

Sedevacantism and Mr. Ferrara's Cardboard Pope (2005)

by Rev. Anthony Cekada

Recognizing the pope — but “for display purposes only”.

A NEW JERSEY lawyer and traditionalist, Christopher A. Ferrara, Esq., has recently produced an anti-sedevacantist tract entitled “Defending the Papacy: Opposing the Sedevacantist Enterprise.” It has been widely circulated by *Catholic Family News* and the Fatima Industry flagship publication, *The Fatima Crusader*.

Halfway through his article — the first of a promised series on sedevacantism — Mr. Ferrara remarks:

“In this time of ecclesial confusion, many Catholics do not recognize a theological absurdity when they see one.”

Well, I for one certainly do — and Mr. Ferrara's article is loaded with them.

It's a rich and heady stew of errors, half-truths and misrepresentations about theological terms (visibility), Vatican I's teaching on the pope (perpetuity), canonical maxims (“The First See is judged by no one”), specialized canon law terms (manifest), church history (the cases of Popes Honorius and John XXII), papal bulls (Paul IV's *Cum ex Apostolatus*), and much, much more.

Mr. Ferrara's polemical method is thoroughly dishonest: He says that identifying sedevacantist “spokesmen” is “not relevant to the aim of this essay,” so he identifies neither the authors nor the articles he is attacking. (He quotes or paraphrases me a number of times.) His real aim, of course, is to prevent readers from looking up articles that he fears are too convincing.

His opening argument is a lengthy attack on his targets' sanity. Sedevacantists adhere to a “patent absurdity.” They are sometimes “highly intelligent” but nevertheless exhibiting the “impenetrable self-enclosed reasoning of a madman.” Translation: Ignore all evidence, folks.

In all this, Mr. Ferrara is very much like a truculent non-lawyer trying to argue a case in civil court. He slings around lingo he doesn't understand, repeatedly ignores the rules of evidence, and pulls as many dirty tricks as he can.

I can't fine Mr. Ferrara for contempt and clogging the system. But I can at least blow the whistle on a few of his major howlers.

But first, some prefatory remarks are in order.

The Cardboard Pope...

Mr. Ferrara advocates essentially the same position as the Society of St. Pius X, Fr. Nicholas Gruner, and countless others: You claim to “recognize” Paul VI, John Paul I, John Paul II and Benedict XVI as true popes. At the same time *YOU* decide which papal teachings, laws, sacramental rites, or commands are good, and which you'll reject, resist or publicly denounce.

Under this system, a pope no longer possesses the supreme authority to “bind and loose” on earth. A New Jersey lawyer, the Superior General of SSPX, the CEO of the Fatima Industry, the editor of *Catholic Family News*, or, generally, any traditional Catholic whatsoever, does the final review for him.

The New Mass? A sacrilege, intrinsically evil, or the pope didn’t promulgate it correctly anyway. Ecumenism? No thanks, the pope’s wrong. Consecration of Russia to the Immaculate Heart? The pope didn’t do it right. Excommunicated or suspended? Invalid, no matter what the pope and his curia say. Consecrate bishops against the pope’s explicit will? Necessity lets me do it. And so on.

Who needs to visit the Throne of Peter? You give the final thumbs-up or -down from your easy chair.

The pope speaks. *You* decide...

This system makes a mockery of the Catholic teaching that the pope possesses not only a “Primacy of honor” (framed photos in the vestibules of wildcat traditionalist chapels, say) but also “supreme and full power of jurisdiction over the universal Church, both in matters of faith and morals, as well as in those things that pertain to the discipline and rule of the Church spread throughout the world,” a power that is “ordinary and immediate over each and every church, as well as over each and every pastor and member of the faithful, independent of any human authority.” (Vatican I, Dogmatic Constitution *De Ecclesia Christi*, DZ 1827; Canon 218.)

Mr. Ferrara wrote a book on the post-Vatican II mess entitled *The Great Façade*. No wonder. Mr. Ferrara’s system gives you a cardboard pope — “for display purposes only.”

... vs. Sedevacantism

Sedevacantism (from the Latin phrase *sede vacante*, denoting the interregnum between the death of one pope and the election of another) refers to the belief among some traditionalists that post-Vatican II popes are not true popes.

It begins with two points all traditionalists agree on: (1) The New Mass was evil and harmful to the Church, as was a great deal of the post-Vatican II legislation. (2) Many teachings of Vatican II and the post-Vatican hierarchy contradict previous Catholic teaching and are at least errors.

