

# Resisting the Pope, Sedevacantism and Frankenchurch

(2005)

by Rev. Anthony Cekada

A short case for sedevacantism.

**Introduction:** *In September-November 2005 the U.S. traditionalist periodical "The Remnant" published a five-part critique of sedevacantism by Christopher A. Ferrara entitled "A Challenge to the Sedevacantist Enterprise."*

*Mr. Ferrara, a lawyer by profession, was long on aggressive rhetoric, but short on citing theological works to back up his claims — though checking out his sparse references didn't inspire much confidence either.<sup>1</sup>*

*Mr. Ferrara argued, moreover, that the New Mass (Novus Ordo Missae) is **not** evil<sup>2</sup> and that Vatican II taught **no** false doctrines.<sup>3</sup> The average traditionalist, of course, believes just the opposite.*

*Since Mr. Ferrara had explicitly criticized many of my own writings, the Editor of "The Remnant," Michael Matt, graciously invited me to write a response. Because the editorial position of "The Remnant" has generally been anti-sedevacantist, however, Mr. Matt asked me to try to limit my response to 3000 words — a condition I regarded as entirely understandable.*

*I decided to take the opportunity to present to "Remnant" readers a short, affirmative case for sedevacantism. In the version of the article that appears below, I have removed references to my debate with Mr. Ferrara in order to give it a broader appeal, moved some material from the footnotes to the main text, and added a few explanatory phrases.*

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1. In his 30 Sept. 2005 installment, for instance, Mr. Ferrara cites Salaverri, *Sacrae Theologiae Summa*, BAC Vol. I, p. 698, for a quote to support his contention that a council must declare a pope to be a heretic. I checked the 1955 and 1962 editions, but could not verify the quote. In the same installment, Mr. Ferrara claims (p.18) that "the 1917 and 1983 codes of canon law provide that no one may insist that an ecclesiastical office has been lost due to heresy unless this has been established by a competent authority." Here Mr. Ferrara cites the 1983 Code, Can. 194, §§1, 2. But consulting the "Table of Corresponding Canons," in James A. Corriden, ed., *The Code of Canon Law: A Text and Commentary* (New York: Paulist 1985), 1049, reveals that paragraph 2 (which requires a declaration from competent authority) **had no corresponding equivalent** in the 1917 Code. Canon 188, in fact, provided that the loss of office following public defection from the faith occurred "automatically and *without* any declaration."

2. *Remnant* (15 Nov 2005): "The New Mass, as promulgated in its Latin typical edition, is not *per se* 'evil' universal legislation."

3. In P. Vere, "Sedevacantists at the Gates?" *Wanderer* (6 Oct 2005), 6, Mr. Ferrara states: "Vatican II presented no *new* doctrine [so] it could hardly have presented *false* doctrine. What traditionalists really oppose is not doctrine as such, but ambiguities capable of heterodox interpretation...In short, traditionalists oppose non-doctrinal novelties *masquerading* as doctrine." This is a new insight: Vatican II as Doctrinal Masquerade Party. My guess is that Ratzinger came dressed as Dr. Frankenstein. (See below.)

TRADITIONALISTS (apart from Indult types) usually agree on two general points:

(1) The New Mass (as well as much post-Vatican II legislation) is evil and harmful to the faith.

(2) The teachings of Vatican II and the post-Vatican II hierarchy (on ecumenism, religious liberty, collegiality, the Church, etc.) often contradict pre-Vatican II teachings, and at least fall under the heading of “doctrinal error” — a general term for “all doctrine at variance with the truths of the faith.”<sup>4</sup>

Where we differ is on how to reconcile (a) rejecting these evils and errors, with (b) pre-Vatican II teaching on papal authority and the indefectibility of the Church.

On one hand, the Society of St. Pius X (SSPX), together with *The Remnant*, *Catholic Family News* and many others, maintain that Catholics may “recognize” a pope and simultaneously “resist” his bad laws and doctrinal errors. There is no convenient label for this position, so here I will call it “R&R,” as in “recognize-and-resist.”

Sedevacantists, on the other hand, maintain that these evil laws and doctrinal errors indicate that the post-Vatican II popes at some point lost their authority by becoming heretics, and hence were not true popes at all.<sup>5</sup>

These issues are widely and heatedly debated among traditionalists. But the principles of dogmatic theology and canon law are the only legitimate standards for assessing and choosing between the two conflicting positions.

Using these criteria, I will make a very brief and (I hope) easily understood case for sedevacantism. I will examine two issues:

(I) How the infallibility of the Church in her universal laws and universal ordinary magisterium renders R&R untenable.

(II) Heresy in general, and the heresy of the post-Conciliar popes concerning the unity of the Church in particular.

