexcusable and intolerable.”

Those trained as priests, no matter how haphazardly, knew of this obligation. And certainly bishops were obligated to know the faith and guard the flock from all dangers to it — and this included protecting the Canon of the Mass from corruption. That Canon had existed from the fourth or fifth century A.D. untouched and unchanged. If they valued the true Mass as they averred, then why was the change to “all men” in the dialogue mass

missalettes handed out to the faithful in 1959 not detected until only recently? And had this falsification of Christ's own words and the heretical meaning behind them been identified, how could they ever had any doubt that John 23 was a heretic, hence an antipope? Certainly the falsification of the canon in the NOM officially promulgated by Montini was cited as one of the reasons for believing HE was an antipope. Whether the priest pronounces the proper words of consecration or not, the inclusion of a non-Catholic (Roncalli) in the Canon as one of the Apostolic Successors in the line of true popes immediately interrupts the unbroken chain of apostolic succession and unity in the Profession of Faith, existing since Christ's commission of the keys to St. Peter. This is true because no one bothered to elect a true pope, and never in the history of the Church have antipopes reigned this long unopposed by a true pope. As Pope Paul IV infallibly teaches in "Cum ex...", all the acts of these imposters and those who accept them, even in good faith, are null and void from the beginning. Canon Law, based on Pope Paul IV's bull, reinforces this teaching as does the papal election law of Pope Pius XII quoted above. And this is not even taking into consideration the fact that at the same time, at the very moment Roncalli was announced as the new "true Pope," episcopal jurisdiction and subsequently any jurisdiction granted by him was null and void.

Pope Pius XII insisted in his papal election constitution that papal jurisdiction and all Canon Law, including disciplinary decrees, must remain intact. This he solemnly decreed for the spiritual welfare of the Church. Traditionalists have no right to officially interpret Canon Law, dispense from it, change it or detract from it, directly or indirectly. This seems to have been the entire purpose of Traditionalists, however, from day one. As such they usurped the rights of the pope in his capacity of Supreme lawgiver, with the duty to safeguard and uphold the law "from the contention of all men." In infallibly declaring that such attempted usurpation has no effect during an interregnum, Pius XII effectively wiped out, in one fell swoop, all their acts: sacraments they attempted to receive and confer, offices conveyed, laws disregarded or falsely interpreted and dispensations made. Thus he acted to protect the faithful from any crass ignorance or cunning that might result in the violation of the principles on which Christ established His Church.

Did he, as some object, thereby nullify the orders Traditionalists received validly? No; he instead nullified all the effects of their *acts*, just as he was able to declare a marriage contract null and void as Pope. They were posited and those positing were incapacitated from acting; the acts are to be considered as having never taken place. I can give you the sales receipt and title to a car; I can insure it and drive it to your home. But if I do not give you the keys to the ignition and the gas cap key, you cannot drive the car, even though you may be in full possession of it. And if I think that you have been heavily drinking and will drive it, or that you intend to use it in the commission of some other crime, I am obligated to keep the keys. Only the Roman Pontiff has the ultimate power to bind and loose with the key of supreme jurisdiction. If he chooses to withhold the key that opens the door for bishops to act validly and licitly with his permission, he acts in perfect accordance with Canon Law because even an inferior superior is permitted to prevent promotion to higher orders. The father of all Catholics is commissioned to protect the members of his flock even if it means depriving them of their rights. This is especially true if by ignorance or the will to do evil they could in any way harm the faith.

This in no way injures the indelible mark of orders or removes it; it simply denies permission to act according to the priestly or episcopal powers received, and Pope Pius fully possessed this power. No human person has the right to use a privilege for the commission of mortal sin and to defraud and pervert the faithful. The Vatican Council clearly taught Catholics that the papacy is essential to the existence of the Church and that the Roman Pontiff alone has the full primacy of universal jurisdiction and the charism of infallibility. Already in *Satis Cognitum* (1896), Pope Leo XIII taught: “The Episcopal order is considered to be in proper union with Peter, as Christ commanded, if it is subordinate to Peter and obeys him. Otherwise it necessarily degenerates into a disorganized and confused group... The power of the Roman Pontiff is supreme, universal, and absolutely independent, whereas the power of the bishops is fixed within definite limits and is not absolutely independent...”