From here sedevacantism generally argues as follows:

1. The authority of the Church, because of Christ’s promise, cannot give evil laws or teach error.

2. It is therefore impossible that the evils and errors officially sanctioned by the post-Vatican II hierarchy could have proceeded from the authority of the Church.

3. Those who promulgated these evils and errors must somehow lack (have lacked) real authority in the Church.

4. Canonists and theologians teach that public or manifest defection from the faith, automatically brings with it loss of ecclesiastical office (authority). They apply this principle even to a pope, who in his personal capacity, becomes a heretic.

5. Two popes, Innocent III and Paul IV, explicitly mentioned the possibility that a heretic could end up on the throne of Peter. Paul IV even declared that such a pope’s election would be invalid and that he would lack all authority.

6. Since the authority of the Church cannot defect (give evil or error), but a pope (or a bishop) as an individual can, the best

explanation for the post-Vatican II evils (the new Mass) and errors (religious liberty, ecumenism, etc.) is that they proceeded (proceed) from individuals who, despite their occupation of the Vatican and various diocesan cathedrals did (do) not objectively possess canonical authority, having lost it through public defecation from the faith.

I and others have repeatedly published pronouncements from pre-Vatican II theologians, canonists and popes — Badii, Bellarmine, Beste, Coronata, Dorsch Herrmann, Iragui, Prümmer, Regatillo, Salaverri, Schultes, Van Noort, Vermeersch, Wernz-Vidal, Wilhelm, Zubizarreta, Pope Innocent III, Pope Paul IV, etc. —to support the principles enunciated above.

For this I refer readers to my short study *Traditionalists, Infallibility and the Pope* and to numerous articles posted on www.traditionalmass.org

That said, we turn to Mr. Ferrara's more glaring errors. In each case, I will try to sum up fairly his various objections to sedevacantism. I will then systematically refute these objections by quoting theologians, canonists, popes and canon law. I will also refute in passing some proofs he offers for the cardboard pope ("recognize-but-resist") position.

1. PATENT ABSURDITY: *Sedevacantism "can only be dismissed as patently absurd," because it assumes that most Catholics adhered for five decades to an imposter pope and episcopacy. This would "make a mockery" of the promise of Christ to his Church. (pp. 10-11, 9)*

Mr. Ferrara's opening argument is circular: Sedevacantism is absurd because it is absurd.

Maybe this works in a Jersey courtroom, but in the science of Catholic theology, you cite teachings of recognized authorities if you want to be taken seriously.

So, to Mr. Ferrara's unproven assertion that it is "absurd" to believe that the overwhelming majority of Catholics might one day end up adhering to a false pope, we respond with the teaching of the theologian Father Sylvester Berry:

"The prophecies of the Apocalypse show that Satan will imitate the Church of Christ to deceive mankind; he will set up a church of Satan in opposition to the Church of Christ. Antichrist will assume the role of Messiah; his prophet will act the part of Pope, and there will be imitations of the Sacraments of the Church. There will also be lying wonders in imitation of the miracles wrought in the Church." (*The Church of Christ*, 119)

"There seems to be no reason why a false Church might not become universal, even more universal than the true one, at least for a time." (*ibid.* 155)

An ecumenical Super-Church with a false pope? Imitation sacraments? Lying wonders? The faithful reduced to a remnant?

After four decades of the Vatican II disaster, how absurd does this sound?

2. DEAD CHURCH: *"Without the Pope at its head and bishops in communion with him, the visible Church would cease to exist, and Christ would have been made a liar." (p.9)*

Here Mr. Ferrara gives us nearly *word-for-word* the major premise of an argument made by heretics *against* the Primacy of the Pope. Like Mr. Ferrara, they contended that, if Catholic teaching on the Primacy were true, the Church would cease to exist during the vacancy of the Holy See.

The theologian Salaverri refuted their argument (and Mr. Ferrara's) as follows: Instead of being a "primary foundation... without which the Church could not exist," the pope is a "secondary foundation," "ministerial," who exercises his power as someone else's (Christ's) representative. (See *De Ecclesia* 1:448)

So, during the vacancy of the Holy See, despite what heretics and Mr. Ferrara have argued, the visible Church does indeed continue to exist.

3. HEADLESS REMNANT: *The Church may well be "ultimately reduced to a very tiny remnant by the time that the Antichrist appears... but that remnant will still have a Pope at its head... Otherwise that remnant would not be the Church, but a headless and diffuse body of believers... If there is no Peter, there is no Church."* (p.9)

This is a variant of the preceding argument. Like it, it is false — contradicted this time by the theologian Dorsch:

"The Church therefore is a society that is essentially monarchical. **But this does not prevent the Church**, for a short time after the death of a pope, or **even for many years, from remaining deprived of her head.** [*vel etiam per plures annos capite suo destituta manet*]. Her monarchical form also remains intact in this state....

