

The Nine vs. Lefebvre: We Resist You to Your Face

(2008)

by Rev. Anthony Cekada

The story of our battle in court with Abp. Lefebvre and the Society of St. Pius X

“St. Thomas, when he speaks of fraternal correction, alludes to St. Paul’s resistance to St. Peter and he makes the following comment: ‘...*We must realize, however, that if there was question of a danger for the faith, the superiors would have to be rebuked by their inferiors, even in public.*’ This is clear from the manner and reason for St. Paul’s acting as he did with regard to St. Peter, whose subject he was, in such a way, says the gloss of St. Augustine, ‘*that the very head of the Church showed to superiors that if they ever chanced to leave the straight and narrow path, they should accept to be corrected by their inferiors.*’

— **Archbishop Marcel Lefebvre**
Reply to the question: “How do you see obedience to the Pope?”
January 20, 1978

Non, je ne regrette rien. (No, I don’t regret a thing.)

— **Edith Piaf**

TWENTY-FIVE YEARS ago, together with eight other American priests of the Society of St. Pius X (SSPX), I became involved in a lengthy battle with Archbishop Marcel Lefebvre (1905–1991), the Society’s founder and the prelate who ordained us.

The conflict between the archbishop and the Americans, usually referred to collectively as “The Nine,” became public after a meeting between the two sides on April 27, 1983, at Oyster Bay Cove, New York.

The group of priests consisted of Fathers Clarence Kelly (SSPX Northeast District Superior), Donald J. Sanborn (SSPX Seminary Rector), Daniel L. Dolan (NE District Director of Missions), Anthony Cekada (NE District Bursar), William W. Jenkins (seminary professor), Joseph F. Collins (seminary professor), Eugene R. Berry, Thomas Zapp (newly ordained and teaching at St. Marys, Kansas), and Martin Skierka (newly ordained.)

What began as a theological dispute, however, soon became a protracted battle conducted in the U.S. civil court system. Abp. Lefebvre demanded that we turn over to him control of the churches and chapels where we offered Mass for our congregations. We refused. He sued, we sued back, and the two sides fought a four-year legal war that was finally settled only in 1987.

The eleven properties affected were located in the states of New York, Pennsylvania, Ohio, Michigan, Minnesota and Connecticut. With the exception of the seminary building in Ridgefield CT, the local congregations that we served contributed all the funds for the purchase and op-

eration of these facilities. The overwhelming majority of lay members in each place supported our stand against Abp. Lefebvre and his organization.

In 2007 Bishop Richard N. Williamson published a collection of newsletters he wrote during this period, when he was the rector of the SSPX seminary in Ridgefield, Connecticut.¹ Naturally, his is the Society’s “official history” of the legal struggle. It is the one that, in bits and pieces, has been passed on to several generations of SSPX priests, seminarians and laymen.

The Nine, this version goes, were sedevacantists (or at least secret sedevacantists) who rebelled against the authority of SSPX and its saintly archbishop-founder. They then used the U.S. court system to defraud the Society of several of its church properties in the Northeast and Midwest — all very, very wicked.

Those who repeat this account, though, never seem to notice that it reflects, if not hypocrisy, at least a double standard — one according to which the rightness or wrongness of a deed is judged by its conformity to the will of Abp. Lefebvre.

For instance, when Abp. Lefebvre says in effect to Paul VI or John Paul II, “We resist you to your face,” he is echoing St. Paul’s reproach to St. Peter, and he is the 20th-century St. Athanasius. But when a priest says the same thing to Lefebvre, he is a rebel and an ingrate.

Or, when French traditionalist priests and laymen seize a church in 1978 that they did *not* pay for (St. Nicholas du Chardonnet) and turn it over to Abp. Lefebvre and SSPX, they are the heroes of the traditionalist resistance. But when American traditionalist priests and laymen hold onto the churches in 1983 that they *did* pay for and refuse to turn them over to Lefebvre and SSPX, they are conspirators, swindlers and thieves.

Because I was the person primarily responsible for coordinating our legal defense against the incursions of Abp. Lefebvre and the Society, I am generally portrayed as the chief villain in the affair, followed (at a close second) by Father Clarence Kelly.

Since Bp. Williamson published the Society’s side of the story, I decided to set down my own reflections on the conflict that unfolded a quarter-century ago. These, I hope, will offer some balance to the account that has made the rounds in SSPX circles for so many years.

1. *Letters from the Rector of St. Thomas Aquinas Seminary: Volume 1, The Ridgefield Letters: From “The Nine” to the Episcopal Consecrations (1983–1988)*, (Overland Park KS: True Restoration Press 2007).

I. Contributing Factors

EVERYONE WHO has heard of our legal battle with Abp. Lefebvre and SSPX knows that it arose from some sort of theological dispute. But long before this occurred and we wound up facing our former colleagues in court, there were at least four significant factors in place that would influence this course of events.

(1) The belief of the older priests among the Nine that SSPX was simply a means to combat modernism, and that like other organizations after Vatican II, SSPX too could one day sell out.

(2) The notably softer theological stand Abp. Lefebvre took towards “Rome” once his old enemy Montini (Paul VI) died in 1978, and once John Paul II charmed the archbishop into pursuing compromise through ongoing negotiations.

(3) Confusion over the nature of SSPX as an organization.

(4) Inconsistency in practices on property ownership.

A. The Mentality of the Nine

In my opinion, the principal factor that paved the way for the court battle was the “mentality” of the Nine, particularly that of its five older members: Fathers Kelly (ordained in 1973), Sanborn (1975), Dolan (1976), Jenkins (1978) and myself (1977).

Our personal histories were remarkably similar. We had been raised in the pre-Vatican II Church and then entered seminaries in different parts of the country, where we witnessed up close the disastrous effects of the Vatican II changes. We were all fighters who repeatedly battled with the modernists within our respective seminaries and orders before finally ending up with Abp. Lefebvre at his seminary in Ecône, Switzerland.

In my own case, this journey took ten years. Had Vatican II not occurred, I would have had no interest whatsoever in joining Abp. Lefebvre or his organization. I did not go to Ecône because I was attracted there by the “saintly archbishop” and the “spirit” of his society. I went only because I hated modernism, and I wanted to be a Catholic priest to fight this plague in all its many guises.

At one conference, in fact, Abp. Lefebvre admitted that this was probably the case for most of us; in normal times, he said, the majority of us would have chosen to be Jesuits, Benedictines, Dominicans or diocesan priests, rather than members of SSPX.