In *Ad Sinarum Gentem*, a letter addressed to the Chinese bishops, Pius XII infallibly taught that the bishops receive their jurisdiction indirectly from Christ, since only the Roman Pontiff receives direct jurisdiction from Christ by Divine right. Bishops therefore need the Pontiff’s permission to exercise their powers. Pius wrote on Oct. 7, 1954: “The power of orders (through which the ecclesiastical hierarchy is composed of Bishops, priests, and ministers) comes from receiving the Sacrament of Holy Orders. But the power of jurisdiction, which is conferred upon the Supreme Pontiff directly by divine right, flows to the Bishops by the same right, but only through the Successor of St. Peter, to whom not only the simple faithful, but even all the Bishops must be constantly subject, and to whom they must be bound by obedience and with the bond of unity.” This officially decided this question, long disputed by the theologians. As such it is no longer open to discussion. In a second letter to the Chinese bishops, *Ad Apostolorum Principis*, Pius wrote: “Bishops who have been neither named nor confirmed by the Apostolic See, but who, on the contrary, have been elected and consecrated in defiance of its express orders, enjoy no powers of teaching or of jurisdiction since jurisdiction passes to bishops only through the Roman Pontiff, as We admonished in the Encyclical Letter ‘*Mystici Corporis*’ in the following words: ‘As far as his own diocese is concerned, each (bishop) feeds the flock entrusted to him as a true shepherd and rules it in the name of Christ. ***Yet in exercising this office they are not altogether independent but are subordinate to the lawful authority of the Roman Pontiff, although enjoying ordinary power of jurisdiction which they receive directly from the same Supreme Pontiff.***”

So even though the Pope grants them this jurisdiction, he reserves the right to curb it if necessary, for the spiritual good of the Church. He saw fit only to do this during an interregnum, because as he said in many different addresses and official documents, stormy times were ahead for the Church. No doubt he feared a return to earlier ages when the Church was forced to cow-tow to secular authority and envisioned a return of antipopes, also physical persecution of the popes. Surely he already had seen the attempts of a certain faction to subvert liturgical and other laws and infringe on the rights of the Holy See. Too much emphasis has been laid on the fact of episcopal “validity” outside its lawful use as directed by a true pope. This is scarcely justified when such validity is accompanied by so much shame, abuse and bad conduct, not to mention contempt of

faith. Validity is nothing by itself without faith and Church membership, without a true pope who can authorize its use, although the enemies of the Church claim otherwise.

### **Validity an empty word without true apostolicity**

In the introduction to Peter Anson's "Bishops at Large," (October House Inc, New York, N.Y., 1964), Henry St. John, O.P. described the Anglican Catholics, Old Roman Catholics, Old Catholics, Gnostic Catholics and Liberal Catholics as follows: "They stand as a rule for 'Catholicism' without the Pope, but their preoccupation, amounting to obsession, is the recovery of Christian unity by the widespread, and, in effect, indiscriminate propagation of a 'valid' episcopacy and priesthood," and a better description of Traditionalists could hardly be imagined.

