

Proofs from the Continual Magisterium: Traditionalist acts are invalid

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Introduction

It goes without saying that the teachings of the Roman Pontiffs, even if not infallible, are to be accepted and obeyed above any reasoning presented by the theologians, who themselves must be subject to the magisterium. As Rev. Pohle writes in *The Sacraments*, Vol. IV: “It matters not what the private opinions of...theologians [are]. It is not the private opinions of theologians but the official decisions of the Church by which we must be guided.” On the other hand, Pope Pius XII cautioned the faithful about accepting the works of those who did not even bother to consult or follow the teachings of approved theologians, presenting their own opinions instead after the fashion of the Traditionalists. He wrote in his infallible encyclical, *Humani Generis*:

“17. Hence to neglect, or to reject, or to devalue so many and such great resources which have been conceived, expressed and perfected so often by the age-old work of men endowed with no common talent and holiness, ***working under the vigilant supervision of the holy magisterium*** and with the light and leadership of the Holy Ghost in order to state the truths of the faith ever more accurately, ***to do this so that these things may be replaced by CONJECTURAL NOTIONS and by some formless and unstable tenets of a new philosophy, tenets which, like the flowers of the field, are in existence today and die tomorrow; this is supreme imprudence and something that would make dogma itself a reed shaken by the wind.*** The contempt for terms and notions habitually used by *scholastic theologians* leads of itself to the weakening of what they call speculative theology, a discipline which these men consider devoid of true certitude because it is based on theological reasoning.”

Msgr. Joseph C. Fenton, Doctor of Sacred Theology teaches the following on the value of papal documents entered into the *Acta Apostolica Sedis*:

Documents...promptly entered into the Acta of the Holy Father are thus indirectly sent, as normative documents, to the entire world...Those allocutions and other papal instructions, which, although primarily directed to some individual or group of individuals, are then printed in the Acta Apostolica Sedis as directives valid for all of the Church Militant. We must not lose sight of the fact that, in the encyclical Humani Generis, the Holy Father made it clear that any doctrinal decision printed in the pontifical Acta must be accepted as normative by all theologians. This would apply to all decisions made in the course of the Sovereign Pontiff's ordinary magisterium.

...Actually, there is no such thing as a teaching issued by the Holy Father in his capacity as the teacher and spiritual ruler of all followers of Jesus Christ which is other than

authoritative. Our Lord did not teach in any way other than authoritatively, nor does His Vicar on earth when teaching in the name and by the authority of his Master. *Every doctrine proposed by the Holy Father to the entire Church militant, is by that very fact, imposed upon all the faithful for their **firm and sincere acceptance**.*

All other papal decrees are *proofs* of the first order as Canon Law teaches whether they are entered into the *Acta* or not; other proofs are to be considered as secondary to these, and then only if they agree with the teachings of the Roman Pontiffs. Canon Law is also cited here as it is judged as negatively infallible by the Church (see Catholic Encyclopedia article on the law). The greater majority of the Code is taken from papal decrees and the ecumenical councils (*Canon Law*, Rev. Amleto Cicignani). The reader should keep this order in mind while perusing the proofs below.

Pope St. Pelagius, d. 543

“We ought not to join the sacrifices of schismatics, for it is evil. Only with the Apostolic See can you communicate... There is no crime more hated and despised than to communicate with schismatics. Anyone who joins [themselves] in their evil sacrifices... is a reprobate and ceases to be a part of the Church.”

Pope Pius VI, the instruction *Laudabliem majorem*, 1791

“His Holiness has declared it is not permitted [that] ...a Catholic address(es) himself to the intruded cleric for the administration of Baptism. [For this] is, from every point of view, vicious, evil and forbidden; in effect, this would be to communicate with schismatics in divine matters and in the very wickedness of the schism... an evil... forbidden by the natural law as well as the divine law...”

Pope Pius IX, *Quartus Supra*, 1873

“ 6. *The chief deceit used to conceal the new [Armenian] 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.*’”

Definition of a Schismatic

“12. 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 Armenian faction of Constantinople is like this, ***they are schismatics even if they had not yet been condemned as such by Apostolic authority.*** For the Church consists of the people in union with the priest, and the flock following its shepherd. ...Furthermore, as Our predecessor Pius VI warned in his Apostolic letter condemning the civil constitution of the clergy in France, ***discipline is often so closely related to doctrine and has such a great influence on its preservation and its purity, that the sacred councils have not hesitated to cut off from the Church by their anathema those who have infringed its discipline.***

“13. But the neo-schismatics have gone further, since ***‘every schism fabricates a heresy for itself to justify its withdrawal from the Church.’*** Indeed, they have even accused this Apostolic See as well, as if We had exceeded the limits of Our power in commanding that certain points of discipline were to be observed...Nor can the Eastern Churches preserve communion and unity of faith with Us without being subject to the Apostolic power in matters of discipline. ***Now such teaching is not only heretical after the definitions and declarations of the Ecumenical Council of the Vatican on the nature and reasons for the primacy of the Sovereign Pontiff, but it has always been considered to be such and has been abhorred by the Catholic Church.*** It is for this reason that the bishops of the Ecumenical Council of Chalcedon, openly declared the supreme authority of the Apostolic See in their proceedings; then they humbly requested Our predecessor, St. Leo, to sanction and confirm their decrees, even those which concerned discipline.” ...For any man to be able to prove his Catholic faith and affirm that he is truly a Catholic, he must be able to convince the Apostolic See of this. For this See is predominant and with it the faithful of the whole Church should agree.”

Quae in patriarchatu, September 1, 1876

Three years after writing *Quartus Supra*, we also hear the following from Pope Pius IX, in: “In fact, Venerable Brothers and beloved Sons, it is a question of recognizing the power (of this See), even over your churches, not merely in what pertains to faith, ***but also in what concerns discipline. He who would deny this is a heretic; he who recognizes this and obstinately refuses to obey is worthy of anathema,***” (to the clergy and faithful of the Chaldean Rite).

Allocution to religious superiors, June 24, 1872

“May God give you the grace necessary to defend the rights of the Sovereign Pontiff and the Holy See; ***for without the Pope there is no Church, and there is no Catholic Society without the Holy See,***” (*Papal Teachings: The Church*, by the Monks of Solesmes, translated by Mother E. O’Gorman, St. Paul Editions, 1962; no. 391, p. 226).

Proofs from the Holy See and the Sacred Congregations will be provided below. The popes have made it quite clear that one cannot form a right conscience regarding what they are to believe by limiting that belief only to certain papal decrees they accept as infallible and ignoring other documents issuing from organs of the Holy See, or considering them of minor importance.

• **Condemned by the decree *Lamentabili*, Pope St. Pius X, 1907:** “They are to be considered free of blame who consider of no account the reprobations published by the Sacred Congregation of the Index or by other sacred Roman Congregations,” (DZ 2008).

• **Pope Pius IX, *Tuas Libentur*, 1863:** “It is not sufficient for learned Catholics to accept and revere the aforesaid dogmas of the Church... It is also necessary to subject themselves to the decisions pertaining to doctrine which are issued by the Pontifical Congregations, and also to those forms of doctrine which are held by the common and constant consent of Catholics as theological truths and conclusions, so certain that opinions opposed to these same forms of doctrine, although they cannot be called heretical, nevertheless deserve some other censure.”