"Thus the Church is then indeed a headless body.... Her monarchical form of government remains, though then in a different way — that is, it remains incomplete and to be completed. The ordering of the whole to submission to her Primate is present, even though actual submission is not...

"For this reason, the See of Rome is rightly said to remain after the person sitting in it has died — for the See of Rome consists essentially in the rights of the Primate.

"These rights are an essential and necessary element of the Church. With them, moreover, the Primacy then continues, at least morally. **The perennial physical presence of the person of the head**, however, [*perennitas autem physica personis principis*] **is not so strictly necessary.**" (*de Ecclesia* 2:196–7)

So once again, Mr. Ferrara is dead wrong. Catholic theology teaches that the See of Peter can indeed be vacant *for many years*; all the while, the nature of the Church still remains unchanged.

4. PERPETUAL SUCCESSORS: *"Sedevacantists are flirting with the Vatican I anathema, which condemns and excludes from the Church anyone who would call into question the perpetual succession of the papacy as the visible foundation of the entire Church."* (p. 10)

Mr. Ferrara, like many other anti-sedevacantist controversialists, stumbled across Vatican I's statement that by divine right St. Peter has "perpetual successors" in the Primacy. (DZ 1825: "*perpetuos successores.*") This he (and others) took to mean that, except for the brief period between the death of a pope and the next conclave, Christ promised and the Church taught that you'd always (perpetually) have a real, live pope on Peter's throne.

Conclusion: good-bye, sedevacantism!

It is hard to imagine a more concentrated dose of pure theological ignorance.

Vatican I's definition was directed against heretics who contended that (1) the Primacy was an extraordinary power Christ gave to St. Peter *alone*, (2) Christ did not intend it to be passed

along in perpetuity to his successors, (3) this power either died with Peter, or was passed along to the Church or episcopal college. (See Dorsch, *de Ecclesia*, 2:191-2)

What does the definition itself mean? That:

“a primacy of true jurisdiction, together with a full scope of rights and duties would continue in the Church, and this in virtue of the will of Christ or by divine law.” (Dorsch 2:191)

The dogmatic theologian Salaverri devotes 23 dense pages to this passage in Vatican I, nearly all of it directed at proving that Christ intended the office of the Primacy to be *perennis* — not limited to Peter, but rather “a power which will perpetually endure to the end of the world.” (*de Ecclesia*, 1:385.)

Mr. Ferrara, then, has confused two things: (1) the perpetuity of the papacy as a perpetual *institution* whose rights and duties continue forever, and (2) always having a live pope to fill it.

5. FIRST SEE JUDGED BY NO ONE: “*Prima Sedes a nemine iudicatur — no one may judge the First See... That no one may judge the Pope — that is, his personal sin of heresy as opposed to the heretical import of his words — is a fundamental truth of our religion...*” (p.13.)

(A) **Context:** Any first-year canon law student knows that it says no such thing.

The maxim “the First See is judged by no one” is incorporated into the Code of Canon Law as canon 1556.

The canon appears in Book IV (Ecclesiastical Trials), Part I (Trials), Section 1 (Trials in General), Title 1 (The Competent Forum), which prescribes which ecclesiastical courts have jurisdiction to try which types of cases.

While it is true that the pope has the final say on doctrinal and disciplinary matters in the Church — except in the system Mr. Ferrara and SSPX propose, where *they* do — the maxim itself merely means that there is no ecclesiastical tribunal before which one could summon the pope or to which one could appeal the pope’s final judicial decision.

Here is an explanation from a standard canon law manual:

“Immunity of the Roman Pontiff. ‘The First See is judged by no one.’ (Canon 1556). This concerns the Apostolic See or the Roman Pontiff who by the divine law itself enjoys full and absolute immunity.” (Cappello, *Summa Juris Canonici* 3:19.)

The judicial immunity of the pope was disputed in church history by partisans of Gallicanism and Conciliarism, who also maintained that a pope’s decisions could be appealed to a general council.

The maxim “the First See is judged by no one” is a *procedural* norm, then.

(B) **Sources:** One of the canonical sources for the maxim, the *Decree* of Gratian (ca. 1150), reads as follows:

“Whose sins [the pope’s] no mortal man presumes to rebuke, for he shall judge all and is to be judged by no one, unless he is suddenly caught deviating from the faith [nisi deprehendatur a fide devius].” (Decree, I, dist. 60, ch. 6.)