## I. Recognize and Resist?

In my experience, the average layman who adheres to R&R does so based on the notion that Catholics are really bound only by “ex cathedra” pronouncements, that neither the New Mass nor the Vatican II errors fall under this heading, and that Catholics are therefore free to reject and denounce these things as non-Catholic, as well as to “resist” the various popes who promulgated them.

R&R apologists have offered more refined variations of the foregoing, but their arguments fail for the following reasons:

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4. E. Valton, “Erreur Doctrinale,” in *Dictionnaire de Théologie Catholique* (Paris: Letouzey 1913) 5:446. The expression covers every erroneous teaching from “dangerous” to “heresy.”

5. On this point — the absence of authority on the part of the post-Vatican II popes — there is no difference between garden-variety sedevacantists (yours truly) and those who adhere to Mgr. Guérard des Lauriers’ Thesis of Cassiacum.

## A. The authority of the Church cannot promulgate an evil rite of Mass.

As I have demonstrated elsewhere,<sup>6</sup> Catholic theologians teach that the Church's infallibility extends to universal disciplinary laws — she “can never sanction a universal law which would be at odds with faith or morality or would be by its very nature conducive to the injury of souls.”<sup>7</sup>

Based on the following anathema of the Council of Trent, moreover, theologians explicitly extend this infallibility to the Church's laws governing the celebration of Mass:

“If anyone says that the ceremonies, vestments and outward signs, which the Catholic Church uses in the celebration of Masses, are incentives to impiety rather than the service of piety: let him be anathema.”<sup>8</sup>

But, as every traditionalist knows, Paul VI's New Mass (even in Latin) is one big fat *irritabulum impietatis* — “incentive to impiety.”

You cannot reconcile the evil of this Mass with the notion that the man who promulgated it was a true pope, possessing supreme legislative authority from Jesus Christ.<sup>9</sup>

## B. Catholics must adhere to the teachings of the universal ordinary magisterium (pope and bishops together) and to the Holy See's doctrinal decisions.

In the *Syllabus of Errors* Pius IX condemned the proposition that Catholics are obliged to believe only those things proposed by the Church's infallible judgment as dogmas of the faith.<sup>10</sup> Catholics must also adhere to:

### (1) Teachings of the Universal Ordinary Magisterium.<sup>11</sup>

One way this magisterium is exercised is “by the express teaching habitually imparted, outside of formal definitions, by the pope and the body of bishops dispersed throughout the world.”<sup>12</sup>

By this standard, for instance, the 1994-1997 Catechism of the Catholic Church contains “universal ordinary magisterium” for those who recognize John Paul II as a true pope. He explicitly

6. *Traditionalists, Infallibility and the Pope* (Cincinnati & West Chester OH: St. Gertrude the Great 1995), 6-8, 28-33. Also Chapter 3 or this book.

7. G. Van Noort, *Dogmatic Theology* (Westminster MD: Newman 1959) 2:91. See *Traditionalists, Infallibility* for similar quotes from the theologians Herrmann, Dorsch, Schultes, Zubizarreta, Iragui and Salaverri.

8. *Canons on the Mass* (17 September 1562), DZ 954.

9. This is not to say that some haven't tried. Several years ago in *The Remnant* (April-August 1997, *passim*) SSPX argued that the New Mass was *evil* but *invalidly* promulgated, while Michael Davies argued that it was *validly* promulgated, but *not evil*. Both were whistling past the sedevacantist graveyard. I subsequently demonstrated that the promulgation of the *Novus Ordo* followed all the canonically required forms and procedures for a universal law. See “Did Paul VI Illegally Promulgate the New Mass: Canon Law and a Popular Traditionalist Myth” (Cincinnati: 2002), [www.traditionalmass.org](http://www.traditionalmass.org). If invited, I would gladly return to *The Remnant* to argue the proposition that the New Mass (even in Latin) is evil.

10. See Encyclical *Quanta Cura* and *Syllabus of Errors* (1864), DZ 1699, 1722.

11. Vatican Council I, *Dogmatic Constitution on the Faith* (1870), DZ 1792. “Further, by divine and Catholic faith, all those things must be believed which are contained in the written word of God and in tradition, and those which are proposed by the Church, either in a solemn pronouncement or in her ordinary and universal magisterium to be believed as divinely revealed.” See also Canon 1323.1.

12. E. Dublanchy, “Église,” DTC 4:2194.

declared the Catechism “a sure norm for teaching the faith,” “a sure and authentic reference text for teaching Catholic doctrine... to assist in the writing of new local catechisms... while carefully preserving the unity of faith and fidelity to Catholic doctrine.”<sup>13</sup>

Yet traditionalists who read SSPX publications, *The Remnant*, *Catholic Family News*, etc. know that the Catechism is filled with doctrinal error, because it promotes the Vatican II teachings on religious liberty, ecumenism, collegiality, the Church, etc.