Canon 1324: “It is not sufficient to avoid heretical error, but one must also diligently shun any errors which more or less approach heresy. Wherefore all constitutions and decrees by which the Holy See has condemned and prohibited such opinions must be observed.”

The Communication of Catholics with Schismatics

(Quotes below are from Rev. Ignatius Szal, A.B., J.C.L.;
Catholic University of America Canon Law dissertation, 1948):

Rev. Szal states: “...There was no doubt about the **validity** of orders [by a schismatic bishop] ***if the minister had been validly consecrated and had used the proper matter and form. The question of the validity of the ORDERS CONFERRED BY SCHISMATICS IS RATHER A DOGMATIC THAN A JURIDIC CONSIDERATION,***” which is an important distinction. We are not talking here about ecclesiastical law or matters in which we may make determinations for ourselves. ***Dogmatic questions may be decided only by the Holy See, and the laity must accept such judgments as a matter of faith.*** Szal admits that the ordinations of “Oriental dissidents...the Jansenists in Holland and the Old Catholics...are generally considered as valid. However, because of recent developments among the Oriental dissidents and among schismatics in general, much doubt has been cast upon the validity of the orders of certain schismatic priests, and consequently ***each individual case should be judged on its own merits.***

“Clement VIII, in his instruction *Sanctissimus* of August 31, 1595, stated that those who had received ordination at the hands of schismatic bishops who apart from their schismatic status were properly consecrated — the necessary form having been observed — ***did indeed receive orders,***

but not the right to exercise them. In this he repeated the doctrine of the glossators. Benedict XIV, in the Constitution *Etsi pastoralis*, of May 26, 1742, confirmed this doctrine of Clement VIII. On the question of schismatic ordinations these two papal documents present a practically identical wording. Not only was the recognized validity of schismatic orders established, but further points were clarified.

“1. Schismatic bishops were not to be admitted for the conferring of orders or for the administration of any of the other sacraments.

2. Persons ordained by schismatic bishops were, upon a proper rectification or amendment in their status, to be reconciled and absolved.

3. An appropriate penance was to be imposed on them.

4. If they had embraced any errors, they had previously to abjure them.

5. If they had not embraced any errors, they had nevertheless to renounce the schism of their ordaining prelate.

6. The abjuration was to be made publicly or secretly, as the case directed.

7. *Before the ordained persons could exercise their Orders, it was necessary for them to receive from the Holy See a dispensation from the irregularity which they had incurred.”*

On November 21, 1709, when the Holy See was presented with the question of whether or not Armenians could seek Orders from schismatic bishops because no other bishops were available, permission was denied. Szal comments: “In no way could that be allowed [because] *those who had been ordained by such bishops were irregular and suspended from the exercise of their Orders.*” Szal cites Canons 1258 § 1 and 2372, noting that exceptions are made for the reception of orders in good faith.

Canon 1258: “It is unlawful for the faithful to assist in any active manner, or to take part in the sacred services of non-Catholics. At the funerals of non-Catholics, at their marriages, and similar solemnities, provided there is no danger of perversion or scandal, *passive or merely material presence on account of a civil office or for the purpose of showing respect to a person may be tolerated for a grave reason, which in doubtful cases must be approved by the bishop.*” Rev. Szal comments from his dissertation as follows: “Canon 1258...declares illicit not only the communication in rites which are of their nature non-Catholic, *but also in rites which are Catholic in nature but exercised under the direction of a non-Catholic sect. Too much familiarity with non-Catholics gives rise to doubts concerning the faith*, to a sense of indifferentism, and frequently leads to the contracting of mixed marriages. The acts of religious worship performed by schismatic sects is superstitious and hence are illicit.”

“If one considered a schismatic merely as being in a state of mortal sin, one could receive the Sacraments from him for a just cause. Even if the schismatic was considered bound by a censure, the faithful could receive the sacraments from him for any just cause as long as he was not a *vitandus* or under censure upon a condemnatory or declaratory sentence. **BUT THE SCHISMATIC MINISTER CANNOT BE CONSIDERED MERELY AS ONE IN THE STATE OF MORTAL SIN OR AS ONE BOUND BY A CENSURE.** He is more than that. He is the minister of an unauthorized sect.

Only a person in danger of death could receive the sacraments from him...***THE ACT OF SEEKING OR RECEIVING THE SACRAMENTS FROM A SCHISMATICAL MINISTER IS FORBIDDEN IN VIRTUE NOT ONLY OF THE DIVINE LAW BUT ALSO OF THE LAW ENACTED IN CAN. 1258 §1...***

“The prohibition against the communicating with non-Catholics in the dispensing of the sacraments has existed since the earliest times. There is a reference to this in the decree of Gratian, [citing a letter of St. Augustine against the Donatists]. It was there stated that only in danger of death should one seek baptism from a heretic or schismatic, and that it would be gravely illicit to do so outside any such necessity...” (pgs. 59-60). No one is ever obliged to receive the Eucharist or Penance from one not certainly possessing both orders and (at least supplied) jurisdiction, removing any excuse for a “grave cause.”

As Rev. John Bancroft states in his *Communication in Religious Worship with Non-Catholics*, (Catholic Univ. Of America, 1942; p. 92), Catholics “sin gravely who ask for or receive a sacrament from a minister who will administer it invalidly or with doubtful validity because he directly induces, or cooperates in, an act which is intrinsically wrong. He sins gravely too who asks for or receives a sacrament from an heretical or schismatic minister as such, because of the formal religious communication involved; this excludes cases when the non-Catholic minister receives authorization from the Church in certain cases.” Not only does the prohibition to participate in non-Catholic worship apply to sects such as Islam, the Jews and others, it applies as well to “worship [that is] Catholic in form... under the auspices of a non-Catholic body... (i.e., Mass by a schismatic priest.) It expresses either faith in a false religious body or rebellion against the true Church... Ordinarily communication in the Sacraments with such validly ordained, but schismatic or heretical ministers, even when a Catholic rite is used, involves a betrayal of the Catholic religion; it implies a recognition of the authority of the minister and the sect.”

Church practice concerning orders conferred by schismatics

(The following decisions of the Holy Office reflect the mind of the Church concerning Holy Orders attempted by lapsed Catholics and schismatics):

Nov. 18, 1931: “A *Catholic who lapses from the Church and receives orders from a schismatic bishop* can be received back into the Church only on the understanding that *such ordinations, even if valid, will be completely disregarded*,” (Dr. Leslie Rumble, *Homiletic and Pastoral Review*: “Are Liberal Catholic Orders Valid,” 1958).

This statement needs to be burned into the brains of every reader, for several reasons. a) It gives the lie to those who claim the Church had softened her stance (pre-1959) regarding the consideration of such orders as valid. Rumble is speaking here of ANY person lapsing from the Catholic faith, not just Liberal Catholic church members. b) He makes it clear that by seeking orders from any schismatic bishop, (one not in communion with a canonically elected Roman Pontiff), one lapses from the Catholic faith. c) Such orders will never be accepted by the Church, even if the one erring seeks reconciliation with Rome. They are to be completely disregarded,

EVEN IF VALID! This by virtue of a 1931 decree of the Holy Office, binding on Catholics, stating that such orders are null and void. And Catholics are ignoring this?!