Continuing his comments, (Henry) St. John calls the hierarchical structure of the Church taught by these schismatics as "*a reductio absurdum*...[an] apostolic succession divorced from almost every consideration but a mechanical conception of validity... The obsession of the 'bishops at large' and their followers with the validity of orders has brought them to the belief that such validity is the sole hallmark of the nature of the Church and its authority. " He explains how these schismatics paraphrase the old adage, "Where the pope is, there is the Church," with their own idea of pre-eminence: "Wherever there are valid orders, there is the Church." He concludes: "A valid apostolic succession is of little value unless it is possessed by a visible organic society," and here is why. As we learn from the Catholic Encyclopedia's article on Apostolic Succession: "Apostolicity... is the surest indication of the true Church of Christ, it is most easily examined and it virtually contains the other three marks... ***Apostolicity of doctrine and mission is necessary. Apostolicity of doctrine requires that the deposit of faith committed to the Apostles shall remain unchanged. Since the Church is infallible in its teaching, it follows that if the Church of Christ still exists, it must be teaching His doctrine.*** Hence apostolicity of mission is a guarantee of apostolicity of doctrine... Apostolicity of mission, or apostolic succession... means that the Church is one moral body, possessing the mission entrusted by Jesus Christ to the Apostles and transmitted through them and their lawful successors in an unbroken chain [or line] to the present representatives of Christ on earth.

"This authoritative transmission of power in the Church constitutes Apostolic Succession. This Apostolic Succession must be both material and formal; the material consisting in the actual succession in the Church, through a series of persons from the Apostolic age to the present; the formal adding the element of authority in the transmission of power. It consists in the legitimate transmission of the ministerial power conferred by Christ upon His Apostles. No one can give a power which he does not possess." As Rev. W. Wilmers wrote in 1899 in his "Handbook of the Christian Religion," "Though a schismatic body would be in possession of the true faith and Sacraments, it would not therefore be Apostolic as a church. Since a twofold power of orders and jurisdiction has been given to the Church [by Christ], one cannot become a successor of the Apostles in the full sense of the word, not being duly ordained and invested with jurisdiction... The pope possesses the fullness of that spiritual power granted to the Church... This is precisely what renders the Church apostolic — that the bishops who are in communion with the successor of St. Peter form one moral body with the apostles who were gathered around St. Peter..."

“A bishop is then only a SUCCESSOR of the apostles when he belongs to that body which was instituted for the government of the Church. Now, he cannot belong to that body without being admitted, (Council of Trent, Sess. 23, Can. 8) or confirmed by its head, the pope; for all members of a body must be subordinate to the head and receive their influence from it. . . *Neither the assemblage of the faithful nor the state can confer spiritual jurisdiction. A bishop appointed by the people or by the state is an intruder.* The same may be said of one invested with the episcopal dignity by the clergy or even by a chapter, contrary to the laws of the Church. All who support a priest, bishop or diocesan administrator who has not lawfully received his mission from the pope and all who hold intercourse with him in spiritual matters are, like him who they support, *treated by the Church as schismatics*, because by such action *they separate themselves from the Church’s unity.*” Today Traditionalist “clergy,” nearly all of whom are not even in orders, appoint or elect their bishops. But those not in orders for never receiving the rite of tonsure are mere laymen, meaning that these men simply appoint non-Catholic ministers for themselves and others.

So whenever false doctrine is taught, there can be no true apostolicity of orders, no four marks. The indelible marks of ordination and episcopacy remain if truly validly given, but they are placed in the service of the Enemy. Those pressing the matter of the “sacredness” of valid orders divorced from jurisdiction have fallen into the same trap of the churches that separated themselves from Rome following the definition of infallibility. These churches, like the Traditionalist sects would later do, then split into many fragments, only some of which are mentioned above. But all had the same things in common: their bishops and priests ruled the communities and they either refused to recognize the Roman Pontiff as infallible or as their supreme head. It would be better in many ways if those few possessing validity did not possess it at all. For in possessing it, they are able to validly consecrate the host, thus subjecting Our Lord to even further abuse suffered by way of insult and sacrilege. At least Novus Ordo “priests” and “bishops” do not render these hideous insults on their altars, although they offer mere bread for worship as Christ’s true body, resulting in idolatry by those believing they validly consecrate.