(2) **Doctrinal Decrees of the Holy See.**<sup>14</sup> These include doctrinal statements published by the Holy Office with the pope’s approval, as well as papal encyclicals. Catholics must give all authentically approved papal doctrinal decrees “internal mental and religious assent,” given “out of reverence due to God, who governs through the sacred hierarchical authority of the Church.”<sup>15</sup>

Those traditionalists who recognized John Paul II as a true pope, therefore, would be required to give internal mental and religious assent to post-Vatican II pronouncements such as the Declaration *Dominus Jesus*, which “The Sovereign Pontiff... with sure knowledge and by his apostolic authority, ratified and confirmed.”<sup>16</sup>

Here too, publications put out by the R&R camp have pointed out that this document and others like it contain doctrinal errors about the Church, salvation, etc.

But again, one cannot reconcile the existence of doctrinal errors found in either source (presumed universal ordinary magisterium or papal doctrinal decrees) to the notion that a true pope and Catholic bishops, retaining teaching authority from Jesus Christ and the assistance of the Holy Ghost, imposed doctrinal error on the universal Church.

### **C. Theologians do not support public “resistance” to a true pope’s laws and doctrine.**

Faced with the foregoing, the R&R camp has endlessly — and I mean endlessly — recycled a set of quotes from various theologians that supposedly support public “resistance” to a pope’s evil laws and false doctrines.<sup>17</sup> The quotes fall into two groups:

(1) **Commentaries on Paul’s Resistance to Peter.** (Gal 2:11-14) Here St. Paul publicly rebuked St. Peter for dissimulating about observing the Old Testament dietary laws: “I withstood him to the face, because he was to be blamed.”

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13. Apostolic Constitution *Fidei Depositum* (11 October 1992).

14. Pius IX, *Tuas Libenter* (1863), DZ 1684. “... it is not sufficient for learned Catholics to accept and revere the aforesaid dogmas of the Church, but [...] it is also **necessary to subject themselves** to the decisions pertaining to doctrine which are issued by the Pontifical Congregations.”

15. J. Salaverri, *Sacra Theologiae Summa: De Ecclesia* (Madrid: BAC 1958) 1:659, 666.

16. From the attestation signed by Ratzinger.

17. For example, Michael Davies, *Pope Paul’s New Mass* (Dickinson TX: Angelus 1980) 589ff; Atila Guimarães *et al.*, *We Resist You to the Face* (Los Angeles: TIA 2000), 56ff, etc. The quotes seem to have first been circulated in an appendix to Arnaldo Xavier da Silveira’s *Consideracoes sobre o Ordo Missae de Paulo VI* (Sao Paulo: 1970). It was in one of his early works in Portuguese that I first saw brought together the writings of various theologians on the issue of a heretical pope — for me a rather astounding discovery. Mr. da Silveira was one of the founders of TFP.

St. Thomas<sup>18</sup> and others<sup>19</sup> observe that St. Paul gave an example of how subjects should give fraternal correction to their prelates “even publicly,” if they commit a crime that is public, scandalous and a danger to the faith. This is standard teaching in moral theology manuals.

The principle, however, applies only to fraternal correction. No theologian I know of extends it to rejecting a pope’s universal disciplinary laws or teachings of his universal ordinary magisterium.<sup>20</sup> The theologian Suarez, in fact, says that neither Gal 2:11-14 nor Mt 18:17<sup>21</sup> allow “fraternal correction” of a pope through public denunciation of his crime.<sup>22</sup>

(2) **Resistance to a Pope “Destroying the Church.”** R&R-ers often cite quotes from 15<sup>th</sup>- and 16<sup>th</sup>-century theologians that say it is permissible to “resist” a true pope who does such things as attack souls by bad example, encourage sacrileges, appoint unworthy men to or sell church offices, wage unjust wars, inflict spiritual violence, order evil things, profane holy things, “destroy the Church,” etc. From these R&R-ers conclude that “under extraordinary circumstances, a Catholic can have not simply the right but the duty to disobey the Pope.”<sup>23</sup> However:

- These passages justify nothing more than disobeying a pope’s **evil commands** (“Sell Fatima to Disney, Monsignor, dynamite St. Peter’s and then bring me another blonde chorus girl...”), but **NOT** resisting his **universal laws**<sup>24</sup> (which are infallible) and the **universal ordinary magisterium** of pope and bishops (also infallible).

- Because the R&R-ers have not examined the context of their “proof-texts,” they mistakenly conclude that the authors were approving “resistance” to a pope by individual Catholics.

But in fact the quotes were part of the Catholic argument against the theories of the conciliarist theologian Gerson (1363-1429)<sup>25</sup> regarding how much a general or provincial **council of bishops** or a Catholic **king** could either “correct” or “resist” a morally evil pope—one who, like some Renaissance popes, sold ecclesiastical offices, appointed unworthy office-holders, irre-

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18. *Summa* 2-2:33.4; *Ad Galatas* 2:3.11-14, *S. Pauli Apostoli Epistolas* (Turin: Marietti 1929) 1:542, 543; *Scriptum super Sententiis* 19:2.2.3 (Paris: Lethielleux 1947) 4:112ff.