Dr. Rumble warned in his article that the Liberal Catholics were so thoroughly alarmed by this ruling they circulated a forgery of a Holy Office document which declared their orders to be valid. Rumble consulted the Holy Office regarding this document and in 1955, 1956 and 1958 received confirmation from three separate Vatican officials that no such document existed. At a later date, a Liberal Catholic historian wrote Rumble attributing the forged document to a former Liberal Catholic priest in Belgium.

1. The Australian convert Dr. Leslie Rumble told his readers in the above publication that even if the Liberal Catholic “bishop” Willoughby who repented before his death had lived, ***he could never have been admitted even to conditional ordination, far less to Episcopal consecration.*** Many of the Liberal Catholics issued originally from the Old Catholics.
2. Dr. Orchard, a famous congregational minister, was secretly ordained a priest by a bishop allegedly issuing from the Syro-Chaldean rite. Upon his conversion to the Catholic faith, Rome conditionally (re)ordained Orchard in 1935, according to Dr. Rumble.
3. The Old Catholic “bishop” Giebner, *upon his conversion to Catholicism*, was ***(re)ordained sub conditione*** following World War II, (Addenda/Corrigenda, *Bishops at Large*, by Peter Anson).
4. Nov. 9, 18, 1926: When Joseph Thiessen, an Old Catholic bishop, converted to Catholicism, he was warned by the Bishop of Cologne that because he had received ordination from the Old Catholics, ***he could not even function as a priest.*** Thiessen eventually returned to his schism, (Ibid., Anson, p. 320).
5. In his *Faiths of the Few*, (1963) William J. Whalen noted the following: “The Catholic Church follows the Augustinian theory that a bishop who is validly consecrated retains the power to transmit valid but *irregular* orders. ***In practice, the Church ignores orders received by apostates from schismatic bishops. These men, if reconciled to the Church, need not recite the Divine Office or even observe celibacy.***” Whalen noted that it was the opinion of Cardinal Merry del Val, owing to the ***commercialization of orders*** by the notorious renegade ***Old Catholic bishop*** Vilatte (something Vilatte had in common with Thuc), that ***none of these orders were valid.*** Vilatte reconciled with Rome, relapsed once again ***and was eventually buried as a layman.*** This, Whalen reported, despite the fact that “a number of Catholic theologians were prepared to admit that his orders were valid.” Already in the early part of the 20th century, then, the tendency to bend the rules on validity was apparent.

6. In his 1956 work *Anglican Orders and Defect of Intention* Rev. Francis Clark, S.J. quotes one sacramental theologian as follows: “To what an extent a visible separation from the true Church of Christ exerts an influence on the external rite itself, that is, ***whether such a rite does or does not continue the ritual profession of the faith of the Church must be determined by the Church, Herself.*** It belongs to the true Church to determine whether a rite performed in given circumstances is an “exteriorization” of Her own faith — that is, whether it is *her own act* — or whether it is, on the contrary, an act expressing the faith of another separated Church, *qua* separated,” (*qua* meaning in what manner or how being defined by the Church). “In this latter case, the rite is not valid. ***Thus Pope Leo XIII decreed in the concrete that Anglican ordinations do not remain acts of the true Church; in them ‘ritual contact’ with the faith of Christ’s Church is not maintained,***” (ibid., Dr. Rumble). Also in *Satis Cognitum*, speaking of the powers Christ gave solely to St. Peter, we read: “If the divine benignity willed anything to be in common between him and the other princes, whatever He did not deny to the others He gave only through him. So that whereas Peter alone received many things, ***He conferred nothing on any of the rest without Peter participating in it.***”

These decisions only confirm the practice of the Holy See, seen in the documents below, ***to consider any episcopal orders conferred by non-Catholics invalid for want of a papal mandate.***

Pope Pius VI, *Charitas*, 1791

18. “...Moreover, this power of giving jurisdiction as a consequence of a new practice established now for several centuries and confirmed by general councils and even by concordats, has returned to its point of origin and does not belong in any way to metropolitans, ***but resides solely in the Apostolic See.*** So today the Pope as a duty of his office appoints bishops for each of the churches, and no lawful consecration may take place in the entire Catholic Church without the order of the Apostolic See (Trent, session 24, chap. 1, de Reformat.).

“24. We therefore severely forbid the said Expilly ***and the other wickedly elected and illicitly consecrated men***, under this punishment of suspension, to assume episcopal jurisdiction or any other authority for the guidance of souls ***since they have never received it.*** They must not grant dimissorial letters for ordinations. Nor must they appoint, depute, or confirm pastors, vicars, missionaries, helpers, functionaries, ministers, or others, whatever their title, for the care of souls and the administration of the Sacraments ***UNDER ANY PRETEXT OF NECESSITY WHATSOEVER.*** ***Nor may they otherwise act, decree, or decide, whether separately or united as a council, ON MATTERS WHICH RELATE TO ECCLESIASTICAL JURISDICTION. For We declare and proclaim publicly that all their dimissorial letters and deputations or confirmations, PAST AND FUTURE, as well as all their rash proceedings and their consequences, are UTTERLY VOID AND WITHOUT FORCE...***”

25. “We also command and prohibit under the same punishment of suspension *both the men consecrated and their consecrators from illicitly conferring the sacrament of confirmation or of orders, or exercising in any way the episcopal office from which they have been suspended. Consequently anyone ordained by them should realize that he is suspended and will be guilty of irregularity if he exercises the orders he has received.*”

Regarding para. 25 above, it must be understood that in the case of the constitutionalist bishops, there was no doubt regarding the *validity* of the orders received by the consecrators themselves or the consecrations at issue! Pope Pius VI tells us that the consecrations performed were illicit, not invalid. It is different in the case of Lefebvre and Thuc, for in those two cases the actual validity of Lefebvre is in question, and consecrations conferred by Thuc are questionably valid. *Yet it is not even validity per se that is important, as Traditionalists pretend. What is MOST important is abjuration of any errors, submission to the Roman Pontiff and his approval and permission to exercise the orders received.* This is why Rev. Szal emphasizes above that one cannot receive Sacraments from the minister of a non-Catholic (in this case Traditionalist) sect, for this is a matter of dogma; a non-Catholic is outside the Church and cannot convey the Sacraments. The following was written by Cardinal Consalvi, advisor to Pope Pius VI and intermediary between Pope Pius VII and Napoleon:

1. “The case of the constitutional bishops is already decided by the Apostolic See, in the *dogmatic brief* of Pius VI beginning ‘*Charitas.*’ *That dogmatic definition cannot be reformed. His Holiness may mitigate the penalties therein inflicted on the said bishops, but the judgment of his predecessor is irrefragable.*”

2. “The Catholic Church and the whole episcopal body has received and respected this judgment of the Holy See... The Civil Constitution of the Clergy was condemned by the same *dogmatic judgment* of Pius VI, as containing errors against the deposit of faith...