If anything, one can conclude from this the very *opposite* of what Mr. Ferrara maintains: defection from the faith is the *one sin* of a pope we are *permitted* to judge.

(C) **Papal Teaching:** In two of his coronation sermons, Pope Innocent III (1198-1216) — considered one of the greatest canon-

ists of his time — explained how a pope who falls into the sin of heresy is “judged.”

“Without faith it is impossible to please God.’... And so the faith of the Apostolic See never failed, even in the most trying circumstances [*turbatione*], but always continued intact and undiminished, so that the privilege of Peter remained constant and unshaken.

“To this end faith is so necessary for me that, though I have for other sins God alone as my judge, *it is alone for a sin committed against faith that I may be judged by the Church.* [*propter solum peccatum quod in fide committitur possem ab Ecclesia judicari.*] For ‘he who does not believe is already judged.’” (*Sermo 2: In Consecratione*, PL 218:656)

“You are the salt of the earth... Still less can the Roman Pontiff boast, for he can be judged by men — or rather he *can be shown to be judged, if he manifestly ‘loses his savor’ in heresy.* [*quia potest ab hominibus judicari, vel potius judicatus ostendi, si videlicet evanescit in haeresim.*] For he who does not believe is already judged.” (*Sermo 4: In Consecratione*, PL 218:670)

A pope who commits the sin of heresy, then, can indeed be “shown to be judged.”

(D **Finally**: Mr. Ferrara, who are you trying to kid?)

If the publications you write for actually applied the maxim “The First See is judged by no one” to themselves, they’d be sending their entire editorial content out each month on a post-card.

6. “MANIFEST” HERESY: *When the term “manifest” is applied to heresy, this means “the denial of an article of divine and Catholic faith, such as the Trinity, not just any error against the teaching of the Church.” (p.13)*

Like the non-lawyer arguing his own case, Mr. Ferrara has the technical lingo all messed up.

“Manifest,” as applied to heresy in canon law, however, does not refer to *what* truths a heretic denies (Trinity, transubstantiation, etc.), but rather to *how openly* he denies them.

A heresy becomes manifest (or notorious), when its existence is “established in a public way” (*constat modo publico*).

This occurs, for instance, when the existence of the heretical statement:

“is established through authentic public documents... because such documents of their nature are open to inspection by many people, and therefore necessarily bring with them public notice.” (Michels, *De Delictis et Poenis*, 1:140)

The authentic public digest for all the documents of the Holy See is the *Acta Apostolicae Sedis*. (See canon 9.) Publishing heretical decrees, pronouncements and encyclicals in the *Acta* — as JP2 and company did — would therefore render heresy “manifest” or “notorious.

“Manifest,” again, refers to the *how*, not the *what*, of heresy.

7. NO REAL HERESIES: *Sedevacantists have failed to identify any true heresies “among the many ambiguous pronouncements and disturbing (even scandalous) actions of John Paul II or Paul VI.” (p.15)*

For openers, I suggest the following:

(A) **Justification:** The October 31, 1999 Joint Declaration on Justification, approved by Ratzinger and John Paul II.

This overthrows the solemn dogmatic definitions of the Council of Trent concerning justification.

(B) **The Church:** The Declaration on Communion, the Ecumenical Directory and the Declaration *Dominus Jesus*, written by Ratzinger and approved by John Paul II.

These documents promote the “Subsistent Superchurch” heresy, which, among other things, denies an article of the Creed (“I believe in *one* Church”), as well as the proposition “outside the Church there is no salvation.”

(C) **Notes:** The former is “an article of the divine and Catholic faith,” the latter a “dogma of the faith.” (Salaverri 1:1095, 1153)

Bishop Donald Sanborn has written several lengthy articles exposing these heresies. Readers may find them posted at www.traditionalmass.org

8. KORAN KISSING: “The latter did not amount to formal heresy, as the kissing of the Koran was not the pertinacious denial of an article of divine and Catholic faith.” (p.15)

Oh really? Canonists and theologians teach that external heresy consists in *dictis vel factis* — not only in words, but also in “signs, deeds, and the omission of deeds.” (Merkelbach, *Summa Theologiae Moralis*, 1:746.)

9. COUNCIL FOR A HERETIC POPE: “A general council could assemble to verify the statement or statements allegedly uttered by the Pope,” who would “be given the opportunity to explain his words or retract them.” The council could declare “that the Pope, by his own act, had excluded himself from the Church, thereby ceasing to be pope.” (p.14)

Mr. Ferrara claims this scenario of a pope summoned before a council, asked to defend himself, and then declared fallen from office is an “accepted theological view.” Accepted by whom?