Before Ecône, moreover, I had seen many other holy priests and prelates, together with institutions far more impressive and venerable than SSPX, surrender, sell out or enthusiastically go over to the enemy camp. If the “Iron Bishop” of Ecône would one day do so, well, it would not be a complete surprise, but I would not go along with him.

So, when we older priests were ordained and started organizing groups of faithful Catholics into traditional chapels throughout the United States in the 1970s, we did not look upon our apostolate as one of extending the work of Abp. Lefebvre and SSPX, or even of preserving “the Latin Mass.” For us, it was a work of combating heretics and providing valid sacraments.

From the beginning, we were up front about this with the faithful in any mission we founded. Typically the then-

Father (now-Bishop) Dolan (who founded about 30 missions when he was in SSPX) would give an initial lecture to the Catholics who had invited him to come to a particular city. He would explain that the Conciliar Church was a false religion which taught heresy, that Paul VI was not a real pope, and that the sacraments conferred by the Conciliar Church were invalid in most cases. These were topics we repeatedly addressed from the pulpit.

For me and for other members of the Nine, Abp. Lefebvre and his association were like anything else in the Church: a means to an end — the defense of Catholic doctrine and the salvation of souls — not an end in themselves.

So, if the archbishop and his organization sold out to the enemy (as we had seen so many others do) they had no right to any loyalty from us.

B. New Weather in Rome

The second significant factor that would set the stage for our legal battle with the archbishop was the notable shift in his “line” after his old enemy Montini (Paul VI) died and was eventually succeeded in 1978 by John Paul II, who received the archbishop warmly.

Although there is no question that Abp. Lefebvre was a convinced anti-liberal and anti-modernist, Mgr Montini had been a personal enemy when the archbishop served in the Vatican diplomatic corps before Vatican II. Montini had also later taken the side of liberals in the French hierarchy against the archbishop.

This element, I think, added fuel to the fire once the controversy over the Ecône seminary started to heat up in 1974, and it led Abp. Lefebvre to take a much harder line in many of his pronouncements against “Rome” and Vatican II.

For us Americans, naturally, the archbishop’s fiery words were music to our ears when, during the Society’s early years (1974–1979), we either entered Ecône or began our apostolates as young priests. As a result, when various crises occurred that led to departures of liberals or soft-liners from the Society (the archbishop’s Declaration in 1974, the suppression in 1975, Paul VI’s consistory allocution and the archbishop’s suspension in 1976, the faculty revolt in 1977), the internal politics of the Society placed the American hard-liners solidly among those in the organization who were *bien vus* — in favor.

During these years too, the opinions expressed by Fr. Dolan that we mentioned in the previous section were not all that far from sentiments Abp. Lefebvre himself had expressed, or were merely a logical conclusion therefrom.

In 1974, for instance, the archbishop told the seminarians at Ecône that the problem with Vatican II was not just an erroneous *interpretation* of its teaching — rather, the Council *itself* taught errors. Now, Abp. Lefebvre, who held a Roman doctorate in theology and was a distinguished member of the hierarchy, knew the Catholic teaching that a true council convoked by a true pope could *not* teach error, so from his statement to the seminarians one would naturally conclude that Vatican II was a *false* council and Paul VI was a *false* pope.² Other statements that Abp. Lefebvre made during this period favored the same conclusion —

2. Personal recollection of Bp. Dolan, who was a seminarian at Ecône from January 1973 to June 1976.

the position that in the 1980s would come to be known as “sedevacantism.”³

That such statements were in part bound up with the archbishop’s personal animus against Paul VI, of course, was not really apparent to us at the time. But it would become so, once Paul VI died in August 1978.

After the election of John Paul II in October 1978, Abp. Lefebvre declared himself ready to “accept Vatican II read in the light of tradition.” On November 18, 1978, John Paul II warmly received the archbishop with a bear hug, and assured him that he himself would see to the resolution of the archbishop’s case.

In early 1979 this program was temporarily derailed when the matter was turned over instead to the Vatican Congregation for the Doctrine of the Faith. The archbishop had to submit to a rather insulting meeting at which the bishop who had suppressed the Society, Mgr Mamie, was present, and during which one of the participants accused Abp. Lefebvre of “dividing the Church.”

Perhaps as a result of this, our stock had gone up slightly by August 1979 when a group of us American priests had dinner with the archbishop at Oyster Bay Cove NY. I was bold enough to ask him whether religious liberty was heretical and then hint about the effect that would have on the post-Vatican II popes. Abp. Lefebvre chuckled and said: “I do not say that the pope is not the pope, but I do not say either that one cannot say that the pope is not the pope.”⁴

Naturally, this gave us hard-liners hope.

This was dashed three months later, when the archbishop did another flip-flop. On November 8, 1979 he issued “The New Mass and the Pope: The Official Position of the Society of St. Pius X.” The archbishop repudiated the notion that Paul VI had been a heretic and therefore not a true pope (the term “sedevacantism” was not used yet), said the Society “absolutely refuses to enter into such reasonings” and added that the Society “cannot tolerate among its members those who refuse to pray for the Pope.”

In May 1980, therefore, the archbishop visited the Oyster Bay Cove priory and kicked three of us out of the Society (Frs. Kelly, Dolan, and myself). The next morning, for reasons unknown, the archbishop changed his mind: No, we didn’t have to put John Paul II’s name in the Canon after all, he said; and, if people asked what *his* position was on the pope, we had to tell them what it was, but we didn’t have to accept it ourselves.

Though for a time we entertained a slim hope that the archbishop might one day come around to our position (especially if some Vatican official insulted him suffi-

3. For instance: “On the other hand, if it seems certain that the Faith taught by the Church for twenty centuries cannot contain error, we have far less certitude that the pope is truly pope. Heresy, schism, automatic excommunication, the invalidity of an election are causes which eventually make it happen that a pope was never pope or would be pope no longer. In such a case, obviously exceptional, the Church would find herself in a situation like that which she experiences after the death of a sovereign pontiff.” (*Le Figaro*, 2 August 1976.) For a collection of the archbishop’s pro *sede vacante* quotes, see John Daly’s article “Archbishop Lefebvre and Sedevacantism,” in *Four Marks*, 2006.

4. “Je ne dis pas que le pape n’est pas pape, mais je ne dis pas non plus qu’on ne peut pas dire que le pape n’est pas pape.” The sound of this phrase in French, moreover, is extremely amusing — a tongue twister something like “Peter Piper picked a pack of pickled peppers.” The archbishop himself found this quite funny, as did all the priests at the table.

ciently), it became clear during the ensuing years (1981–1983) that he was pursuing the path of compromise and negotiation with the modernist heretics.