3. “*A MATTER OF FAITH IS IN QUESTION. HIS HOLINESS OBSERVES THAT, ACCORDING TO THE RULES OF FAITH, IT BELONGS TO HIM, AND TO NO OTHER, TO JUDGE WHAT THE CONSTITUTIONAL BISHOPS HAVE DONE...* by pronouncing the profession of faith and the oath, and to confer institution if they are nominated... The rules and constant practice of the Church have always required that *NONE SHOULD BE RECEIVED INTO ITS BOSOM, MUCH LESS ASSIGNED AS PASTORS, WHO HAVE LEFT ANY HERESY OR SCHISM, UNLESS THEY AVOW EXPRESSLY THAT THEY CONDEMN ESPECIALLY THEIR ERRORS.*” (From Artaud de Montor’s *The Lives and Times of the Popes*, Vol. VIII, Catholic Publication Society, 1911. There we find 266 pages devoted to Pope Pius VII, including several of Cardinal Consalvi’s verbatim communications to Napoleon.)

According to the *Encyclopedia of Religion and Ethics*, (Editor James Hastings and others, Vol. IX, 1917, Charles Scribner and Sons, New York; by Georges Volet), a question was posed sometime after 1830, [most likely to Rome, or perhaps to one of the newly-appointed bishops; the article does not make this clear], by some of the remaining Petit Eglise priests. This question reads: “[since] the pre-concordat bishops [are] dead, the bishops of the concordat ought not to be

considered as lawful.” The answer they received and the quote that arrived with it should settle the Home Alone question for good and forever, but of course it will not. The secular encyclopedia states: “A negative answer was arrived at, *on the principle that the apostolic succession having been broken, the effects of the rupture were enduring.*” (Remember the words of Cardinal Consalvi above regarding Pope Pius VII’s intention to remove jurisdiction from those bishops who previously held the episcopal sees.) “The decisions of ancient councils were also appealed to.” One of these councils, held in Benevento in 1087 by *(Bl.) Pope Victor III, decreed as follows:*

Penance and Communion should be received from no one but from a Catholic; but if there should be no Catholic priest, it was more fitting to remain without a visible communion and to communicate invisibly from the Lord's hand rather than to receive communion from a heretic and be separated from God; for although in consequence of surrounding heretics Catholics cannot have this sacred communion of Christ visibly and corporally, yet whilst united in mind and body with Christ they have the sacred communion of Christ invisibly.” (*Rome Has Spoken*, William J. DeTucci. De Montor also records that Victor III forbade Catholics to receive penance or the Eucharist “at the hands of heretics or simoniacs.”)

Pope Pius IX, *Etsi Multa*, 1873

Addressing the illegitimate “election” as bishop of a “certain notorious apostate” priest by the Old Catholic schismatics, Pope Pius IX wrote:

“24. *But these men* having progressed more boldly in the ways of wickedness and destruction, as happens to heretical sects from God's just judgment, *have wished to create a hierarchy also for themselves...They have chosen and set up a pseudo-bishop, a certain notorious apostate from the Catholic faith, Joseph Humbert Reinkens.* So that nothing be lacking in their impudence, for his consecration they have had refuge to those very Jansenists of Utrecht, whom they themselves, before they separated from the Church, considered as heretics and schismatics, as do all other Catholics. However, this Joseph Humbert dares to say that he is a bishop, and, what passes belief, he is recognized and named in an explicit decree by the most serene Emperor of Germany and is proposed to all his subjects as a lawful bishop. But as even the rudiments of Catholic faith declare, ***NO ONE CAN BE CONSIDERED A BISHOP WHO IS NOT LINKED IN COMMUNION OF FAITH AND LOVE WITH PETER, UPON WHOM IS BUILT THE CHURCH OF CHRIST...***

Therefore following the custom and example of Our Predecessors and of holy legislation, by the power granted to Us from heaven, We declare the election of the said Joseph Humbert Reinkens, performed against the sanctions of the holy canons to be ILLICIT, NULL, AND VOID. We furthermore declare his consecration sacrilegious. Therefore, by the authority of Almighty God, We excommunicate and hold as anathema Joseph Humbert himself and all those who *attempted* to choose him, and who aided in his sacrilegious consecration. *We additionally excommunicate whoever has adhered to them and belonging to their party has furnished help, favor, aid, or*

consent. We declare, proclaim, and command that they are separated from the communion of the Church. ***They are to be considered among those with whom all faithful Christians are forbidden by the Apostle to associate and have social exchange to such an extent that, as he plainly states, they may not even be greeted,***” (*Etsi Multa*, On The Church In Italy, Germany, and Switzerland, Nov. 21, 1873; <https://www.ewtn.com/library/encyc/p9etsimu.htm>).

Reinkens publicly denounced the definition of infallibility then attempted election as an Old Catholic “bishop.” If Pope Pius IX considered him a “notorious apostate,” isn’t it likely he would consider Traditionalist “bishops” the same? ***What is important to note here*** is that in these decrees above, the *acts* of these men are voided and nullified; they are invalid. The validity of their *consecrations* is not addressed *per se*, but their permission to exercise any orders they *may* have received — the jurisdiction from the pope necessary to validly *function* as bishops — was entirely lacking and is withdrawn from all future *acts*. *Charitas* lays out the extent of such acts above. They can never possess jurisdiction of any kind, supplied or otherwise,

Pope Pius IX, *Graves Ac Diurturnae*, 1875

“Because it has always been especially characteristic of heretics and schismatics to use lies and deception, these sons of darkness [the Old Catholics] are to be reckoned among those the prophet spoke of: ‘Woe to you deserting children who have faith in the shadow of Egypt. You have rejected the word and have hoped in trickery and rebellion.’ They love to deceive the unwary and the innocent and to draw them into error by deception and hypocrisy. They repeatedly state openly that they do not in the least reject the Catholic Church and its visible head but rather that they are zealous for the purity of Catholic doctrine declaring that they are the heirs of the ancient faith and the only true Catholics. ***But in fact they refuse to acknowledge all the divine prerogatives of the vicar of Christ on earth and do not submit to His supreme magisterium.***

“... We request you to preserve the unity of faith..., [to] totally shun their religious celebrations, their buildings, and their chairs of pestilence which they have with impunity established to transmit the sacred teachings. They should shun their writings and all contact with them. ***They should not have any dealings or meetings with usurping priests and apostates from the faith who dare to exercise the duties of an ecclesiastical minister without possessing a legitimate mission or any jurisdiction. They should avoid them as strangers and thieves who come only to steal, slay, and destroy.*** For the Church's children should consider the proper action to preserve the most precious treasure of faith, without which it is impossible to please God, as well as action calculated to achieve the goal of faith, that is the salvation of their souls, by following the straight road of justice.”

Pope St. Pius X, *Bull Cravi Iamdiu Scandalo*

On February 11, 1911, Pope St Pius X declared the Old Roman Catholic Arnold Harris Matthew and two other bishops excommunicated in this bull, denouncing Mathew for “arrogating unto himself the title of Anglo-Catholic Archbishop of London [and] all others who lent aid, council,

or consent to this nefarious crime, by the authority of Almighty God, we hereby excommunicate, anathematize and solemnly declare to be separated from the communion of the Church and to be held for schismatics.” This bull called Mathew a pseudo-bishop and condemned him as a *vitandus*.