19. Cornelius a Lapide, *Ad Galatas* 2:11, *Commentarium in S.S.* (Lyons: Pelagaud 1839) 9:445, 446, 447.

20. If anyone maintains that it does, he can spare me his arguments and just cite the theological works that specifically support his position.

21. “And if he will not hear thee, tell the church.”

22. *De Immunitate Ecclesiastica* 4:6.12, in *Opera Omnia* (Paris: Vivès 1859) 24:381. “I therefore respond to the objection that fraternal correction to the Supreme Pontiff is fitting, insofar as it is a duty of charity, and as such it is proven that this may take place as someone greater by someone lesser, and as a Prelate is corrected by his subject, as Paul acted towards Peter... Thus the Pontiff may be respectfully corrected and admonished, first alone, if his crime be secret, and then before a few others, if the matter and necessity require it. But what follows, ‘tell the church,’ has no place here, because the term ‘Church’ means not the body of the Church, but [an offender’s] Prelate.... Because the pope has no superior Prelate, such a denunciation has no place in his case. Rather since he himself is the Pastor of the whole Church, the Church is sufficiently ‘told’ of his sin when it is told to the Pope himself.”

23. Thus Davies, *Pope Paul’s New Mass*, 602.

24. A law is general and stable. A command is particular or transitory, i.e., it has a limited object (do this or that now) or binds only a certain number of persons. See: R. Naz, “Précepte,” *Dictionnaire de Droit Canonique* (Paris: Letouzey 1935-65) 7:116-17.

25. See L. Salembier, “Gerson, Jean Charlier de,” in DTC 6:1312-22. Conciliarism taught that a pope was subject to a general council. Gerson was a favorite of 16th-century Protestants.

sponsibly granted dispensations, and thus “manifestly destroyed the Church.”<sup>26</sup>

So as regards each quote, either the title of the work in which it appeared, its general context, or the question that preceded it clearly indicates that Cajetan,<sup>27</sup> Vitoria,<sup>28</sup> Bellarmine<sup>29</sup> and Suarez<sup>30</sup> were supporting resistance to evil popes by **councils**, not individuals. (See footnotes.)

A theological commentary on Vitoria confirms this: “...when a pope by arbitrary dispensations manifestly destroys the Church, **not private persons, but the bishops**, in council or by mutual agreement may resist accepting or implementing them...Distinguished authors and firm defenders of papal authority such as Cajetan likewise upheld this teaching.”<sup>31</sup>

Vitoria himself puts the final nail into the coffin for the R&R “resistance” quotes:

“Proposition 23: **‘It would not seem permitted for any private person on his own authority to resist and not obey the Pope’s directives,** however much these would contradict a Council’s decision.’ **This is correct. For it would be a great act of irreverence and near-contempt for supreme authority** if anyone

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26. See J-G Menendez-Rigada, “Vitoria, François de,” in DTC 15:3130. “il réproouve avec quelque âpreté l’abus que les papes de la Renaissance faisaient de leurs pouvoirs pour concéder toutes sortes de dispense....par des dispenses arbitraires détruit manifestement l’Église....”

27. Note the title: *The Authority of the Pope and a Council Compared*. The most-frequently quoted R&R passage (“resisting a tyrant is an act of virtue...a pope publicly destroying the Church must be resisted,” etc.) appears in chapter 27, and is immediately followed by: “Many are the ways by which, without rebellion, **secular princes and prelates of the Church**, if they wish to use them, **may offer resistance** and an obstacle to an abuse of power.” See *De Comparatione Auctoritatis Papae et Concilii*, (Rome: Angelicum 1936), 411-12.

28. Note the title: *The Power of a Pope and a Council*. The R&R passage (“A pope must be resisted who publicly destroys the Church... he should not be obeyed... one would be obliged to resist... it is licit to resist him,” etc.) is a response to question 23: “Once a Council has made such a declaration and decree, if a Pope were to command the contrary, **would it be permissible for bishops or a provincial Council to resist** such a command on their own, or even petition princes to resist the Supreme Pontiff by their power, thus preventing the execution of his commands?” *De Potestate Papae et Concilii* 23, in *Obras de Francisco de Vitoria: Relecciones Teológicas* (Madrid: BAC 1960) 486. Vitoria incorporates into his response the above-quoted R&R passage from chapter 27 of Cajetan’s work.