He mentions St. Alphonsus Liguori — but he provides no citations one can use to verify his claim.

Mr. Ferrara also says — again without citations — that this view was “taught by St. Anthony of Florence.”

I can find *no* theologian by that name in the 33-volume *Dictionnaire de Théologie Catholique*. (See *Tables Générales* 1:184-187.) Does Mr. Ferrara mean the Dominican theologian Anthony of Siena, which is not far from Florence? Or did St. Anthony of Padua say something about this? Or maybe St. Antoninus, who was Archbishop of Florence? Who knows?

This is the sort of half-baked “evidence” that opposing counsel moves to strike, and the judge instructs the jury to disregard.

Wherever he got it, the elaborate council/trial/defense /declaration rigmarole Mr. Ferrara describes is absent from the writing of later canonists and theologians who treated the question of a heretical pope.

Nearly all resolved it the same way: The Roman Pontiff “would, by divine law, fall from office without any sentence, indeed, *without even a declaratory one*.” (Coronata, *Institutiones Iuris Canonici*, 1:316)

10. DUE PROCESS, GUILT, PERTINACITY: “Absent a procedure to investigate the papal statement and the surrounding circumstances, including direct questions of the Pope himself with an opportunity to

retract, it would be impossible to judge the matter fully and fairly.... Who would afford the pope this due process?" (p.14)

But assume for the sake of argument that a papal trial *were* permissible. Assume further that Christopher A. Ferrara Esq. were the heretical pope's chief defense counsel, the head of his legal "dream team."

Before he got to his stirring final summation to the cardinalial jury ("If *anathema* don't sit, you must acquit"?), what ground rules would Mr. Ferrara have to follow?

(A) **General Presumption:** Would canon law in general consider Mr. Ferrara's client innocent until proven guilty?

No. Canon 2200.1 lays down the general principle:

"When an external violation of the law occurs, in the external forum the existence of malice (*dolus*) is presumed until the contrary is proved."

The reason such presumptions exist in the law, says the canonist Michels, is that:

"in the external forum one acts based on the way things ordinarily happen and externally appear. And indeed ordinarily, each person of sound mind customarily acts reasonably and freely, fully knowing and deliberately willing whatever he really does." (*De Delictis*, 1:134)

(B) **Heresy and Burden of Proof:** In the case of heresy, though, wouldn't canon law at least require the prosecutor to prove that Mr. Ferrara's client was "pertinacious" or "obstinate" in the alleged heresy? No again:

"The very commission of any act which signifies heresy, e.g., the statement of some doctrine contrary or contradictory to a revealed and defined dogma, gives sufficient ground for juridical presumption of heretical depravity... [E]xcusing circumstances have to be proved in the external forum, and *the burden of proof is on the person whose action has given rise to the imputation of heresy. In the absence of such proof, all such excuses are presumed not to exist.*" (McKenzie, *The Delict of Heresy*, 35.)

Mr. Ferrara, then, would have to rebut the presumption that his client is a heretic.

(C) **Excusing Causes:** Mr. Ferrara is arguing that his client's heresy, if any, would not be "manifest." How could he prove that?

Mr. Ferrara could argue one of seven causes that would excuse his client from moral culpability for the alleged offense, and hence from "manifest" or "notorious" heresy. (See canon 2199ff.) They are:

- (1) lack of reason (I was crazy).
- (2) habitual inculpable ignorance (I was stupid).
- (2) actual inculpable inadvertence or error (I was daydreaming).
- (4) involuntary intoxication (Those German Lutherans forced the beer down my throat).
- (5) physical force (I was strong-armed).
- (6) uncontrollable passion preceding an act of the will (I got really mad).
- (7) legitimate self defense (I ducked down over that Koran because the imam took a swing at me).

Of the seven, I would advise Mr. Ferrara against choosing ignorance as an excuse. His client is a cleric who holds several doctorates in theology:

"If the delinquent making this claim be a cleric, his plea for mitigation must be dismissed, either as untrue, or else as indicating ignorance which is affected, or at least crass and supine... His ecclesiastical training in the seminary, with its moral and dogmatic theology, its ecclesiastical history, not to mention its canon law, all insure that the Church's attitude towards heresy was imparted to him." (McDevitt, 48. My emphasis)

You have six excusing causes left, Mr. Ferrara. Which do you plead, counselor?

11. JOHN XXII, HONORIUS I: *Both these popes "were accused of heresy." Despite this, they never ceased to be regarded by the Church as popes. These examples "show us the Catholic way to address a pope who is in error or takes some action that threatens the common good of the Church." One may "resist him."* (p.15, 49-50)

At this point in his article, Mr. Ferrara begins to introduce arguments supporting the cardboard pope theory as the "Catholic" alternative to sedevacantism.