JP2’s bear hug had worked its magic on the archbishop and changed the “weather” in Rome. But we wanted no part of it, or any union with modernists.

C. What Is SSPX, Anyway?

It would seem that there should be a clear answer to this question that anyone who belongs to SSPX should be able to give. But this, believe me, was not the case, and confusion on this point paved the way for the lawsuits.

After two years at the Ecône seminary, it was never really made clear to me *what* the SSPX was. There was a lot of talk about “the spirit of the Society” but nothing really about its essence, except that it had been “illegally suppressed.”

At a certain point in its history, the Society of St. Pius X started to promote the notion that it enjoyed the canonical status of a “society of the common life without vows” — an entity in canon law akin to a religious order. Familiar examples of such societies include the Maryknoll Fathers, the Paulist Fathers, and the Oratorians.

But this claim is, put charitably, more than somewhat fanciful. As I have demonstrated elsewhere, SSPX at its foundation was nothing more than a “pious association,” an entity in canon law that ranks lower than a lay Rosary Confraternity or the St. Vincent de Paul Society, and slightly above the Sacred Heart Auto League.⁵

I was never given a copy of the rules for this organization when I was a seminarian. Indeed, I was not even aware when I was at Ecône that such a document *existed*. I only came across a copy of the SSPX Statutes by accident when I moved to New York in 1979, two years after my ordination.

As a seminarian, I signed an “engagement” in the Society, a document which said only that “I give my name to the Society.” What obligations this entailed for the signer, beyond striving to be a holy priest, were not stated.

It was obvious to me that signing this document gave me no rights as a member of SSPX. It was even more obvious that Abp. Lefebvre and the other higher-ups did not believe that my act of signing up imposed any obligations at all on them towards *me*. Priest, seminarian or brother — any member of SSPX, I noticed, would be bounced out on a moment’s notice with no appeal.

There were two versions of the SSPX Statutes:

- The 1970 Statutes⁶ had received temporary approval from the Bishop of Fribourg for a period of six years, and therefore were the only version that one could argue had been canonically binding — for six years.

- The 1976 Statutes⁷ (the ones I discovered by chance) were supposedly put together by a “General Chapter” held at Ecône in September 1976. These had *no* canonical force, because they had not been approved by anyone with even a *remote* claim to canonical authority.

5. See “The Legal Status of the Society of St. Pius X and Its Former Members,” August 2006.

6. “Projet des Statuts de la Fraternité des Apôtres de Jésus et Marie,” 17 June 1970, approved 1 November 1970 by Mgr Charrière, Bishop of Lausanne, Geneva and Fribourg.

7. “Statutes of the Society of St. Pius X,” Christmas 1976. Engl. Trans. and pub. Oyster Bay Cove NY: 1978.

Both texts are extremely short and were typed double-spaced: the 1970 Statutes were 12 pages long and the 1976 Statutes, 25 pages. They consist mostly of pious exhortations.

This I contrasted with my experience in a *real* religious order, the Cistercians. There, the obligations I assumed with my vows were absolutely clear — set forth in detail over hundreds of pages in the Rule of St. Benedict, the General Constitution of the Order, the Constitutions of the Congregation of Zirc, and other lesser statutes. So, too, were my rights as a member of the Order and the obligations of my superiors to respect those rights. As a Cistercian, I had two years of weekly classes on these topics.

The only conclusion possible for me was that SSPX was nothing more than a loose association of priests, seminarians and brothers with certain shared ideals. Because of the general disarray among Catholics after Vatican II, SSPX was organized and operated on an improvised and *ad hoc* basis.

If you disagreed with whatever Abp. Lefebvre's position happened to be on any topic on any given day, you were free to leave, and he was equally free to bounce you out. When it came right down to it, you had no obligations to him and he sure acted as if he had no obligations to you.

D. Shifting "Policies" on Property

Neither the 1970 nor the 1976 Statutes of SSPX contained any directions on how buildings used by SSPX priests were to be owned. Because SSPX started out as an organization officially recognized by a diocesan bishop and continued as such for the first five years of its existence, it was assumed that its priests would offer Mass in diocesan parishes at the invitation of local bishops or pastors. Thus the Statutes made no provisions for SSPX owning and operating a string of churches of its own independent from diocesan bishops.⁸

In the United States the policy (if any) on the ownership of buildings was inconsistent and subject to change. I am in a position to know all about this, because from 1977 onwards I was the Bursar (treasurer) for the seminary and for the Northeast District, so I was intimately involved in all corporate and financial issues.

Beginning in the 1970s, several religious corporations with lay majorities on their boards (denominated "Friends" of SSPX) were founded in the U.S. in order to hold title to the residences for SSPX priests and to the few tiny chapels where they offered Mass. Indeed for a long time the Ecône seminary was owned by an association consisting exclusively of laymen.

The purpose for keeping SSPX priests out of corporations altogether or for having a lay majority on a corporate board was to avoid a situation in which priests could be ordered to cede control of a property to the diocesan bishop, or even to "Rome" (i.e., to the man Abp. Lefebvre claimed to recognize as the pope.)

The American corporations had been organized along these lines by a lawyer on Long Island who had been a long-time supporter of Abp. Lefebvre. Although devout,

8. They did, however, allow for the occasional *Novus Ordo*-style "concelebration," as well as for a television in the recreation room. The latter provision was followed by the unforgettably appalling analogy: "Our true television is the tabernacle."

the gentleman was not much of a corporate lawyer, and his incompetence led to some near-fatal tax difficulties with the IRS.

After we had encountered major problems with laymen who wanted to control the financial affairs of churches served by SSPX clergy (in Virginia, Florida, Texas and California), I proposed instead that SSPX priests *ex officio* control the corporations that owned the various churches in America. I wrote up model by-laws based on this idea and tried to implement a program of getting them adopted.

The lawyer who had set up the lay-majority "Friends" corporations, however, treated this as an encroachment on his turf and resisted.

But around 1980 Abp. Lefebvre (based perhaps on this lawyer's advice) indicated to us that Society priests were *not* to be involved in corporations that owned properties. So, we informed our congregations in Michigan, Iowa and Pennsylvania that wanted to buy churches that they would have to form lay corporations themselves and that we could not be involved.

Then in late 1982, the wind shifted again. Now, it was indicated, the SSPX superiors were supposed to control the corporations that held various properties. This change I associate with the election of Fr. Franz Schmidberger as Abp. Lefebvre's successor as head of SSPX.