29. The R&R passage (“...it is licit to resist [a Pope] who attacks souls... or above all, tries to destroy the Church... It is licit to resist him by not doing what he orders and by impeding the execution of his will...”) is a response to Objection 7: “Any person is permitted to kill the pope if he is unjustly attacked by him. Therefore, even more so is it permitted **for kings or a council** to depose the pope if he disturbs the state, or if he tries to kill souls by his bad example.” *De Romano Pontifice* II.29 in *De Controversiis Christiani Fidei* (Naples: Giuliano 1836) 1:417-18. All nine arguments in chapter 29 are over whether a pope is subject to a king or a council. In his response to Objection 7 Bellarmine likewise cites the above-quoted R&R passage from chapter 27 of Cajetan’s work. See also: Cekada, “The Bellarmine Resistance Quote: Another Traditionalist Myth,” SGG Newsletter (October 2004), [www.traditionalmass.org](http://www.traditionalmass.org)

30. Note the title: *Ecclesiastical Immunity Violated by Venice*. For the R&R passage (“If [a Pope’s] violence would be spiritual, ordering [*n.b., not legislating/teaching*] evil things, or profaning or destroying sacred things, he may be resisted in a proportionate way”), Suarez likewise cites for his authority Chapter 27 of Cajetan (“**secular princes and prelates of the Church**...may likewise offer resistance), and even uses some identical language. *De Immunitate Ecclesiastica* 4:6.17-18 in *Opera Omnia* 24:383.

31. Menendez-Rigada, DTC 15:3130-1. “Il vaudrait mieux que, quand le pape par des dispenses arbitraires détruit manifestement l’Église, non point les particuliers, mais les évêques, en concile ou d’accord entre eux, résistassent à leur acceptation et à leur mise à l’exécution, demeurant sauf le respect dû au pontife. Ainsi le soutiennent des auteurs distingués et de fermes défenseurs de l’autorité pontificale, tel le cardinal Cajétan.”

were allowed to act towards a pope in a way that would not be permitted towards a bishop, whose directive (however unjust) one may not disobey on private authority.”<sup>32</sup>

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Since the authority of the Church cannot give evil or error, and since individual Catholics may not “resist” a true pope, R&R-ers face three possible conclusions:

(1) The New Mass and Vatican II teachings **are Catholic**. (Stop resisting, check out that Saturday Novus Ordo at St. Teilhard’s, homeschool your son Marcel with that new Catechism, and sign up little Philomena for altar girls.)

(2) The authority of the **Catholic Church has defected**. (Go Episcopalian — great music, no confession!)

(3) The New Mass and the Vatican II teachings **are not Catholic**, and so **could not have come from the authority of the Church**. (Welcome to...

## II. Sedevacantism.

The evils and errors most traditionalists acknowledge, in other words, are solid evidence that the lawgivers lost their authority. Sedevacantism merely tries to explain how.

Here, Catholic theology and canon law tell us that while the Church herself cannot defect from the faith, an individual member who holds Church office can. If he defects publicly, he automatically loses his office (authority).<sup>33</sup>

This principle applies even to a pope. Since the 16<sup>th</sup> century nearly all canonists and theologians who have addressed the issue teach that a pope who becomes a manifest (public) heretic “would, by divine law, fall from office without any sentence.”<sup>34</sup>

Here is how this applies to the post-Vatican II popes:

### A. Heresy Defined.

A heretic is “one who, after the reception of baptism pertinaciously denies or doubts any of the truths to believed by divine and Catholic faith.”<sup>35</sup>

The canonist Michel warns that one must clearly distinguish three problems:

(1) Dogmatic — heresy as **false doctrine**.

(2) Moral — heresy as **sin**.

(3) Canonical — heresy as an **ecclesiastical crime** (*delictum*).<sup>36</sup>

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32. *De Potestate* 22, *Obras*, 485: “Non videtur permittendum cuicumque privato sua auctoritate resistere et non parere mandatis Pontificis... Probatur. Quia esset magna irreverentia et quasi contemptus, si cuilibet hoc concederetur respectu Pontificis... non licet propria auctoritate discedere.”

33. Canon 188.4. “By tacit resignation through the operation of law, all offices become vacant automatically [*ipso facto*] and without any declaration if a cleric... (4) publicly defects from the Catholic faith.”

34. M. Conte a Coronata, *Institutiones Juris Canonici* (Rome: Marietti 1950) 1:316. My pamphlet *Traditionalists, Infallibility and the Pope* contains many similar quotes. For a free copy, contact: parishoffice@sgg.org. Canonists and theologians use the terms “manifest,” “notorious” or “public” heretic to distinguish a pope who professes a heresy publicly from one who adheres to it privately (an “occult” heretic). The latter, according to the common teaching, does not lose office.