He begins with Popes John XXII and Honorius I.

(A) **Unsavory Company:** Citing these cases to justify "resistance" to the Roman Pontiff puts Mr. Ferrara in some very unsavory company.

Opponents of papal authority — Protestants, Eastern schismatics, Conciliarists, Gallicans, the anti-infallibilists at Vatican I, etc. — routinely pointed to John XXII and Honorius to shore up attacks against Catholic teaching.

(B) **Inadequate Sources:** As the sources for his account and explanation of both cases, Mr. Ferrara cites only popular vernacular histories (John, Jedin, Carroll) and an article on Honorius in the *Catholic Encyclopedia*.

Such sources have their place. But you can't put much stock in them if you're trying to make a serious argument about what ultimately boils down to a question of dogmatic theology. You have to consult and cite the lengthy dogmatic treatises on the papacy written by major academic theologians.

So on the grounds of his sources alone, we can dismiss Mr. Ferrara's comments on John XXII and Honorius as lightweight pop polemics.

(C) **Missing Elements:** Mr. Ferrara's analogy between these cases and that of the post-Conciliar popes fails on several points anyway, because in both, one or several of the elements required for a heretical pope to lose office were missing.

(1) *John XXII (1316-1334)* preached a series of sermons in Avignon, France in which he taught that the souls of the blessed departed do not see God until after the Last Judgement.

Mr. Ferrara's analogy to the situation of the post-Conciliar popes does not hold here because:

(a) The doctrine on the Beatific Vision had not yet been defined, so a denial of it would not constitute heresy.

(b) The pope, who had been a theologian before his election, proposed his teaching only as a "private doctor who expressed an opinion, *hanc opinionem*, and who, while seeking to prove it, recognized that it was open to debate." (Le Bachlet, "Benoit XII," in *Dictionnaire de Théologie Catholique*, 2:662.)

In the pope's second sermon, moreover, he said the following:

"I say with Augustine that, if I am deceived on this point, let someone who knows better correct me. For me it does not seem otherwise, unless the Church would so declare with a contrary statement [*nisi ostenderetur determinatio ecclesie contraria*] or unless authorities on sacred scripture would express it more clearly than what I have said above." (Le Bachelet, DTC 2:262.)

Such statements excluded the element of "pertinacity" proper to heresy.

(2) *Honorius I* (625-638) wrote several letters relating to the Monothelite heresy (=Christ had only one will, the divine), for which he was later accused, variously, of being a heretic himself or being soft on heresy.

The ins and outs of this complex case need not detain us, except to mention the following fact: The disputed formulas came to light only *after* Honorius died.

According to the theologian Hurter, it is certain that:

"the letters of Honorius were unknown [*ignotae*] until the death of the Pontiff and [the Patriarch] Sergius." (*Medulla Theologiae Dogmaticae*, 360.)

Hence, even if heretical, Honorius' statements could not have constituted the "public" heresy required for a pope to lose office.

(D) **Failed Analogies:** To sum up, Mr. Ferrara's attempt to refute sedevacantism with an analogy to the cases of John XXII and Honorius fails because:

(1) The doctrines denied by the post-Conciliar popes *have* been defined.

(2) The post-Conciliar popes were not proposing their teachings as mere opinion for theological debate.

(3) The teachings of the post-Conciliar popes were not "unknown" until after their deaths, but were published in encyclicals, decrees, instructions, speeches and discourses transmitted throughout the entire world during their lifetimes.

12. RESIST A WAYWARD POPE: *St. Thomas, St. Robert Bellarmine and the "pious and eminent" Francisco Suarez teach that one may "resist" a "wayward pope."* (p.50-1)

Here Mr. Ferrara reprints and interprets for us three quotes from a larger group first published in 1970 in Portuguese by the Brazilian traditionalist Arnaldo Xavier da Silveira.

They are part of Mr. Ferrara's "direct case" — that is, the system he proposes instead of sedevacantism.

These endlessly recycled quotes are favorites in SSPX/ CFN "recognize-but-resist" circles, and they pop up all over the place. This allows all sorts of unlikely types to offer assurances about, say, Suarez' teachings, eminence and piety — all without the inconvenience of slogging through about 21,000 pages of his Latin in *really* small type.