So in early 1983, I received a visit from the Society's Bursar General, Father Bernard Fellay, who was *extremely* eager to see the changes in control of the corporations effected as quickly as possible. The Superior General should in effect control *everything*.

But by this time, some major problems had already surfaced in the Society. I concluded that Fr. Fellay's visit was meant to ease the way for an imminent purge, which would of course include me. Once I perceived this, I did nothing further with the corporations, and left them with whatever by-laws and officers they had at the time.

In a word, Abp. Lefebvre *had* no consistent "policy" on the control of properties when I belonged to his organization. He shifted back and forth on this issue just as much as he did on everything else.

But even if Abp. Lefebvre and SSPX Statutes *had* laid down "rules" on church property ownership, none would have been binding anyway. The archbishop was a retired bishop who headed an organization that had no existence in canon law. Neither he nor his organization had any canonical authority to bind anyone to do anything.

II. The Theological Issues

DECADES LATER, the myth still persists that the principal theological disagreement between Abp. Lefebvre and the Nine in 1983 was over "sedevacantism."

As such, though, this particular issue didn't come up at the beginning, and it certainly wasn't the one that provoked the dispute. Some of the Nine were sedevacantists at the time of the break and others weren't.

Instead, there were six serious problems in SSPX that coalesced to set the whole crisis in motion.

And looming vulture-like in the wings was the grim-faced Fr. Richard Williamson. The archbishop had appointed him as Vice Rector of the Ridgefield seminary and as a sort of theological commissar for America, charged

with ferreting out any deviations from the archbishop's new party line.

Fr. Williamson was perfect for this role. As an adult convert after Vatican II, his only knowledge and experience of Catholicism came from Abp. Lefebvre and SSPX. Consequently, he was a total party line man; his principal point of reference for resolving any issue was what Abp. Lefebvre thought about it. This can be seen in the newsletters and articles he produced during the dispute that would follow.⁹

My first encounter with Fr. Williamson after his appointment did not augur well. I was given the task of meeting him at our Staten Island chapel where he offered Mass immediately after his arrival from Europe. His Mass was so scandalous — raced through with total disregard for the rubrics — I couldn't bear to watch and waited outside.¹⁰

Fr. Williamson's method at the seminary was that of the classic *agent provocateur* — outrageous statements intended to elicit strong opposing reactions from seminarians who might show loyalty to any principle beyond the ever-changing "positions of the archbishop."

In a few weeks, St. Thomas Aquinas Seminary, which had been peaceful for five years under Fr. Sanborn was in a complete uproar. "Strife is normal in a seminary," Fr. Williamson assured the seminarians. Not until you arrived, Father.

Against this background in the spring of 1983, we (Frs. Kelly, Sanborn, Jenkins, Dolan and I) started to draft a letter to Abp. Lefebvre and the SSPX's "General Council" (Fr. Franz Schmidberger, and other SSPX higher-ups) that would set forth the salient issues. Four of the younger priests — Fathers Collins (ordained 1979), Berry (1980), Zapp (1982) and Skierka (1982) — had similar reservations about the course SSPX was taking, and were brought into the discussions.

On March 25, 1983, we agreed on the final version of the letter, signed it at Oyster Bay Cove, New York, and mailed it off. The full text of the letter is posted on www.traditionalmass.org as "Letter of the 'Nine' to Archbishop Lefebvre." Here is a survey of the main points.

A. Doubtfully Ordained Priests

The Southwest District Superior, Father Hector L. Bolduc, had for years employed Father Philip Stark SJ to

9. One personal favorite: In "The Archbishop and the Nine" (*Angelus*, July 1983) Fr. Williamson says he has no doubts about the validity of the new ordination form in English and arrived at this conclusion as a result of consulting "three experienced and competent English speaking theologians on these new English forms, and all three are agreed that both are valid, that neither of them admits of serious doubt." However, "if His Grace comes to a different conclusion, I shall be very inclined to follow him because he is a far better theologian than I am." A perfect example of the mentality of the brainless Lefebvrist — the gold standard for resolving any disputed theological issue is the "position of the archbishop" at the moment. Another favorite: Fr. Williamson's May 1986 seminary newsletter was accompanied by a statement from Abp. Lefebvre which said: "...perhaps we must say that the Pope is a heretic... it is possible we may be obliged to believe this pope is not pope." (This, mind you, after the archbishop's statements in 1983 that sedevacantism was *schismatic*.) The following month, in his June newsletter, Fr. Williamson therefore decides to talk about *poetry*: you can almost hear him hold his breath as he waits for the "position of the archbishop" to flip-flop to "sedevacantism is Catholic," which position Fr. Williamson will then have to defend — probably by claiming that the archbishop always adhered to it.

10. But then again, no one was taught how to say Mass at Ecône anyway.

offer Mass in SSPX missions in his district. Fr. Stark, we discovered, had been ordained with the post-Vatican II ordination rite.

Now, Abp. Lefebvre himself had told us years before that the 1968 priestly ordination rite was of doubtful validity, and he had conditionally ordained at least two *Novus Ordo* priests who came to work with SSPX in the United States, Fathers Sullivan and Ringrose. When the facts of the Stark case initially came to light, we assumed that Abp. Lefebvre would follow this same course of action with Fr. Stark.¹¹

When this did not happen, in 1981 we published a study of the new ordination rite in our magazine, *The Roman Catholic*. The article, written by Fr. Jenkins and entitled "Purging the Priesthood in the Conciliar Church," did not mention the Stark case directly, but his conclusion was clear: the new ordination rite was of doubtful validity, therefore the sacraments conferred by a priest so ordained were of doubtful validity, and therefore such a priest should seek conditional ordination.

This did not go down well with Fr. Bolduc. For his part, Fr. Stark made it very clear that he would refuse to submit to conditional ordination.

Abp. Lefebvre indicated that he wanted us to publish another article on the subject by Michael Davies — and Davies, of course, maintained that the new rite was valid. We published Davies' article together with a critique of it by Fr. Jenkins. This in turn led to another written exchange in *The Roman Catholic*.

The matter dragged on into 1982, by which time Abp. Lefebvre (we would later learn) was engaged in one of his periodic bouts of behind-the-scenes negotiations with "Rome." Had our objections to the validity of the new ordination rites become known to the modernists from whom he was seeking recognition, it would have been an embarrassing obstacle to "reconciliation."

So, instead of treating the issue of Fr. Stark's ordination as a serious threat to the validity of sacraments his organization was conferring, Abp. Lefebvre treated it merely as an annoyance and an internal political problem. In best diplomatic corps fashion, he sought to placate both sides, equivocate, delay, and avoid public disputes.