### **Ad Apostolorum Principis and supplied jurisdiction**

It has been pointed out that in *Ad Apostolorum Principis*, written after the 1945 constitution on papal election, Pope Pius XII taught that the bishops in China received valid orders from those obeying the state, but that the conferring of these orders was gravely illicit and sacrilegious. Some believe that this supersedes the statements made in *Vacantis Apostolica Sedis*, when in fact Pius XII simply stated what the Church always has taught and what we ourselves have always believed. It has nothing to do with what the Pope said in his papal election constitution. The focus of that constitution was strictly on conditions that might exist *during an interregnum* and the election process itself; that and Pius XII’s firm intent to protect Canon Law from being dismantled by those who might change or do away with it during the time of election or an (extended) vacancy of the Holy See. Pius XII had a good reason for approaching this as he did, and this will be seen below.

We cite the works of Rev. Charles Journet here knowing that some do not hold him in

high repute. However, what he states here is confirmed by other authors whose writings, to the best of this author's knowledge have never been questioned. Journet states, in his "The Church of the Word Incarnate" that: "The validity of the Confirmation given by dissident priests, a validity that could only result from a concession of the Sovereign Pontiff, was explicitly recognized by the Holy Office (July 3, 1859) for all the Oriental Churches, save those of Bulgaria, Cyprus, South Italy and the islands adjacent from whom this concession has been withdrawn..." Journet quotes the *Ami du clerge*, 1927, Vol. 44, saying that the validity of absolution from dissident priests can be demonstrated from the principle, "admitted by all, *of good faith and colorable title* [still insisted on by Rev. Augustine, even after the Code] ...As regards the faithful, *good faith*, since their priests are sent them by their bishops and patriarchs and are taken by all for legitimate pastors. As regards the pastors, *colorable title*, since the priests are deputed by a bishop and held to be legitimate pastors." Journet comments: "But it is only a momentary, fugitive jurisdiction, valid for those particular cases that can be established in this way, ***not one that is durable and continuous.***" He cites the fact that the Church recognizes their Confirmations, and does not conditionally re-Confirm those reconciled to them; also the fact that those reconciled to the Church are not required to make a general Confession.

Journet believed that the dissident Oriental Churches "can possess the spiritual jurisdiction needed for the valid administration of Confirmation and Penance. We will not say that they can possess it illicitly or illegitimately since they have it by a free delegation from the Sovereign Pontiff and so licitly and legitimately ***[but] in a partial, precarious, borrowed and accidental manner,***" and even grants the Orthodox "a partial or mutilated" apostolicity, given their "borrowed" jurisdiction. Can. E. J. Mahoney also weighs in on this subject in his "Questions and Answers: The Sacraments" (1948), explaining that "in some way or other" the Church supplies jurisdiction to at least the Orthodox. Can. Mahoney holds that the priests of the Oriental Church "enjoy jurisdiction for absolving from sins [and for Confirmations] because the Church, ***for the gravest reasons affecting the salvation of souls,*** has not withdrawn the necessary jurisdiction from them." Like Journet, Mahoney bases this on the fact that in receiving Oriental schismatics into the Church, the usual general confession is required of everyone else, but it is not required of the schismatics. This leads one to believe, he says, that their previous confessions were valid. Also, the powers that once were accorded these schismatic priests to administer Confirmation to infants from time immemorial has not been withdrawn. This is elucidated, Mahoney says, in a decision of the Holy Office dated 1853 and indicates, once again, that the sacrament is administered validly and licitly. Revs. McHugh and Callan, in their *Moral Theology, A Complete Course* (1929), also note that: "It is the teaching of learned authorities that the Roman Church, for the good of souls, has allowed ecclesiastical jurisdiction to remain in the schismatic Oriental Churches for the conferring of the Sacraments," (Vol. 1, no. 1375). Revs. Herve and Szal concur.