Supplied Jurisdiction According to Canon 209, Rev. Francis Miaskiewicz

In this 1940 Canon Law dissertation, Rev. Miaskiewicz, who later become a Doctor of Canon Law, wrote concerning this canon: "***When the Church, or more specifically the Roman Pontiff,*** is said to supply jurisdiction in any case whatsoever, be it common error or in doubt, it is readily understood that ***the Pope acts in virtue of the plenitude of the jurisdictional power Christ entrusted to his person...***" The popes have indeed made concessions concerning Canon Law in the past as one of their main jurisdictional prerogatives, but this is something reserved only to Christ's Vicars, as Pope Pius VII explained when he wrote to the Irish bishops on ecclesiastical discipline Feb. 1, 1816. For he said: "***Who does not know that in matters of discipline legitimate authority can make some changes by reason of circumstances, interests and historical periods? This is a principle and a line of conduct which our predecessors themselves have always recognized and observed,***" (Benedictine Monks of Solesmes, *The Church*).

But in this document he refers to legitimate authority as the Holy See ("our predecessors"), not the bishops to whom he is writing. It is to clarify this teaching of the Church that Pope Pius XII later defined in *Mystici Corporis Christi* and *Ad Sinarum Gentem* that the bishops receive the jurisdiction promised them by Christ ***only from and through the Roman Pontiff***. According to Pope Pius XII's election law below, if Traditionalists attempt to invoke Can. 209 or 2261 §2, even if they ***are*** validly ordained, the attempt and all their acts afterwards are null and void. And according to Rev. Francis E. Hyland, in his 1928 Canon Law dissertation, *Excommunication* and also Rev. Alan McCoy, in his Canon Law dissertation *Force and Fear in Relation to Delictual Imputability and Penal Responsibility*, (Catholic University of America), heretics and those guilty of crimes judged as contempt of the faith could not be supplied jurisdiction even if a canonically elected pope existed.

Canon 2261 §2 does not apply

Pope Martin V's *Ad Evitanda* is used by Traditionalists to justify their request for and reception of the sacraments from Traditionalists. This document from the Council of Constance basically states: "No one henceforth shall be bound to abstain from communion with anyone in the administration or reception of the sacraments or in any other religious or non-religious acts whatsoever, nor to avoid anyone nor to observe any ecclesiastical interdict, on pretext of any ecclesiastical sentence or censure..." Over 125 years or so after the close of the Council of Constance, St. Robert Bellarmine clarified, per Pope Paul IV's *Cum ex Apostolatus Officio* (1559), who precisely was included in Pope Martin V's decree as follows:

“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.” — An Extract from St. Robert Bellarmine,’s *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.)

And the above supersedes in authority any “teaching” by Traditionalist clerics or lay leaders.

In his Canon Law dissertation *Excommunication* (1928), Rev. Francis Hyland observes that those excommunicates under consideration in this canon [2261§2] are not those excommunicated for heresy and schism, ***FOR THESE ARE ALREADY OUTSIDE THE CHURCH, AS REV. TANQUEREY OBSERVES***, (p. 9). Already, as mentioned elsewhere, Rev. Tanquerey also teaches that ***even material heretics are outside the Church.*** Tanquerey’s manuals were textbooks used by the Church in Her seminaries worldwide, and as Msgr. J. C. Fenton notes, in defending their contents: “The manuals, like those to which we have referred, are books actually used in the instruction of candidates for the priesthood. They are written by men who actually teach in the Church’s own approved schools, under the direction of the Catholic hierarchy, and ultimately, through the activity of the Congregation of Seminaries and Universities, under the direction of the Sovereign Pontiff himself” (<https://www.catholicculture.org/culture/library/view.cfm?recnum=3012>, *The Teaching of the Theological Manuals*; reference made for attribution purposes only).

The full import of this canon must be understood before trying to explain anything further. The canon reads: “Without prejudice to the rule of §3 of this Canon, the faithful may for any just reason ask the Sacraments and sacramentals from an excommunicated person especially if there is no other minister available...” The rule §3 referred to reads: From a minister who is an *excommunicatus vitandus* or who has been excommunicated by a declaratory or condemnatory sentence,” the Sacraments can be received only in danger of death. To begin with, it must be understood the Church assumes that in applying these Canons there is no question of *communicatio in sacris*, the validity of the ordination/consecration of the excommunicated cleric or their ability

to exercise the orders received. For if this is the case, the safer course must always be followed. Secondly, the request for the Sacraments must be legitimate (Can. 467); requesting Sacraments from one who is questionably valid is not permitted by the Church. There can be no existing declaratory sentence or condemnatory sentence, which must be issued by a judge.

But where the crime is notorious, that is “when it is publicly known and committed under such circumstances that it cannot be concealed by any subterfuge nor excused by any excuse admitted in law, ([meaning] both the fact of the offense and the imputability of the offense must be publicly known),” (Can. 2197); and it has been *proven* to have occurred (Can. 2233), ***then even the faithful can demand “that the penalty be observed in the external forum”*** (Can. 2232, 2223). Moreover, Can. 2159 states that those whose excommunication is notorious and who attempt to actively assist at divine services are barred from such participation. But this would assume valid orders and we are not talking about certainly valid orders. It also presumes there is a Roman Pontiff to supply any jurisdiction lacking in such priests when the See is vacant and many Traditionalists even recognize it as vacant or possibly vacant. Both the Novus Ordo church and Traditionalists have erected their own churches and centers and therefore are schismatics. Their words and acts in establishing these counterfeit churches are notorious.

St. Robert Bellarmine, Rev. Hyland and Rev. Tanquerey demonstrate that *Ad evitanda* does not apply to heretics, apostates and schismatics. In doubt of whether it does so apply, we are to refer to the laws governing heretics, apostates and schismatics (Can. 2314 §1, §2 and §3). Canon 6, no. 4 then refers us to the old law when in doubt, which just happens to be Pope Paul IV’s *Cum ex Apostolatus Officio*. And here we resolve all our difficulties. For this law tells us that regarding the hierarchy:

“...[E]ach and, every one of their statements, deeds, enactments, and administrative acts, of any kind, and any result thereof whatsoever, shall be without force and shall confer no legality or right on anyone. The persons themselves so promoted and elevated shall, *ipso facto and without need for any further declaration*, be deprived of any dignity, position, honor, title, authority, office and power, ***without any exception as regards those who might have been promoted or elevated before*** they deviated from the faith, became heretics, incurred schism, or committed or encouraged any or all of these.”

So this clears the field as well of those priests validly ordained, who later celebrated the Novus Ordo (or not) before joining the counterfeit Traditional church. No declaration is needed, ***for even those who initially appeared to be valid lose their offices*** (Can. 188 no. 4) after acknowledging a church that dares to call itself Catholic without being in communion with a true pope. And also, as we have already seen, Pope Pius XII saw fit to restrict the exercise of any papal jurisdiction during an interregnum, meaning that whatever jurisdiction he supplied during his lifetime ceased upon his death. Those claiming they possess supplied jurisdiction are guilty of usurping papal jurisdiction, then, and *Vacantis Apostolicae Sedis* declares even their attempted acts null and void. Despite all these proofs, Traditionalists loudly proclaim that they ***MUST*** operate to ensure the

“salvation of souls.” But that is a preposterous pretension, especially considering what is said below by an approved author and jurist, which no Traditionalist could ever claim to be.