35. Canon 1325.2.

36. A. Michel, “Héresie, Hérétique,” in DTC 6:2208. “Il faut toutefois distinguer le problème *dogmatique*, qui se rapporte à l’hérésie considérée comme *doctrine*, le

Here we need only discuss points (1) and (2), false doctrine and sin, because a pope's public sin of heresy — the offense against God's law — strips him of Christ's authority.<sup>37</sup> Point (3) does not apply, because as supreme legislator a pope cannot commit an ecclesiastical crime (*delictum*) against canon law.

This is a key distinction, because anti-sedevacantist tracts like those of Michael Davies<sup>38</sup> routinely misapply to the sin of heresy criteria that pertain only to heresy as an ecclesiastical crime — much as if one insisted that a sin of murder could not exist without meeting state criminal law's criteria for the crime of murder.

(1) **Doctrine Denied.** The teaching must be an article “of divine and Catholic faith” that the Church has authentically proposed as such.

A prior *ex cathedra* or conciliar definition is not required. “The explicit teaching of the universal ordinary magisterium suffices for a truth to be authentically proposed for adherence by the faithful.”<sup>39</sup>

The heretic may deny the doctrine “in explicit or equivalent terms,”<sup>40</sup> through either a contradictory or a contrary proposition.<sup>41</sup>

(2) **Sin/Pertinacity.** “Because the act of heresy is an erroneous judgment of intelligence,” says Michel, “to commit the sin of heresy it suffices to knowingly and willingly express this erroneous judgment in opposition to the Church's magisterium. **From the moment that one sufficiently knows the existence of the rule of the faith in the Church and that, on any point whatsoever, for whatever motive and in whatever form, one refuses to submit to it, formal heresy is complete.**

“This willed opposition to the Church's magisterium constitutes the pertinacity authors require for the sin of heresy. With Cajetan we must observe that **pertinacity does not of necessity include long obstinacy by the heretic and warnings from the Church.** A condition for the sin of heresy is one thing; a condition for the **canonical crime** of heresy, punishable by canon laws, is another.”<sup>42</sup>

This torpedoed the oft-heard R&R argument that a trial or canonical warnings would be required before one could conclude that a pope was pertinacious in heresy.

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problème *moral* qui se rapporte à l'hérésie considérée comme *péché*, et le problème *canonique*, qui se rapporte à l'hérésie considérée comme délit.

37. L. Billot, *De Ecclesia Christi* (Rome: Gregorian 1927) 1:632. “He would automatically lose pontifical power, because, having become an unbeliever [*factus infidelis*], he put himself outside of the Church by his own will.”

38. See *I Am With You Always* (Long Prairie: Newman 1997), esp. 46-7. On 44-5, Davies also treats readers to a half-truth by implying that Wernz-Vidal's *Jus Canonikum* (Rome: 1952) required a “declaratory sentence” from the Church before one could consider a heretical pope deposed. In fact Wernz-Vidal says *twice* (1:453) that a heretical pope *ipso facto* loses his power. “*ante sententiam declaratoriam Ecclesiae sua potestate privatus existit... ipso facto R. Pontificem haereticum exciderere sua potestate.*” His emphasis.

39. Michel, DTC 6:2215.

40. R. Schultes, *De Ecclesia Catholica: Praelectiones Apologeticae* (Paris: Lethielleux 1931), 638. “*verbis explicitis vel aequivalentibus.*”

41. Michel, DTC 6:2213. Example: Christ is God-Man = *de fide*. Christ is *not* God-Man = contradictory proposition. Christ is pure man, Christ is an angel = contrary propositions.

42. Michel, DTC 6:2222. In-text citations omitted.



These two points I will apply to the Vatican II ecumenical super-church heresy that I call...

## B. “Frankenchurch”

This heresy posits a “People of God” and a “Church of Christ” not identical with the Roman Catholic Church and broader than it — a Frankenchurch created from “elements” of the true Church that are possessed either “fully” (by Catholics) or “partially” (by heretics and schismatics).

Though earlier experiments had failed,<sup>43</sup> Vatican II’s teaching that Christ’s Church “subsists” in the Catholic Church<sup>44</sup> was the lightning strike to the monster’s neck-bolt. The stitching holding the ugly beast together was the modernist/ecumenical theology of Church as “communion” (which may be full or partial).

Ratzinger — Doktor von Frankenchurch — fully developed the latter in the 1992 CDF Letter on “Communion,” the 2000 Declaration *Dominus Jesus* and other JP2-approved statements. Here are some typical propositions:

- Schismatic bodies are “particular Churches” united to the Catholic Church by “close bonds.”<sup>45</sup>
- The Church of Christ “is present and operative” in churches that reject the papacy.<sup>46</sup>
- The universal Church is the “body of the [particular] Churches.”<sup>47</sup>
- There exist “numerous ‘spheres’ of belonging to the Church as People of God and of the bond which exists with it.”<sup>48</sup>
- Schismatic Churches have a “wounded” existence.<sup>49</sup>
- The “universal Church becomes present in them [the particular Churches] with all her essential elements.”<sup>50</sup>
- “Elements of this already-given Church exist, found in their fullness in the Catholic Church, and without this fullness, in the other communities.”<sup>51</sup>

There’s no escape from Frankenchurch. It is a fundamental principle in 1983 Code of Canon Law,<sup>52</sup> and it lumbers through the new Catechism<sup>53</sup> to menace your son Marcel, who will learn:

- One becomes a member of the “People of God” by baptism. (#782)
- This whole People of God participates in the offices of Christ (priest, prophet, king). (#783) (“Does that mean even Lutherans, Dad?” “Uh...”)