Fr. Stark, in the meantime, was traveling around the country offering Masses and conferring sacraments that were doubtful, if not invalid.

As an interim measure, we had taken to telling our parishioners who traveled in the Southwest that they should not frequent chapels where Fr. Stark was functioning.

Obviously, though, this could not go on for very long. One of the principal purposes of our apostolate was to provide faithful Catholics with valid sacraments. But Abp. Lefebvre himself was now sanctioning the conferral of doubtful or invalid sacraments under the aegis of SSPX, the organization to which we belonged. And he was doing so essentially out of base political considerations.

So, we resolved that we would confront Abp. Lefebvre on this issue again, but for the last time. Unless he required

11. Some Indian priests whose ordinations were doubtful had also functioned in the Southwest District, and two Old Catholic clergymen, chicken farmers from Arkansas, were installed at St. Marys for awhile as the institution's first resident clergy. The Stark case, however, was an ongoing problem.

Fr. Stark to submit to conditional ordination and established that as policy for all priests like him who came to work with the Society, we were through with him.

B. The John XXIII (Bugnini) Missal

The evolution of liturgical practices in the Society of St. Pius X will one day make a fascinating topic for someone's doctoral dissertation. In the early days of Ecône, the "traditional Mass" celebrated there was a mish-mash of the 1962 John XXIII rite and the interim Paul VI modifications (1964–67), combined with things "the archbishop liked," "what one did in France," and an occasional dash of the pre-1955 practice.

How deceived we Americans felt we were, when we arrived at Ecône only to find a "modernized" Tridentine Mass! Psalm 42 dropped from the Prayers at the Foot of the Altar, the priest sitting at the side (as in the *Novus Ordo*), the Epistle and Gospel read at Low Mass from lecterns facing the people, and other innovations.

During this same period of time, some of the English-speakers in SSPX, notably the seminarian Daniel Dolan, took an interest in the history of the post-1955 liturgical changes. These were in large part, it turned out, the work of Fr. Annibale Bugnini, the creator of the 1969 *Novus Ordo* Mass. Bugnini was quite clear in stating that the slew of liturgical changes that began in the 1950s were "a bridge to the future" and part of the same process that would produce the New Mass.

When in the 1970s SSPX priests were ordained and returned to their respective countries, they followed the local practices there. In English-speaking countries and Germany, the pre-1955 Missal, Rubrics and Breviary were used. France, in principle, used the John XXIII books.

The liturgical issue came up at the SSPX "General Chapter" in 1976. There it was decided that Society priests should continue to follow the existing practice in their countries — a sensible enough rule. So, in our U.S. chapels and seminary, we followed the pre-1955 liturgical books and practices.

In the early 1980s, however, Abp. Lefebvre decided to impose the 1962 Missal and Breviary of John XXIII on everyone in SSPX. This again, we would later learn, was connected with the archbishop's "negotiations" with Ratzinger and John Paul II. He was asking them for the right to use the 1962 Missal — the one whose use would later be prescribed for the Indult Mass, the Fraternity of St. Peter and for the Motu Mass authorized by Ratzinger (Benedict XVI) in July 2007.

In autumn of 1982, therefore, over the protests of Fr. Sanborn, the U.S. seminary Rector, Abp. Lefebvre imposed the use of the John XXIII Missal and Breviary on St. Thomas Aquinas Seminary, then located in Ridgefield CT. This did not go down well at all, with either the faculty or most of the seminarians.

The introduction of the 1962 liturgical changes at the seminary made it obvious that the rest of the priests in the Northeast would be the archbishop's next targets for "liturgical reform."

Now not even the head of a real religious order like the Cistercians has the power to impose new liturgical practices on members — and Abp. Lefebvre was nothing more than a retired bishop heading a priests' association that

had no canonical existence. He had no right to dictate liturgical practices to anyone.

Apart from the legal issue, there was the principle itself. These liturgical reforms were the work of the Mason Bugnini. They were one stage in his program to destroy the Mass and replace it with the *Novus Ordo* assembly-supper. Knowing that, there was no way I and my fellow priests would use his Missal.

C. Summary Expulsions of Priests

In early 1983 Abp. Lefebvre threatened to expel Fr. Zapp from SSPX because he refused to follow the John XXIII reforms.

The archbishop's threat contradicted canon law and the tradition of the Church, which required that any bishop who ordained a priest had to insure that the priest had a "canonical title," that is, a permanent means of temporal sustenance. Even when a bishop ordained a priest *without* a true canonical title (as Abp. Lefebvre did), canon law obliged the bishop and his successors to support the priest as long as he lived.

Abp. Lefebvre made a regular practice of threatening priests with expulsion or actually expelling them from the Society, and then making no provision whatsoever for their support. By 1983, this was part of the archbishop's standard operating procedure — cross him and you were out in the street with no appeal.

D. Usurpation of Magisterial Authority

Here the problem was that Abp. Lefebvre and SSPX acted as if they possessed magisterial authority. When it came to matters such as the validity of the New Mass or vacancy of the Holy See, the archbishop began to insist on imposing on members adherence to his positions *du jour*. This, again, was done with a view to cutting a deal with Ratzinger and John Paul II.

But merely external compliance was not enough. To this was added a requirement for *internal submission* to the SSPX party line. This was evident from a November 8, 1982 letter that Abp. Lefebvre's hand-picked successor, Fr. Franz Schmidberger, wrote to a young priest:

"If you remain with our Society, you have to gradually clarify your inner viewpoint and have to return to the attitude of the Priestly Society, which seems to us to be the only right one, under the given circumstances, as a talk with theologians this past weekend has shown me again. Think about it seriously, because with this decision your temporal and so much more your eternal welfare is at stake to the highest degree. I will continue to pray for you for divine enlightenment and humble submission."

Return to the attitude of the Society? Your eternal welfare is at stake? Humble submission? For us, this was nuts. Only the Church has the right to require internal submission at the price of one's "eternal welfare" — not the canonical counterpart of the Sacred Heart Auto League.

We joined up to fight modernism, not submit to an alternate magisterium.

F. Loyalty to SSPX above All

This point was related to the foregoing. In practice Abp. Lefebvre and SSPX had begun to equate loyalty to

themselves and their "positions" with loyalty to the Church.

Neither we nor the people we served had signed up for this either.

Thus, when people say sedevacantism was the cause of our dispute with SSPX, I respond that the *real* conflict was not over failing to recognize John Paul II as pope — it was failing to recognize *Abp. Lefebvre* as pope.