I will devote more time to this material at a later date. In the meantime, here are a few brief comments:

(A) **St. Thomas Aquinas:** Mr. Ferrara quotes St. Thomas' justification for fraternal correction of superiors in general, especially when they say something that endangers the faith. (*Summa*, II-II.33.4)

From this standard nugget of spiritual wisdom, Mr. Ferrara, SSPX and countless others have drawn several rather generous practical conclusions about what the Angelic Doctor is supposedly endorsing:

(1) Catholics are free to decide for themselves on a case-by-case basis which teachings, laws, sacramental rites and commands emanating from the Roman Pontiff they will accept (very few, thank you) and which they will “resist” and publicly denounce (just about everything).

(2) Catholics are free to pursue this “resistance” to the Successor of Peter on a continuous basis — so far, forty years and counting, with no end in sight.

(3) Moreover, “implicit in St. Thomas’ teaching,” says Mr. Ferrara, “is that the pope who commits ‘scandal concerning the faith’ remains the pope, though he may be rebuked and corrected.”

“Implicit” indeed! So implicit that one cannot find it at all...

(B) **St. Robert Bellarmine:** Not long ago, I published an analysis of the Bellarmine “resistance” quote, and based my conclusions upon its context in *De Romano Pontifice* and upon Cardinal Cajetan’s *De Comparatione Auctoritatis Papae et Concilii*, which Bellarmine cited to support his position.

Among other things, I demonstrated that Bellarmine was talking about resisting a pope who gives morally evil *commands* — not one who, like the post-Vatican II popes, teaches doctrinal *error* or imposes evil *laws*. In his next chapter, the Saint taught that a heretical pope automatically loses his authority.

Mr. Ferrara’s “answer” to this is that “nowhere does Bellarmine teach that ‘kings or councils,’ much less isolated members of the Church, can judge a pope guilty of heresy.” (p.51)

Nowhere? Has Mr. Ferrara based this confident assertion on a careful reading of Bellarmine’s entire *Opera Omnia* in the 8-volume 1861 Neapolitan quarto edition?

Would he care to demonstrate, based on that edition and a comparison with Cajetan’s *de Comparatione*, where my analysis of the quote in question was in error?

Mr. Ferrara?

In the meantime, I will deem that he has conceded my conclusion about the quote.

(C) **Francisco Suarez.** Mr. Ferrara quotes a passage from Suarez stating that a pope who would “overturn all the rites of the Church founded on apostolic tradition” — think Paul VI, of course — would become a “schismatic.” (p.51-2)

Mr. Ferrara takes consolation in Suarez’ opinion that a schismatic pope would retain his office, and uses this to shore up the “resistance” argument.

But Suarez, who tended to lose most controversies with other Catholic theologians, was the *only* theologian who held that position. The rest all taught that a schismatic pope loses the pontificate automatically because heresy and schism both represented “defection from the faith.”

Mr. Ferrara also provides us with a “nowhere does Suarez teach...” argument.

Again, *nowhere*, Mr. Ferrara? Will we be swearing you in as an expert witness to testify that you have (a) read the entire 30-volume 1858 Paris edition of Suarez’ *Opera Omnia*, and (b) based your prior factual claim thereupon?

Finally, Mr. Ferrara quotes Suarez as stating:

“If [the Pope]... gives an order contrary to right customs, he should not be obeyed; if he attempts to do something manifestly opposed to justice and the common good, it will be lawful to resist him.”

In this quote too, Mr. Ferrara, like many other traditionalist writers, sees a grand charter for global “resistance” to the post-Conciliar pope laws, doctrines, etc.

However, the translation into English is faulty: It mistranslates *bonos mores* as “right customs,” implying, perhaps, justification for resisting changes a pope legislates in liturgical traditions, etc.

In fact the phrase really means “good morals.” (See Suarez, *Opera Omnia*, 12:321: “Si enim aliquid statuat contra bonos mores, non erit illi parendum.”)

So once again, Suarez, like Bellarmine, is saying nothing more than this: if a pope gives you a command to do something contrary to the moral law, you don’t have to obey — something like, “I’m *ordering* you this time, Monsignor: Bring me a blonde chorus girl, and if the piano player complains, shoot him between the eyes...”

13. PAUL IV & “RESISTANCE”: *The 1559 Bull Cum ex Apostolatus Officio supports the “resistance” theory, because Paul IV said that “[The Pope] who may judge all and be judged by none in this world, may nonetheless be contradicted if he be found to have deviated from the Faith.” A pope remains pope even if he deviates from the faith. In this case, one may contradict him. (p.52)*

This assertion is ridiculous.

In para. 1 of the Bull, the verb in the Latin phrase *si deprehendatur a fide devius* connotes not just a pope who is “found” to have deviated from the faith, but one who is “caught” — as in “caught red-handed” in a crime.