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43. The initiatives of Lambert Beauduin (1920s) and Henri de Lubac (1940s) were condemned by Pius XI and Pius XII, respectively. Since John Paul II would later make the modernist de Lubac a cardinal, torch-bearing villagers with pitchforks wouldn’t have been a bad idea either.

44. Vatican II, Dogmatic Constitution on the Church *Lumen Gentium* (21 Nov 1964), 8, AAS 57 (1965), 12.

45. Congregation for the Doctrine of the Faith. *Letter to the Bishops of the Catholic Church on Some Aspects of the Church Understood as Communion* (1992), 17.

46. *Dominus Jesus*, 17.

47. *Communion*, 8.

48. John Paul II, *Discourse to the Roman Curia*, June 28, 1981.

49. *Communion*, 17.

50. *Communion*, 7.

51. *Ut unum sint*, 14.

52. See Canons 204-5, and the lengthy commentary on the Code’s “communion” theology in J. Beal *et al.*, *New Commentary of the Code of Canon Law* (New York: Paulist 2000), 245-8, and *passim*. All the baptized are “incorporated” into and “constituted as” the “People of God.”

53. *Catechism of the Catholic Church*, 2nd. ed., (Rome: Lib.Ed.Vat. 1997).

- The sole Church of Christ “subsists in” the Catholic Church. (#816)
- Christ’s body, the Church, is “wounded.” (#817)
- Christ’s Spirit uses schismatic and heretical bodies (“these Churches and ecclesial communities”) as “means of salvation.” (#819) (“Then why do we drive an hour to a Latin Mass, Mom?” “Er, your Dad will explain this when you’re more grown up...”)
- Catholics are “fully” incorporated into the Church; those who believe in Christ and are baptized are in a “certain, although imperfect communion with the Catholic Church,” and this communion with schismatic orthodox Churches is “so profound” that it “lacks little to attain the fullness.” (#837-8)
- Each “particular Church” is “Catholic,” but some are “fully Catholic.” (#832, 834) (“So a C+ ‘mark of the Church’ is still passing, Dad?” “Um, let’s ask the priest on Sunday...”)

(1) **What Frankenchurch Denies.** Through contrary propositions, it denies an article of divine and Catholic faith: “I believe in one Church.”<sup>54</sup>

The Church’s universal ordinary magisterium, speaking through pope after pope and theologian after theologian, has repeatedly explained exactly what this unity means: “The property of the Church by which, in the profession of faith, in governance and in worship, she is **undivided in herself and separated from any other.**”<sup>55</sup>

“The practice of the Church,” said Leo XIII, “has always been the same, as is shown by the unanimous teaching of the Fathers, who were wont to hold as **outside Catholic communion, and alien to the Church,** whoever would recede in the least degree from any point of doctrine proposed by her authoritative Magisterium.”<sup>56</sup>

Instead, Frankenchurch overthrows the Church’s divine constitution and gives us a monster — divided in faith, governance and worship, but held together by degrees of full or partial communion (tight or loose stitches?). Frankenchurch teaches that:

- (a) Schismatic and/or heretical churches are part of Christ’s Church.
- (b) One can be part of Christ’s Church without submission to the Roman Pontiff.
- (c) The one, holy, catholic, apostolic Church becomes present in every valid celebration of the Eucharist.
- (d) The Holy Ghost uses schismatic and/or heretical sects as means of salvation.

To read previous papal statements is to see Frankenchurch’s heresies condemned:

- Pius IX, *Amantissimus*, 18 Apr 1862: Those who leave the Roman See “cannot hope to remain within the Church.”

54. Salaverri, 1:1153. “Articulus Fidei divinae et Catholicae.” Frankenchurch is also contrary to “outside the Church, there is no salvation,” which is a “dogma of the faith.” Salaverri 1:1095. See also Pius IX, *Quanto Conficiamur Moerore* (10 August 1863) DZ 1677. “notissimum catholicum dogma.”

55. J. de Groot, *Summa Apologetica de Ecclesia Catholica* (Regensburg: Manz 1906) 153. “indivisa in se et divisa a quolibet alio.”