G. Accepting Phony Annulments

The foregoing five issues had been simmering for a while, until a sixth emerged that quickly caused everything to boil over.

A prominent layman in one of our missions, we learned, had been married, had that marriage annulled by the local modernist tribunal on grounds of "psychological immaturity," and then remarried.

The annulment was bogus. Even in the 1980s, it was obvious to traditional Catholics that the post-Vatican II diocesan marriage tribunals were nothing more than divorce courts that handed out annulments on patently phony grounds. So we counseled the parties involved in the second marriage either to separate or to live as brother and sister.

In early 1983, however, we learned that one of them had written to *Abp. Lefebvre*, who had copies of their correspondence and his reply sent to us. The original letter did not mention the grounds for the annulment, and the archbishop did not even bother to ask what they were.

Instead, the Secretary General of SSPX, *Fr. Patrice Laroche*, wrote on the archbishop's behalf:

"On behalf of His Grace Archbishop Marcel Lefebvre I thank you for your letter of July 23, to which he has given due attention.

"His Grace thinks that in spite of all, one should adhere to the decision taken by the Church. Although one may deplore that the Church declares marriages invalid too easily nowadays, we cannot affirm in a special case, without any serious reason, that a declaration of invalidity is not valid. Thus you may go on receiving the sacraments and have a Christian family life."

The archbishop's meaning was absolutely clear: we priests were henceforth to treat each modernist annulment as valid until the contrary was proven.

Why would he lay down such a principle? His behind-the-scenes negotiations with Ratzinger. *Abp. Lefebvre* could hardly expect the modernist heretics to "recognize" SSPX if he himself did not recognize their marriage tribunals. So, the Iron Bishop put the indissolubility of sacramental marriages on the table as a bargaining chip in his grand diplomatic scheme for "reconciliation."

For us, this was the end.

After outlining all these problems in our March 25 letter, we proposed six practical resolutions for SSPX to adopt in order to resolve them — a scenario which, admittedly, would have been highly unlikely.

A few excerpts from the closing section of the letter will indicate to the reader, even after all these years, our firm resolve to stick to our guns:

"... there can be no excuse if we repeat the mistake of Catholics of the 'sixties. For them one can at least under-

stand how they were led away from tradition into the new religion by a process of gradualism and servile submission. They were assured that they were being obedient children heeding the voice of their shepherds and the chief shepherd himself, the Pope. It was inconceivable that the Vicar of Christ would set the Church on a path that would result in the betrayal of tradition and the ruination of millions. And so Catholics submitted to the process....

"For us, over twenty years later, with history before our eyes, there can be no excuse for accepting the first steps of the process of reform. Neither can we sanction practices which amount to a rejection of sacred traditions. We are fearful both for the future of the Society and the good of souls....

"We are resolved to continue the work for which we were ordained and for which we have received the trust of the faithful. This we intend to do in all tranquility even if the Society should abandon us or that trust.

"In Jesu et Maria..."

On the day we signed the letter, the atmosphere was understandably tense, because we all knew what the consequences would be. To lighten things up, *Fr. Kelly* half-jokingly mentioned *Franklin's* warning to the signers of the Declaration of Independence: "We must all hang together, or certainly we'll all hang separately."

III. The April 1983 Break

ABP. LEFEBVRE had already been planning to make a tour of the U.S. in April 1983 in order to visit the Ridgefield seminary and then travel to the Southwest District to remove the Superior, *Fr. Bolduc*. Needless to say, purging *Fr. Bolduc* was temporarily deferred, and the question of "the Nine" moved to the top of the archbishop's agenda.

A. Fr. Sanborn's Removal

Abp. Lefebvre arrived at the seminary with *Fr. Schmidberger*. On April 24, 25 and 26, he gave conferences to the seminarians denouncing *Fr. Sanborn* and the rest of us, and laying down the party line.

I am occasionally asked whether I now think I should have done anything differently in 1983. My response is yes, I should have taken an even *harder* line: had the locks changed on the Ridgefield seminary, sent *Fr. Williamson* packing, and kept *Abp. Lefebvre* out altogether. Our failure to do so left the archbishop with a base of operations to propagandize for doubtful priests, phony annulments and loyalty to him as a substitute pope.

Abp. Lefebvre, in any event, promptly removed *Fr. Sanborn* from his post as seminary rector, replacing him with *Fr. Williamson*. *Fr. Sanborn* was then to be sent to Ireland.¹²

The archbishop's plan was "divide and conquer." To this end, he sought to avoid a direct confrontation with *Frs. Kelly, Dolan* and myself by by-passing us for the time being, and then picking us off later one by one. Since we sus-

12. More proof, by the way, that SSPX's claim to be like a religious order is a complete fraud. Religious could not be assigned to other provinces without their consent.

pected this, we insisted that the archbishop meet with us to discuss the contents of the March 25 letter.

So, on the afternoon of April 27, 1983, Abp. Lefebvre, together with Frs. Schmidberger and Williamson, drove down from Ridgefield to Oyster Bay Cove, New York, the location of what was then the Northeast District headquarters.

B. The April 27 Meeting

We met with the archbishop in the downstairs conference room. We informed the archbishop that Fr. Kelly and I had been authorized by the other priests who signed the letter to speak for them. Frs. Dolan and Berry were also present.

Both Frs. Williamson and Berry took detailed notes, so even twenty-five years later one can get the flavor of what went on. I will mention only a few particulars here.

(1) **The Argument.** I passed out a list of the six resolutions contained in our letter, to which had been appended a seventh that would insure they would be enforced if adopted. I suggested it would be better to discuss these because they were all practical points.

Abp. Lefebvre began with a critique of Fr. Zapp for his refusal to use the John XXIII Missal.

I then tried to pin the archbishop down on the issue of conditional ordination for priests ordained in the new rite. He began by trying to placate us, saying he was fundamentally in agreement, the situation was lamentable, it would be "better" if Fr. Stark would be re-ordained, etc.

But when I pressed him to give a clear answer, the archbishop said he would not make this a policy.

Discussion then turned back to the John XXIII liturgy. Abp. Lefebvre accused us of intolerance, and denied that at the 1976 "General Chapter" he had approved of the use of the pre-1955 Missal and Breviary. This was patently false, as is evident from the Minutes that the archbishop himself had signed.¹³

The archbishop then said we were stubborn on the liturgical question because we did not "think with the Society."¹⁴

Fr. Kelly and I both pounced on this. The normal expression in Catholic theology is "think with the Church." The archbishop's little "Freudian slip" merely confirmed what we said in our letter: We were expected to submit to him and SSPX as a substitute Church.