But before Traditionalists decide the Orthodox are their next best bet for the Sacraments, they need to understand that ***these schismatic clergy also lost the supplying principle for their jurisdiction when Pope Pius XII died, just as all other clerics did.*** And Pius XII did not limit the prohibitions in his papal election constitution to Western Catholics;

rather he addressed his constitution to the universal Church. While Pope Pius XII may have been talking about the Chinese in *Ad Apostolorum Principis*, he was most likely referring to the fact that as long as he was pope or a true pope reigned, the Chinese, for the same considerations of “the gravest reasons affecting the salvation of souls,” would be considered as valid for the purposes of supplying jurisdiction to benefit the faithful. We must remember his great fear and hatred of Communism, and his deep compassion for those living under Communist rule. Yet all papal jurisdiction ceases during an interregnum, and cannot be assumed by an antipope. ***For this reason, the Orthodox no longer enjoy jurisdiction supplied by the Pope anymore than Traditionalists can enjoy it today.*** This is what Pope Pius XII attests to in *Vacantis Apostolica Sedis*, insisting that not even the cardinals can presume to supply for it. Did he waver or change his mind about the force of Canon Law prior to his death? Not according to what he wrote in December of 1953 and June of 1956.

In his 1953 *Motu Proprio*, Pius XII commented on Can. 2319§1 concerning the marriage of Catholics before a non-Catholic minister, the pope removed all reference to Can. 1063, which some commentators were using to excuse the faithful from the excommunication attached to Can. 2319 for this act. In removing the reference to this canon, Pius XII wrote: “The good of the Church demands that we take all possible care that the stability of Canon Law be not endangered by the uncertain opinions and conjectures of private parties regarding the true sense of the canons, ***and that the interpretations which rest on subtleties and cavils against the clear will of the legislator do not result in undue indulgence toward violators of the law, a thing which disrupts the nerve of ecclesiastical discipline,***” (Canon Law Digest Vol. 4, under Can. 2319). Pope Pius XII ordered that his *Motu Proprio* be entered into the *Acta Apostolica Sedis* as part of the ordinary magisterium.

Again, in his address to the professors and students of the Vienna Law School, he cautioned them that while some canons are “only protective norms,” there are others such as “the laws regulating the Constitution of the Church and those defining powers of the Pope and of the bishops...which are built into the very structure of the Church by Her Divine Founder and are indeed in direct accordance with Her nature...” He refutes accusations that Canon Law “stifles the spiritual and supernatural values it is intended to serve” and condemns allegations of “inflexibility...and excessive legalization.” He concluded his address by noting that “Church life and Church law belong together...The sainted Pope Pius X was the creator of the new Church code of laws by which he opened the sources and sluices of all sacramental life,” (Canon Law Digest Vol. 5, first article. This address also was entered into the *Acta Apostolica Sedis*.) It is important to note that it is this very “inflexibility...and excessive legalization” Traditionalists point to every time in justifying their use of *epikeia*; a use that is limited to ecclesiastical laws only and that cannot be claimed in the case of invalidating and inhabilitating laws. “The laws regulating the Constitution of the Church and those defining powers of the Pope and of the bishops” are precisely those laws which are treated in this article, laws of Divine origin and therefore outside the scope of *epikeia*. And it is apparent here that concerning these laws, the lawgivers’ intent in legislating them has not changed one whit. These laws, in fact, are faithfully reflected in *Vacantis Apostolica Sedis*, which although it was

a revision of Pope St. Pius X's previous papal constitution, yet preserved the substance of Pope St. Pius X's law.

### **Cum ex in relation to Vacantis Apostolica Sedis**

Pope Paul IV and Pope Pius XII shared the same frightful vision in many ways; they knew the dangers that threatened the Church, especially those related to the reign of antipopes and the resultant schism that necessarily follows. In "Cum ex..." Paul IV describes in frightening detail the disaster he hoped to forestall as follows: "We have been concerned lest false prophets or others, even if they have only secular jurisdiction, should wretchedly ensnare the souls of the simple, and drag with them into perdition, destruction and damnation countless peoples committed to their care and rule, either in spiritual or in temporal matters; and We have been concerned also lest it may befall Us to see the abomination of desolation, which was spoken of by the prophet Daniel, in the holy place. In view of this, Our desire has been to fulfill our Pastoral duty, insofar as, with the help of God, We are able, so as to arrest the foxes who are occupying themselves in the destruction of the vineyard of the Lord and to keep the wolves from the sheepfolds, lest We seem to be dumb watchdogs that cannot bark and lest We perish with the wicked husbandmen and be compared with the hireling..."