Then there is the verb *redargui* — rebuke. What “rebuke” did Paul IV envision for a pope caught this way? Not, as Mr. Ferrara might have us think, forty years of open letters/we-contradict-you-to-your-face articles written by laymen for some Counter-Reformation equivalent of *The Angelus*, *Fatima Crusader* or *Catholic Family News*.

Rather, Paul IV promulgated the Bull to automatically deprive or bar from office those who had defected from the faith, whether secretly or openly.

In particular, he wished to bar from the papacy in the next conclave Giovanni Cardinal Morone (1509-1580), whom he suspected of being a secret Protestant heretic, and whom he even imprisoned in the Castel Sant’ Angelo.

So, the Bull fills nearly 10 double-columns in one edition of the *Bullarium Romanum* with line after line of blood-curdling language automatically depriving of ecclesiastical office not just those actually convicted of heresy, but even those simply *caught* (*deprehensi*) deviating from the faith (*a fide deviasse*).

Then in para. 6, we get to the punch line of Paul IV’s rebuke for the secret heretic who has been caught red-handed: Paul IV explicitly decrees invalid and null the election of a Roman Pontiff “who has beforehand deviated from the Catholic faith [*a fide Catholica deviasse*] or fallen into any heresy,” and this “without the need to make any further declaration” [*absque aliqua desuper facienda declaratione*].

Note again: *without the need to make any further declaration*. No trial, no dream team, no Court Channel interviews.

Invalidity of election and automatic loss of office — not “contradiction” in the popular press from the likes of Mr. Ferrara — was the rebuke Paul IV prescribed for the a pope who had “deviated from the faith.”

Should Mr. Ferrara, by the way, continue to advocate Suarez’ superseded opinion that a *schismatic* pope does not lose office, I call his attention to the following: A footnote in the *Bullarium* quotes another edition of the Bull that, after deviation from the faith and heresy, also specifically applies all its provisions to those “who have incurred, stirred up, or committed schism” [*seu schisma incurrisse vel excitasse aut commisisse*].

And finally, it was for planning to sell out to the Lutherans on the doctrine of justification that Paul IV barred Morone from papal office as a heretic and threw him in jail. (See Francesco Ricossa, “L’hérésie aux Sommets de l’Église,” 50-1.)

This, of course, is *exactly* what the heretics Ratzinger and John Paul II did in 1999: sold out the Catholic teaching on justification to the Lutherans.

* * * * *

AT THIS POINT we have gotten through two-thirds of the first installment of Mr. Ferrara’s article and disposed of any substantive issues he tried to raise.

The rest of his article is nothing more than the type of argumentation that my lawyer-friends call “pounding the table”: guilt by association (Palmar de Troya), creating the specter of a conspiracy (the sedevacantist “Enterprise” — though Mr. Ferrara has been the one “exploring strange new worlds”), special pleading (SSPX’s “state of necessity”), inadmissible evidence (secret Vatican assurances), circular arguments from authority (the opinion of Ratzinger — who declared that a Mass *without the words of consecration* was valid — taken seriously regarding Holy Orders conferred by Abp. Thuc), pompous generalizations (conclaves are “logical outgrowths”), etc. etc. — and the whole production backed up by non-existent to dodgy sourcing at about the level of a high school religion paper.

Mr. Ferrara, accustomed to flattering his juries during summations, closes with a final appeal to the crowd: For those, he says, who “are reasonably well-informed about the Faith, however, refutation is a simple matter.”

That’s for sure: Mr. Ferrara’s circular argument on sedevacantism as an “absurdity” is refuted by the theologian Berry. His pronouncement on visibility shot down by Salaverri. His “headless/diffuse body” statement on the length of the vacancy buried by Dorsch. The “perpetual successors” argument rendered unsuccessful by Dorsch and Salaverri. His misrepresentation of canon 1556 corrected by the Code, Cappello, Gratian and Pope Innocent III. His misuse of “manifest” exposed by Michels. JP2’s Koran-kissing re-criminalized for him by Merkekbach. “Due process” fallacies refuted by Michels, McKenzie, the Code, and McDevitt. Faulty analogies about John XXII and Honorius I demolished by Le Bachlet and Hurter. Myths about “resistance” texts duly toppled by the Latin originals.

Refutation by the “reasonably well-informed” has been *very* simple indeed...

So when Mr. Ferrara publishes the next installment of his attack on sedevacantism, filled with more confidently stated as-

sertions and aggressively formulated arguments about theology, church history and canon law, just remember the one great truth we have demonstrated here:

Christopher Ferrara is a windbag. He has no idea what he's talking about.

(Internet, August 2005)

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