Traditionalists endangering souls

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 will be seen below, ***THE VERY ACTS THAT TRADITIONALISTS VAUNT AS HEROIC MEASURES TO SAVE SOULS ARE ACTUALLY CLASSIFIED BY CANON LAW AS ENDANGERING THEIR ETERNAL SALVATION.***

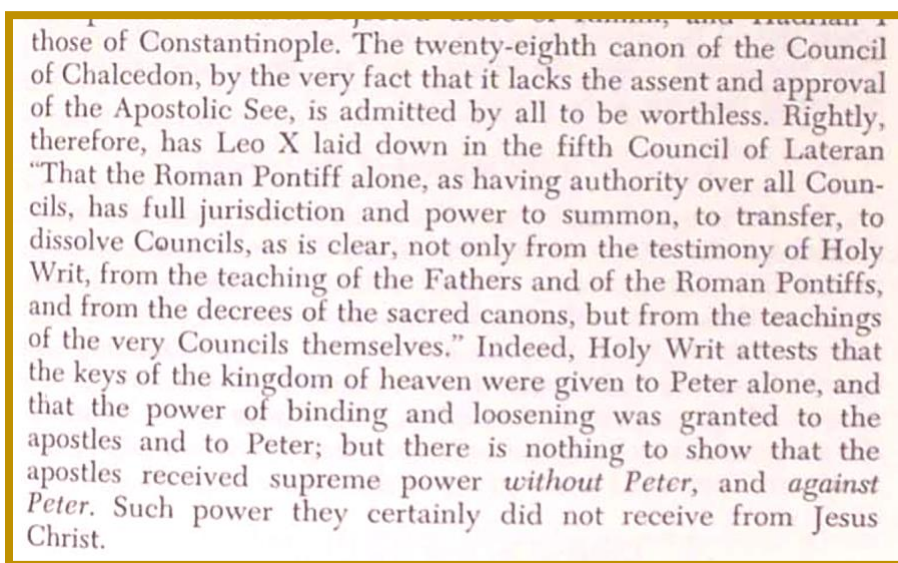
On page 97, under the heading “Acts that Work to the Detriment of Souls,” McCoy writes: ***“These are all acts which draw people away from the faith or from the practice of Christian morals and thus expose them to the danger of eternal damnation...Those acts which, by their nature, work to the detriment 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.”***

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 whenever silence, subterfuge or failure to act amounts to an implicit or explicit “denial of their faith, contempt of religion, an insult to God or scandal to their neighbor.” In this case what is under discussion here involves all of these, particularly contempt of religion.*** 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.

Rev. Miaskiewicz explains in his work above that these laws are written to protect the rights of the Church and the faithful, as ***Christ binds papal law made on earth in heaven. When Pope Pius XII says they cannot do this, Christ binds his teaching, and having done this He cannot supply what His Vicar will NOT supply.*** “Not only did Christ constitute St. Peter head of the Church, but in the words, ‘Whatsoever thou shalt bind on earth, it shall be bound also in heaven; and whatsoever thou shalt loose on earth, it shall be loosed in heaven,’ ***He indicated the scope of this headship,***” (*Catholic Encyclopedia*, under “Pope”). As Pope Boniface VIII teaches in *Unam Sanctam*, Christ and his Vicar serve as ***ONE UNITED HEAD*** of the Church, not two heads, as a monster. “He who hears you, hears Me.” Pope Leo XIII, Pope St. Pius X, Pope Pius XI and Pope Pius XII all have reminded the faithful that for them, the pope speaks as Christ on earth. The binding and loosening power is found reflected in Pope Leo XIII’s *Satis Cognitum* below:



those of Constantinople. The twenty-eighth canon of the Council of Chalcedon, by the very fact that it lacks the assent and approval of the Apostolic See, is admitted by all to be worthless. Rightly, therefore, has Leo X laid down in the fifth Council of Lateran “That the Roman Pontiff alone, as having authority over all Councils, has full jurisdiction and power to summon, to transfer, to dissolve Councils, as is clear, not only from the testimony of Holy Writ, from the teaching of the Fathers and of the Roman Pontiffs, and from the decrees of the sacred canons, but from the teachings of the very Councils themselves.” Indeed, Holy Writ attests that the keys of the kingdom of heaven were given to Peter alone, and that the power of binding and loosening was granted to the apostles and to Peter; but there is nothing to show that the apostles received supreme power *without Peter*, and *against Peter*. Such power they certainly did not receive from Jesus Christ.

(Vacantis Apostolicae Sedis)

Pope Pius XII

ON THE VACANT APOSTOLIC SEE

1. During the vacancy of the Apostolic See, regarding those things that pertained to the Sovereign Roman Pontiff while he lived, the Sacred College of Cardinals shall have absolutely no power or jurisdiction of rendering neither a favor nor justice or of carrying out a favor or justice rendered by the deceased Pontiff; rather, let the College be obliged to reserve all these things to the future Pontiff.¹ ***Therefore, We declare invalid and void any power or jurisdiction pertaining to the Roman Pontiff in his lifetime, which the assembly of Cardinals might decide to exercise (while the Church is without a Pope), except to the extent to which it be expressly permitted in this Our Constitution...,***” (and the cardinals are only allowed to decide things strictly pertaining to the election).

2. Likewise we command that *the Sacred College of Cardinals shall not have the power to make a determination in any way it pleases concerning the rights of the Apostolic See and of the Roman Church*, nor attempt in any way to subtract directly or indirectly from the rights of the same on the pretext of a relaxation of attention or by the concealment of actions perpetrated against these same rights even after the death of the Pontiff or in the period of the vacancy. On the contrary, We desire that the College ought to watch over and defend these rights during the contention of all influential forces.

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 prohibition is especially applicable in the case of Pontifical Constitutions issued to regulate the business of 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.*" — (paras. 1- 3, Ch. 1, 1945; Acta Apostolica Sedis, Vol. XXXVIII, 1946, n. 3; pp. 65-99). Paragraph 109 repeats these same warnings, but applies them to *anyone* making an attempt to interfere with the election, changing of laws, violation of jurisdiction and Church rights, not just the cardinals.)

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(1) During the vacancy of the Apostolic See the jurisdiction which belonged to the Pope during life is not enjoyed by the Sacred College of Cardinals, and they must leave all acts of that jurisdiction to the future Pope. They cannot make 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. They may, however, resolve doubts concerning this Constitution, and in cases declared urgent by vote of the majority they may, likewise by majority vote, apply the remedy which is demanded (nn. 1-5).

The second part of the Constitution deals with the election itself of the Supreme Pontiff and contains the following ordinances:

(1) The right to elect the future Pope belongs solely to the Sacred College of Cardinals to the exclusion of any intervention by any other civil or ecclesiastical authority or dignity, or even by a General Council, which, if it is in session at the time, is *ipso facto* suspended on the death of the Pope until reconvened by the new Pope. Of the Cardinals, each and every one has the right to vote in the election, even though under excommunication. Cardinals who have been deposed or who have resigned, however, are barred and may not be reinstated even for the purpose of voting. Fifteen days must be allowed to elapse before the

In reading the above, it should be remembered that we are not talking here about cardinals electing a pope in 1958 who themselves were certainly Catholic, since all of them went on to attend the false Vatican 2 council and acknowledge and cooperate with the false popes. In so doing, they violated the oath they took as cardinals to secure peace for the Christian people and promote the

welfare of Holy Mother Church, even if it required the shedding of their blood. Given their later conduct, their eligibility to vote was seriously doubtful. Many of them were deposed even then and should have been excluded from the election. See the deposition clause below.