When Popes go to the lengths that Paul IV and Pius XII did in creating these documents there is a very grave underlying reason for their actions. Pope Pius XII, at the time that he wrote his constitution, had just witnessed the conclusion of WWII. He could see the devastation caused by the war, his own very near miss as its casualty, and the long work of reconstruction. We know he was tormented by the terrifying possibility that nuclear war could now be waged and the atom bomb would inevitably fall into Communist hands. We know how tirelessly he worked for peace. Eventually he would learn that things in the Church were much worse than he ever suspected, and would close up the administration of the Vatican so tightly that later he would be accused, after his death, of leaving it in a deplorable state. He was no saint; he made mistakes and was greatly hindered in making good decisions by the false guides presenting as meek lambs, while secretly acting as ravening wolves. But he loved the Church and made many outstanding contributions to Her dogmatic and literary treasures. After the manner of Pope Paul IV, he put in place a mechanism he hoped would protect the Church in Her time of trial, a time he knew was fast approaching. That it has been steadfastly ignored and given short shrift by the present-day wolves is no surprise.

Cardinal Manning said much when he wrote in 1875: "The doctrine of the Church does not determine the doctrine of the Primacy; but the doctrine of the Primacy precisely determines the doctrine of the Church." Those who sit in judgment on whether or not Pope Pius XII meant to prevent the possibility of these acts by twisting his words must be brought up short; they are forbidden to judge the pope. In its prohibitions, his constitution is no different than Pope Paul IV's and it is most likely this is the case because he knew he was dealing with the same species of errors. For anyone to state that it is beyond the pope's power to inhibit the actions of his subjects is to intimate that he has no supreme power over these subjects and they are free to act independently. This is not what the Church taught on the primacy at the Vatican Council. If Pope Paul IV could issue "Cum

ex...” with its many references to the nullity of clerical actions, so also could Pope Pius XII forbid that such actions have their effects. Pope Paul IV’s bull later became the entire basis for the laws on loss of office and those concerning heresy. From this we can only conclude that in upholding Canon Law as he did in his constitution, Pope Pius XII was affirming and safeguarding the laws Pope Paul IV made, which he knew were used as the basis for critical parts of the Code.

In another work, Cardinal Manning makes a comment this author feels should be repeated here. He basically restated the old proverb that he who stands against or “eats” the pope eventually will be destroyed. As seen from here, that destruction cannot be far off and is regrettable but unavoidable. No one has rushed to champion the rights of the papacy or restore it anymore than those alive in Christ’s time rushed to prevent His Crucifixion. No one wishes to obey and revere the Pope any more than the Pharisees wanted to believe Christ was the true Messiah and consider His words in their hearts. Traditionalists can enjoy their rights and independence for as long as they last, but the time will come when they must pay. If Cardinal Manning and Pius XII believed that payday was just around the corner, then surely it is on our very doorsteps today.

## Summary

The key to determining when the Holy See became vacant is crucial to defining exactly when and how a scant valid but illicit cleric emerged from the nightmare that was the false V2 council. Enough proof exists to demonstrate that Roncalli was a manifest heretic before his election, as evidenced in the heresies promoted after he was elected. Somewhere true priests and bishops DO exist — in prison, in hiding or in some remote and unknown area, protected by God from discovery. But wherever the hierarchy can be found, they must have remained free of censure and managed to retain ordinary and delegated jurisdiction in an extraordinary manner, either with special faculties from the Holy See or as missionaries. And they must be able to offer positive proofs of this, which can be verified beyond a reasonable doubt, or else prove their mission by miracles, as St. Francis de Sales teaches in his "Catholic Controversy." We know they exist somewhere. But what a nightmare it would be to prove that they possessed, for example, extraordinary faculties — which could so easily be forged, as it appears was the case with Bp. Thuc. We must trust in God to provide these proofs and if they surface, He will either see to it that their credentials are undeniably authentic, or will gift them with miracles.