Fr. Dolan asked him by what authority did he decide a liturgical question anyway — why not 1965 or 1968?

The archbishop said it was the "last valid papal legislation" (!) and "the faith" which decides. Translation: the archbishop himself determines for everyone which papal legislation is valid and when "the faith" is threatened.

Again, the archbishop and SSPX as substitute Church. *La foi, c'est moi...*

13. After dealing with liturgical practices for France and Ecône, the Minutes read: "In other districts and houses of formation, those liturgical books shall be used, and those rubrics observed, which have been preserved up to now in the traditional ceremonies by the faithful priests of Germany, England and America." Minutes of the Meeting of the Principal Officers of the Society held at Ecône, September 13th and 14th, 1976, III.3.2.

14. He used the French term for the organization, "Fraternité."

(2) **The End.** When we tried to move the discussion on to the third point, the archbishop noticed the seventh point on the list. This is one I drew up myself.¹⁵ It would have authorized Fr. Kelly and me to draw up legal documents that would bind any corporations affiliated with SSPX to observe the resolutions adopted.

The seventh point was designed to prevent the archbishop from following his usual practice of diplomatically feigning agreement to something and then denying it later.

In other words, we were calling his bluff in advance.

The archbishop realized this and hit the roof. "Finished. Useless. Impose on Ecône your way of acting?... Aggressive spirit... accept number (7) of this sheet?! Go and look for some other bishop... Cekada commands. We merely give the name... Take your liberty... Enough of discussing..." etc., etc.

Once this ended, it was clear that we had reached an impasse.

Fr. Schmidberger brought up the question of the various properties. He suggested we keep news of the disagreement quiet so as not to upset the faithful, and then meet through delegates to resolve any problems.

This is what we had intended to propose anyway. We informed the archbishop that at that point we still controlled the various corporations. He immediately threatened to sue us.

We proposed, instead, that their lawyer and our lawyer meet to discuss a legal settlement in order to avoid a mess.

They agreed, and we ended the meeting.

Fr. Kelly and I figured that eating together with the archbishop and the two fathers might bring down the temperature a bit, and perhaps allow both sides to figure out an amicable arrangement that might spare the faithful. So, we invited them to stay for dinner.

The archbishop was willing to stay. But Fr. Williamson told Fr. Schmidberger in German: "I don't want to eat with such people," to which I couldn't resist adding in German: "Careful. You never know who speaks German!"

So, we kissed the archbishop's ring, thanked him (sincerely) for all he had done, and saw him off as he departed with the two fathers.

I've often thought since then that the lawsuit might have been avoided entirely, if only the archbishop had stayed for the meatloaf.

Though the meeting that day had been emotionally wrenching, we left it still determined not to budge on the points raised in our letter.

When the archbishop arrived back at Ridgefield seminary, he immediately set to composing a circular letter denouncing us to the faithful. So much for his agreement to keep the matter quiet and try to resolve it peaceably.

The following day, April 28, the archbishop gave another conference to the seminarians. He was still furious about point (7), the one intended to keep him from wiggling out of an agreement.

Finally, an ironic note: In the letter he sent out denouncing the Nine as rebels, the archbishop cited a passage in the *Summa* as "the basis of the Society's thinking and action in the painful crisis the Church is going through." I

15. It was contained in part in the second resolution we proposed in the March 25 letter to the archbishop.

looked it up only to discover St. Thomas saying “if the faith were endangered, a subject ought rebuke his prelate even publicly” and that superiors “should not disdain to be reproved by their subjects.”¹⁶

Apparently, the principle worked for the archbishop but not for us.

IV. The Lawsuits

ON MAY 1, the first Sunday after the meeting with the archbishop, we explained from the pulpits in all our chapels the points of dispute with Abp. Lefebvre and why we needed to take a hard line again what he was doing.

With few exceptions, the reaction of our parishioners was disappointment with the archbishop, and support for the stand that we priests were taking. So too, the two other priests working with us at the time, Frs. Roy Randolph and John Hesson.

A few days after the April 27 meeting, our lawyer contacted the archbishop’s lawyer (the same man who had originally set up the lay “Friends” corporations) to sound him out on the possibility of a settlement. Our lawyer said he got the impression that the archbishop and his advisers were not seriously interested in negotiation; also, they seemed to think that winning in court would be quick and easy.

So, he said, expect to be sued. But he himself thought the litigation would very long and very messy, and that it would finally end in a negotiated settlement.

A. The Archbishop Files Suit

The legal battle began in the summer of 1983 when the archbishop and his organization filed suit against us in the U.S. District Court for the Eastern District of New York — the federal court system, in other words, rather than a state court system.

A plaintiff initiates a lawsuit by filing a document with the court a called a “Complaint.” In it a plaintiff is supposed to list his main claims against the defendant, together with their factual and legal basis.

The main claim the archbishop and SSPX made was that we were their agents and trustees. As such, we were responsible for acquiring and holding property in trust for them. We had now defrauded them of their property and were illegally occupying it.

“Real estate agent” was not, as I recall, one of the duties in the prescribed instruction the archbishop read to us during the ordination rite.

But in any event, as far as we were concerned, whether or not the civil law considered us agents or trustees, the archbishop now countenanced doubtful sacraments, and was imposing a crypto-modernist Missal in view of “corporate reunion” with the arch-heretic Wojtyla’s ecumenical, One-World Church.¹⁷ For that reason Abp. Lefebvre forfeited any *moral* right whatsoever to the church properties he claimed, just as the diocesan bishops did in the ‘60s.

A traditionalist priest in the ‘60s was in no position to fight for his flock by doing legal battle with his bishop. But in 1983, thank God, we were — and we would.

16. *Summa Theol.* II-II:33.4 ad 2.

17. “Quanta in uno facinore sunt crimina!” (St. Ambrose) That bear hug with JP2 — How many crimes there are in this one offense!

B. Preparations for Further Suits

Since our lawyer feared the suit would be far too complicated for his small firm to handle, we hired a larger litigation firm in New York City that had experience in non-profit corporation law. Fr. Kelly and I briefed the new attorneys on the facts of the case and on the material that my research on church property disputes had uncovered.

Fully expecting that we would also one day be sued in other states, I visited law firms in Michigan, Pennsylvania, Minnesota and Ohio to brief them about the case.

My discussion with an attorney in Cincinnati was particularly helpful. After a close examination of the Complaint our opponents had filed in New York, he discovered a fatal mistake that the archbishop’s attorney had made.