What *Vacantis Apostolicae Sedis* forbids:

1. Assumption of supplied jurisdiction, claimed by Traditionalists for decades. Only the pope has historically provided such jurisdiction over the centuries, being the supreme source of **all** jurisdiction. No jurisdiction can be supplied during an interregnum, for Pope Pius XII says all is to be left to the future pope. Any violation of this principle is usurpation of papal power. And as will be seen below, Christ cannot and does not supply this jurisdiction.
 2. The usurpation of issuing the papal mandate in all Traditional “consecrations” of bishops, especially those attempted by Marcel Lefebvre and Peter Martin Ngo dinh Thuc. *
 3. ***Exercise of any orders putatively received before a determination of validity, which can be made only by the Roman Pontiff.***
 4. Erection of seminaries which can occur only after the creation of a diocese, reserved to the Holy See (Can. 215). Violation of this Canon amounts to a usurpation of papal power.
- Below, Revs. Woywod-Smith comment on Pius XII’s constitution.

* As proven time and time again in other treatises by this author, Lefebvre and Thuc suffered *ipso facto* excommunication under Can. 2314 for *communicatio in sacris*, which also involves tacit resignation of any offices held in the Church (Can. 188 no. 4). In addition, both men incurred infamy of law. Regarding this infamy, Canon 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...***and must be restrained from the exercise of sacred functions.***” In their canon law commentary, Revs. Woywod-Smith state under the heading of “Of Common Vindictive Penalties,” (Can. 2294 §1 and §2): “***The person who has incurred infamy of law cannot validly obtain ecclesiastical benefices, pensions, offices and dignities, nor can he validly exercise his rights connected with the same, nor perform a valid, legal ecclesiastical act.***”

Commenting on Can. 2296, these same authors write concerning infamy of law: “***THE EXERCISE OF ACQUIRED RIGHTS MAY BE RENDERED INVALID... BY INCURRING A DISQUALIFICATION***, but the right itself is not taken away unless the law or sentence explicitly states the additional penalty of deprivation of office.” So even outside of *Vacantis Apostolicae Sedis*, Lefebvre and Thuc were powerless to perform valid acts of jurisdiction which it appears extends to the acceptance of candidates for the priesthood as well as the administration of tonsure, which is an ecclesiastical act issuing from jurisdiction, not an order. No tonsure, no priests (Can. 108, 118); no priests, no bishops. As seen above *Charitas* makes null, void and invalid dimmissorial letters issued by those bishops as well as any ***deputations or confirmations***, which would apply in the present case to the acceptance of priestly candidates by Lefebvre and Thuc. *Vacantis Apostolicae Sedis* only confirms their pre-existing status.

Nature of true authority

Next, please find the teachings of Fr. E. S. Berry in his *The Church of Christ*, (1910), on jurisdiction. While it is a proven fact that Traditionalists do not possess office or jurisdiction in the Church, as seen above, Rev. Berry only upholds Church law and further strengthens the teaching on apostolic authority and how this is transmitted. Notice that the **lawfulness**, not the validity of these men is emphasized, which is only a reiteration of the teaching taken from the Council of Trent: “If anyone says that those who have neither been **rightly ordained nor sent** by ecclesiastical authority, but come from some other source, **are the LAWFUL ministers of the Word and of the Sacraments**, let him be anathema” (DZ 424, 967). Ordination by a schismatic whose own orders or administration of orders is doubtful or who ordains or consecrates without the necessary jurisdiction is forbidden by the Church repeatedly, as evidenced above.

A formal, or legitimate, successor not only succeeds to the place of his predecessor, but also receives due authority to exercise the functions of his office with binding force in the society. It is evident that authority can be transmitted only by legitimate succession; therefore, the Church must have a legitimate, or formal, succession of pastors to transmit apostolic authority from age to age. One who intrudes himself into the ministry against the laws of the Church receives no authority, and consequently can transmit none to his successors.

Jurisdiction is authority to govern and must be transmitted in the Church as in any other society; it can be conferred only by a lawful superior, according to the constitution and laws of the society, and may be revoked at any time. Consequently jurisdiction in the Church can neither be obtained nor held against the will of her supreme authority; its transmission depends entirely upon legitimate succession. It is not sufficient,

therefore, that a church have valid Orders; it must also have a legitimate succession of ministers, reaching back in an unbroken line to the Apostles, upon whom our Lord conferred all authority to rule His Church.

Below, Fr. Berry states that indefectibility is really promised only to the Roman Pontiff, which means without the pope the Church cannot exist. This St. Thomas Aquinas, the Council of Trent catechism and the popes themselves teach, (see above). Next, he repeats what other theologians and St. Robert Bellarmine teach, that the Church cannot do much of anything during an interregnum. Then he says even if the See of Rome is vacant for many years, a pope can always

be elected, even though it may require a miracle from Christ Himself. This is also the opinion of Rev. Edmund O'Reilly, who writes: "***That the Church should remain thirty or forty years without a thoroughly ascertained Head and representative of Christ on earth, this would not be [Catholics reason]. Yet it has been, and we have no guarantee that it will not be again... We must not be too ready to pronounce on what God will permit...***" (*The Relations of the Church to Society — Theological Essays*)

Indefectibility has been promised to the Church as a whole, not to its various parts. The Church as it exists in particular places may fail; even the Church of a whole nation may fall away as history abundantly proves. The Apostolic See of Rome is the only particular Church to which the promise of perpetual indefectibility has been made.

Christ ordained that St. Peter should have successors in his primacy of jurisdiction over the Church, but He did not designate the person of the successor. It is left to the Church to elect, or otherwise designate, the person who then obtains the power of universal jurisdiction by virtue of divine institution, *i. e.*, immediately from Christ, not from those who have elected him. When the Apostolic See is vacant, there is no supreme authority in the Church; the bishops retain power to rule their respective dioceses, but no laws can be made for the universal Church, no dogmas of faith can be de-

³ No one can give what he does not possess.

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finied, no legitimate council convened. In place of this supreme authority, the Church has the right and the duty of selecting someone upon whom Christ will again bestow it. It is evident, then, that the Apostolic succession cannot fail in the Apostolic See so long as the Church herself continues to exist, for although the see be vacant for many years, the Church always retains the right to elect a legitimate successor, who then obtains supreme authority according to the institution of Christ.

The means necessary to elect a true pope are no longer available to us. Barring a miracle, it is not likely that we will see another true pope in our lifetime. Still, Christ rules His Mystical Body from Heaven and we have the entire treasury of over 1900 years of papal documents to guide us. The words of the popes, coming as they do from the assistance of the Holy Ghost, are eternal; they cannot fail. The assurances of Traditionalists that they are sent to guide us and have only our eternal salvation in mind are lies and worse, coming from the mouths of those who do not even acknowledge the words of these true popes as their supreme head. Those who would obey them and follow their teachings which directly contradict the teaching of the Continual Magisterium are not only irrational and hopelessly deluded, they have lost their faith and are outside the Church.