We cannot assume these hidden clerics supply when we cannot verify their certain existence or confirm these facts. As Msgr. Cicognani said above, “*Epikeia* has no place in invalidating laws, **for the common good demands certitude concerning the validity of acts.**” Those assuming that such unidentified persons would or could supply *in absentia* are really appealing to *epikeia* for a relaxation of the law, and this cannot happen where valid acts involving the Sacraments are concerned. Canon 200 demands that: “He who claims to possess delegated jurisdiction has the burden of proving the delegation.” And the point is really moot; for even given that true bishops could be found and verified as such, they could not lift the impediment of infamy of law specially reserved to the Holy See without first electing a pope. Nor could they ordain those laymen now posing as clerics, for Canon 2394 no. 1 states that those taking possession of an ecclesiastical

office, benefice or any dignity by their own authority (or at the behest of the laity) are automatically disqualified from receiving ecclesiastical offices, benefices or any dignity and must be punished. Canon 2265 §1, no. 3 also says that *excommunicates* “cannot be promoted to orders.” Those men in question here cannot be considered eligible for ordination to the priesthood, for they are guilty of multiple censures, including simulation of the Sacraments and infamy of law, among others. The greater part of the censure/penalties attached to these offenses require absolution from the Holy See, and at least until then these men are disqualified from acting.

As already stated above, any of those men returning from the Traditional sects who could prove they were validly ordained would be required to first repent and ask for absolution, formally abjure their heresies, repair any injury and scandal and do public penance, (Can. 2313). To date no one has admitted they have even committed an offense far less attempted to do public penance. Yet all do not hesitate to invoke Can. 2261§2 to confer the Sacraments, when this canon assumes they are excommunicates! It should be remembered, however, that most of these individuals incurred the penalties and excommunications not as clerics, but as laymen. Nevertheless, the severity of the offenses and the stubbornness of the offenders, also their apparent lack of concern and remorse regarding the insults to God and the faithful, would not ordinarily bode well for easy treatment by their Ordinary or the Pope. This is clear from the canons themselves and the former laws concerning heresy and the treatment of heretics, including Pope Paul IV’s “Cum ex...” Can. 6§4 concerning heretics and schismatics applies, especially since no one is available to enforce the current canons, so the old law, “Cum ex...” (fontes to Can. 2314) revives in full force. Those guilty of heresy or schism, then, are for now to be considered as non-Catholics of no consequence whatsoever, stripped of Church membership and all rights thereof.

Once John 23 was invalidly elected, all bishops recognizing him as pope lost their jurisdictional power to confer tonsure, just as validly ordained priests lose it today to absolve, since there is no longer a true pope to appeal to who can supply jurisdiction. Some appeal directly to God and claim jurisdiction, but this is a sin of presumption, which is “an act of the will by which one rashly expects to obtain eternal happiness or the means thereto...[It] is opposed to the theological virtue of hope which expects from God only such things as are worthy of God and as God has promised,” (Revs. McHugh and Callan, Moral Theology, A Complete Course, Vol. I, no. 1077-78). God promised that Peter’s faith would never fail, not that the faith of bishops would never fail. Traditionalists treat their “clergy” as infallible and act as though they are incapable of error, since this is how these men present themselves to their followers. As a result, they presume from God what he has only given the pope the power to do: to bind and loose. Pope Pius XII bound all the faithful infallibly to Canon Law and Church teaching in *Vacantis Apostolica Sedis*, but they cannot and do not recognize this binding. This is yet another proof of their status as schismatics.