56. *Satis Cognitum* 29 June 1896. In *Enchiridione delle Encicliche* 3:1251. The “unanimous teaching of the Fathers” is likewise proof that a doctrine is part of the universal ordinary magisterium (Salaverri 1:814 ff).

- Pius IX, Holy Office Letter, 16 Sep 1864: The novelty of “branch churches” “destroys at one stroke the divine constitution of the Church.”

- Pius IX, *Jam Vos Omnes*, 13 Sep 1868: “No non-Catholic sect or “all of them together in any way constitute or are that one Catholic Church which Our Lord founded and established and which He willed to create.”

- Leo XIII, *Officio Sanctissimo*, 22 Dec 1887: He who separates from the Pope “has no further bond with Christ.”

- Leo XIII, *Satis Cognitum*, 29 Jun 1896: “Jesus Christ did not ...institute a Church to embrace several communities similar in nature, but in themselves distinct, and lacking those bonds which render the Church unique and indivisible after that manner in which in the symbol of our faith we profess: ‘I believe in one Church.’”

- Leo XIII, *ibid.* The Church regarded as rebels and outside her “all who held beliefs on any point of doctrine different from her own.”

- Pius IX, *Mortalium Animos*, 6 Jan 1928: No one is in Christ’s Church or remains there unless he acknowledges and obeys the Pope.

- Pius XII, *Mystici Corporis*, 29 Jun 1943: They stray from divine truth “who imagine the Church to be something which can neither be touched nor seen, that it is something merely ‘spiritual,’ as they say, in which many Christian communities, although separated from one another by faith, could be joined by some kind of invisible link.”

Such quotes are the tip of the iceberg.<sup>57</sup> For further proof, I invite readers to study the 3-column comparison chart attached to Bishop Sanborn’s article “The New Ecclesiology.” Judge for yourself whether Frankenchurch is contrary to the universal ordinary magisterium — and thus heresy.

(2) **Sin/Pertinacity & the Post-Conciliar Popes.** Recall the canonist Michel’s teaching: the **sin** of heresy requires **no** canonical warnings for pertinacity. All one need do is (a) know the rule of faith, and (b) refuse to submit to it. Formal heresy is then complete — because the willed opposition to the magisterium constitutes pertinacity.

Cardinal Billot put it still more simply: “Formal heretics are those to whom the authority of the Church is sufficiently known.”<sup>58</sup>

The post-Conciliar popes were former academic theologians, seminary professors, cardinal-archbishops and curialists. Do you really think such men did **not** “know the rule of faith in the Church”? Did **not** know that *unam ecclesiam* in the Creed meant the Church was “undivided in herself and separate from any other”?

Or do you really think that Professor-Doktor-theologian-peritus-cardinal-CDF Prefect-superbrain Joseph Ratzinger did **not** know that the universal ordinary magisterium — Pius IX, Leo XIII, Pius XI, Pius XII, countless other popes, the Church

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57. See D. Sanborn, “The New Ecclesiology: An Overview and Documentation,” *Catholic Restoration*, (Sept-Oct 2004), [www.traditionalmass.org](http://www.traditionalmass.org) for an excellent survey.

58. *De Ecclesia* 1:292. “Formales illi sunt, quibus Ecclesiae auctoritas est sufficienter nota; materiales vero, qui invincibili ignorantia circa ipsam Ecclesiam laborantes, bona fide eligunt aliam regulam directivam.”

Fathers and the whole edifice of Catholic theology — taught that all who rejected even one point of the Church's doctrine were outside her communion and alien to her? That Ratzinger did **not** know that Frankenchurch overthrew the previous teaching?

If you believe that, I have a bridge to sell you — over the Tiber.

(3) **Who Decides This?** The answer is simple: The same people who “decided” that the New Mass was evil and that the Vatican II teachings were non-Catholic — you and me, folks. We didn't need a General Council to figure out those issues and we don't need a General Council for this one either.

After all, do we traditional Catholics await a jury verdict before we decide that the local abortionist is a murderer? He openly violates a Commandment. He commits the **sin of murder**, and we don't hesitate to say so — even though no court has convicted him.

So too, the public heretic. He aborts an article of the Creed to create a monster. He openly denies the rule of faith. He commits the **sin of heresy**.

We traditionalists need not hesitate to call a heretic a heretic — even though no Council has convicted him — any more than we hesitate to call an abortionist a murderer.

Nor should traditionalists hesitate to point out the consequences: A public heretic cannot be a true pope. He deposes himself.

\* \* \* \* \*

SEDEVACANTISM is the **only** logical conclusion that follows from the initial judgment every traditionalist makes — that the New Mass is evil and the new doctrines are errors. Evil and error can come only from non-Catholics — not true Successors of Peter who possess authority from Jesus Christ.

**All** traditionalists, therefore, are really sedevacantists — it's just that they haven't all figured it out yet.

(*The Remnant*, November 2005)

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