Unless Catholics admit Christ's promise to preserve Peter's faith whole and inviolate has failed, they cannot explain the heresies sanctioned and committed by the usurpers who followed Pope Pius XII. To admit such a thing would be to fall into heresy because Christ promised Peter's faith would never fail. Nevertheless it could *appear* to fail, precisely as Pope Paul IV described in *Cum ex Apostolatus Officio*. And it could also appear that as a result the Church had failed, at least for a time, because bishops abandoned the flock. But appearances can be deceiving, and Antichrist is capable of lying visions. We are to simply pray for God's mercy and watch, to keep our lamps burning, for we know not when the Bridegroom cometh.

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pothesis would mean that the Church, as Christ founded it, ceased to exist with the death of the Apostles, and that the world has since been without the means of salvation; it would mean that Christ failed in His promise to be with the Church all days, even to the consummation of the world. If the bishops of the Church are not the successors of the Apostles, then there are no successors, for no one else has even claimed this distinction; in that case the power and authority committed to the Apostles have lapsed, and cannot be renewed, except by a direct intervention of Christ in conferring them anew and reestablishing His Church. Such an act on the part of Christ would have to be confirmed by the performance of miracles as the only means by which we could be assured of its reality.

The following testimony

c) *Ministry*. It is evident that there can be no authority in the Church save that which comes directly or indirectly from her Divine Founder, Jesus Christ. But there is not the slightest intimation in Scripture or tradition that Christ ever promised to confer authority

³ Matt. xxviii, 19-20.

⁴ John xiv, 16, 20, 26.

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directly upon the ministers of the Church; consequently it can only be obtained by lawful succession from those upon whom Christ personally and directly conferred it, *i. e.*, from the Apostles. In other words, the Church must be Apostolic in her ministry by means of a legitimate succession reaching back in an unbroken line to the Apostles.

Please note what Fr. Berry says above: “a *legitimate* succession.” Just as Rev. Wilmers stated earlier, no succession can be considered legitimate if it is not sanctioned by the Roman Pontiff;

Pope Pius VI and Pius IX are clear on this matter. The Council of Trent teaches, and Pope Pius XII later authentically interpreted this canon, which condemns the Protestant teaching that "...those neither rightly ordained nor sent by ecclesiastical or canonical authority but come from *a different source* are lawful ministers of the word and of the Sacraments." One Traditionalist priest actually falsified Council of Trent documents to disprove this quote could be applied to Traditionalists. Rev. Berry joins all those theologians who have taught these very things concerning the nature of apostolic succession. The Modernists and neo-Modernists, haters of Scholasticism, had to obfuscate the very idea of authority in order to successfully bore into Church and subvert the hierarchy. For the only true authority proceeds from legitimate succession.

In the 1911 Catholic Encyclopedia under Traditionalism we find:

"It is evident that authority, whatever be the way or the agency in which it is presented to us, cannot of itself be the supreme criterion of or rule of certitude. **FOR IN ORDER TO BE A RULE OF CERTITUDE, [AUTHORITY] MUST FIRST BE KNOWN AS VALID, COMPETENT AND LEGITIMATE, AND REASON MUST HAVE ASCERTAINED THIS BEFORE IT IS ENTITLED TO OUR ASSENT,** (St. Thomas Aquinas, *Summa Theologica*, I-II, Q. 11, a., 1)."

It is denying the authority of St. Thomas Aquinas, the Angelic Doctor, and the principles of Scholasticism themselves to pretend that any certitude whatsoever can be had regarding the last six occupants of the Holy See without a thorough and complete investigation of the Catholicity of its occupants pre-election and the validity of the electors participating in the 1958 election. For as Rev. Berry observes in his *The Church of Christ*:

an authority that may be justly doubted at all times is no authority; it commands neither obedience nor respect as is evident in churches that reject the claim to indefectibility.

A DOUBTFUL POPE. When there is a prudent doubt about the validity of an election to any official position, there is also a similar doubt whether the person so elected really has authority or not. In such a case no one is bound to obey him, for it is an axiom that a doubtful law begets no obligation—*lex dubia non obligat*. But a superior whom no one is bound to obey is in reality no superior at all. Hence the saying of Bellarmine: a doubtful pope is no pope. "Therefore," continues the Cardinal, "if a papal election is really doubtful for any reason, the one elected should resign, so that a new election may be held. But if he refuses to resign, it becomes the duty of the bishops to adjust the matter, for although the bishops without the pope cannot define dogmas nor make laws for the universal Church, they can and ought to decide, when occasion demands, who is the legitimate pope; and if the matter be doubtful, they should provide for the Church by having a legitimate and undoubted pastor elected. That is what the Council of Constance rightly did," 5

⁴ Perrone, "Praellect. Theolog.," n. 633; cfr. Suarez, "De Fide," X, 6.
⁵ Bellarmine, "De Concilio," ii, 19.

In all the above, then, Rev. Berry quotes from St. Robert Bellarmine provide a welcome clarification of the doubtful pope issue (p. 402).

Rev. Berry also says on page 19 of this work above, "***THERE IS NOT THE SLIGHTEST INTIMATION IN SCRIPTURE OR TRADITION THAT CHRIST EVER PROMISED TO CONFER AUTHORITY DIRECTLY UPON THE MINISTERS OF THE CHURCH...***" And as Pope Leo XIII says in *Satis Cognitum* above: "Holy Writ teaches that the keys to the kingdom of Heaven were given to Peter alone. ***There is nothing to show that the Apostles received Supreme jurisdiction without Peter and against Peter. Such power they certainly did not receive from Jesus Christ.***" Despite this fact, Traditionalists continue their zombie Apocalypse following the hirelings they pay for their "sacraments." Unfortunately, in the minds of many, these doubts will not be resolved completely, even though the proof exists. And in fact without a decision from the Holy See, all doubt cannot be entirely removed. Nevertheless, unresolved doubt ***alone*** makes it impossible to accept a doubted pope and receive doubtful Sacraments. To function during an interregnum in defiance of Pope Pius XII's decree *Vacantis Apostolicae Sedis* and other papal decrees above ***IS A MANIFEST DENIAL OF THE AUTHORITY AND NECESSITY OF THE PAPACY and proof positive that those men calling themselves Traditionalist priests and bishops are apostates as well as heretics and schismatics. They pose a grave danger to the faith, and must be avoided at all costs.***

Conclusion

Every age, every situation, every institution has what is known as its very own "golden moment" in time – that brief interval crucial to its development and continued existence. Certain Traditionalists possessing credibility among their fellow co-religionists once held such a moment in the palm of their hands; a moment so fragile that upon it hinged the unification of remaining faithful Catholics and the restoration of the Church or the disappearance of the faithful into the fatal hinterland of quietism, even unbelief. Can it be a mere coincidence that this golden moment was seized upon by these individuals to loose the Church into the wilderness and set the prospects of unity back indefinitely? No; it is no coincidence. Traditionalists knew in the early days of the movement that Roncalli and Montini were doubtful popes and evidence existed then to prove such doubt. May God have mercy on their miserable souls for throwing us all to the wolves.