The few remaining valid Traditionalist priests and bishops who have survived the canonical vetting process demonstrated in this essay cannot escape these consequences. For *Vacantis Apostolica Sedis*, while it did not “remove” or injure the indelible mark they received at ordination/consecration, infallibly annulled all their acts performed

outside the law during an interregnum automatically, even before they were attempted. So while it may have appeared that they operated seminaries, administered chapels, celebrated Holy Mass, administered all seven Sacraments and granted marriage annulments, dispensations, etc., none of these acts were even illicit; *these things never happened*. Pius XII denied the hierarchy the right to exercise papal jurisdiction during an interregnum by nullifying all their acts. What Pope Paul IV did with his bull “Cum ex...” in terms of the hierarchy, Pope Pius XII simply continued in a broader manner, but only during a vacancy of the Holy See. Both popes treat acts that appear to have happened but never happened; the dog and pony show that deceived even the elect.

Will Traditionalists deceived by these men for the past 40 years or more really shrug off what is quoted here from so many pre-October 1958 sources and willfully continue to offend Our Lord? Can they not see that by remaining with these groups they deny the necessity of obeying infallible papal decrees and Canon Law, and that in so doing they deny Pius XII’s infallible decree, specifically directed at us, and lose their membership in the Church? If they are so immersed in charity, as they consistently claim, then where is their love for God and His truth, the first order of charity; their love for their family and friends, even their love for the men they believed to be their leaders and who now should be their enemies? At what point can it be said that people once Catholic, but who, like the English, have embraced a non-Catholic sect are no longer reachable?

I say the time has come. There are enough proofs here to convince a rational human being and there is no help for it if no rational humans can be found. Even invincible ignorance, while it may not be culpable, does not excuse from incurring impediments, irregularities or crimes, (Can. 988). But in reality, it is not so much invincible ignorance that is the problem here. It is something known as affected ignorance, or to quote Cicognani: “Ignorance that is sought on purpose, directly intended and is foreseen and willed in its cause; according to that verse in Psalm 35: ‘They would not understand that they might do well.’ Consequently in law, affected ignorance is held equivalent to fraud, so much so that it does not excuse from any penalty, *latae sententiae* penalties included,” (see Can. 2229. Rev. Swoboda believes affected ignorance could diminish imputability, but only in certain cases.) Fraud is what has been perpetrated here and it appears there are far more who have assisted in its perpetration than we realize. The basis for many of the proofs presented here were available in the 1980s; all Traditionalists needed to do was to draw them out. There are literally so many violations of the law committed by false Traditionalist ministers that only the most glaring could be mentioned here. And that is only further indication that the law has never meant anything to the high muckety-mucks of Traditionalism.

Affected ignorance may explain why there is no outrage, no righteous anger among Traditionalists concerning the horrific, protracted insults rendered to God and the reprehensible imposture perpetrated on the people. To follow Canon Law as Pope Pius XII commands, Traditionalists now are bound to obey Can. 2294§1, which states that those who have incurred infamy of law “*must be restrained from the exercise of sacred functions of the ministry.*” Under Can. 1935, so also should those be restrained who dare to simulate the celebration of “Mass” as laymen, (Can. 2232 no. 1). If such services were

not attended in the first place, there would be no need to stop them. There is no extraordinary mission by the grant of Our Lord Himself, as Traditionalists heretically claim; nor any appeal possible to Can. 2261§ 2 (which supplies jurisdiction only in common error, not common affected ignorance). Such supplying can happen only during the reign of a true pope, so Traditionalists can forget *epikeia* or any other loophole in the law they imagine themselves to have crawled through.

The law itself has hamstrung all these hirelings and there is no escape; Pope Pius XII made certain of this. They cannot justify their existence by twisting the law, claiming it no longer applies, dispensing themselves from the law or pretending to authentically interpret it contrary to its clear wording and intent. When they attempt these things — for they can only appear to perform these acts — they are automatically null and void. When TradCat “clergy” begin to peddle their drivel, true Catholics are ***obligated*** under Can. 1935 to advise them to “talk to the hand,” then escort them to the church door.