This flaw, he said, will be your silver bullet. Keep it in reserve till right before trial in New York. Then use it to blow most of their case out of the water.

And indeed, four years later, he would turn out to be right.

C. A Realistic Goal

The question naturally arises: Why didn’t we use the flaw mentioned in the preceding section to get the suit dismissed at the beginning?

It was a question of legal strategy. Our opponents were determined to pursue the suit no matter what, and would have just re-filed it another way. By waiting to ask for a dismissal, we would force them to go through years of pre-trial procedures, and then after it all, get the suit dismissed and force them back to square one in another court to face more of the same.

Having to think in such terms is, of course, regrettable. But when you face an implacable opponent in our often-crazy legal system, you have no choice but to use all the weapons the system gives you.

Since the results of a complex case in an American court are notoriously unpredictable, one can rarely count on *total* victory. For the archbishop, I suppose, total victory would have been driving us all out into the street, as he regularly did with priests in Europe. For us, it would have been sending him and his fawning minions packing back to France with a *bon voyage*, but no *au revoir*.

In the real world, however, eighty to ninety percent of civil cases are in fact settled through negotiation between the parties. Usually, this takes place just as a case is about to go to a formal trial before a judge.

So, we went into the litigation knowing that, while *total* victory would have been great, the only realistic long-term goal for us was a negotiated settlement with our opponents. Naturally, this would have to preserve from the Lefebvre program as many of our congregations as possible. It would also probably involve some horse-trading of properties and other concessions. That’s how the American system works.

But offering to negotiate with our opponents right after they had filed suit would have done nothing but confirm their unrealistic expectations. Abp. Lefebvre and his advisors seemed to think that they could roll right over us in court. They would have to learn a few lessons the hard way before coming around to the idea of negotiation.

We expected that this educational process would take a while, but since we were in possession of the properties

and the faithful supported us, we were willing to wait. Indeed, as things developed, we all had no *choice* but to wait, because lawsuits in America proceed with all the speed of trench warfare fought by snails.

D. An Initial Victory

After filing a Complaint, the next step in many lawsuits is trying to get the judge to issue a Temporary Restraining Order (TRO) against your opponent. This prevents him from changing the status quo of whatever is in dispute until after the final verdict of a full trial.

In August 1983, the archbishop's representatives tried to get a TRO against us. This would have frozen all church bank accounts and, in effect, shut down until after the trial all the churches we served.

We had a hearing on the matter before a judge. Thanks to an eloquent intervention by Fr. Kelly in which he ran verbal rings around the archbishop's hapless lawyer, the judge refused to issue the order.

So, for the balance of the litigation, we continued to run the various parishes just as before.

E. Discovery and Depositions

Then followed what is known as the "discovery" phase of the lawsuit. Each side gets to "discover" evidence the other side may have in its possession. This is accomplished by demands for documents, written answers to written questions ("interrogatories") and above all, by depositions.

At depositions, a witness for one side is required to give oral testimony in response to oral questions from the attorney for the other side. The witness testifies under oath, and the questions and answers are transcribed by a court reporter.

Discovery is the lengthiest phase of civil lawsuits, and the most expensive because of all the legal paperwork it entails. If nothing else, you at least discover where your lawyer makes most of his money....

We issued subpoenas for various SSPX officials, including Abp. Lefebvre, to give depositions. Despite the fact that he had launched the lawsuit, the archbishop balked at testifying at a deposition.

His lawyers fought the subpoena until the judge told them that either the archbishop showed up to give a deposition to our lawyers, or the suit would be dismissed.

So, the archbishop traveled back from Europe to give a deposition. We sat across the table from him as our lawyers politely grilled him on the different charges in his complaint against us.

Too bad, of course — but he started the suit, and we had warned him beforehand that it would be a real mess. File a lawsuit against someone in America, and even if you're an archbishop, the defendant gets the right to take your deposition.

This would be the first of at least four depositions that Abp. Lefebvre would have to give in at least as many lawsuits, once the litigation spread to other states. Other SSPX officials would also give depositions.

Abp. Lefebvre's attorneys, of course, had the right to depose us as well. While Frs. Jenkins and Dolan gave relatively brief depositions, the main targets for extensive grilling on our side were Fr. Sanborn, Fr. Kelly and especially myself, because I had been closely involved with all the

disputed corporations and kept the corporate records. At one point, I estimated that during the four years that the lawsuits had lasted, I had given thirty days of testimony, either in depositions or in trials.

F. The Lawsuits Multiply

Initiating or defending a complex lawsuit in the American court system is like waging war, and in our case, the battles inevitably spread to other fronts.

(1) **Philadelphia.** One disputed church property was St. Cyprian's Church in Eddystone, Pennsylvania, a suburb of Philadelphia. This was served by Fr. Hesson, and with one or two exceptions, the laity there supported our stand against the archbishop.

In October and November 1983, however, one of the "exceptions" apparently prevailed upon Fr. Williamson to demand the church keys from our lay coordinator and threaten a lawsuit in state court. Once it became certain that we were going to be sued for the Eddystone church no matter what, we filed suit in the Philadelphia federal court to meet certain legal technicalities.

Here, SSPX countersued, making claims similar to those it made in the New York suit. To this, they added the claim that their organization was a hierarchy, and that the legal precedents in Pennsylvania required courts to defer to decisions made by a church hierarchy with respect to properties held by local churches that were subordinate to it.

Well again, this was news to me, because the Church I thought I belonged to had only *one* hierarchy, of which only the pope could be the head. A retired archbishop did not qualify as part of that hierarchy in my book — especially since my book was the Code of Canon Law, which placed his supposed "hierarchy" on a lower level than a lay Rosary Confraternity.

The Philadelphia case involved more discovery, more depositions, a trial (which we lost), and two appeals (which we also lost). SSPX eventually ended up with the church, but most of the parishioners (some of whom had testified against SSPX at trial) abandoned it.

While the outcome of the St. Cyprian's case was a bitter disappointment to priests and parishioners alike, it affected only one property and congregation. As a precedent, it would not necessarily help SSPX in New York, because the legal criteria for church property disputes were different.

And it had an indirectly beneficial effect for us that our opponents had not foreseen: Since our New York attorneys were also involved in arguing in Philadelphia, this inevitably delayed the progress of the New York case, which was supposed to be the main event. And delay would eventually lead to a settlement.

(2) **A Libel Suit.** In autumn of 1983, the official publication of the SSPX Southwest District, *The Angelus*, published a number of libelous accusations against us (e.g. we had put churches "in our own names"), as did the traditionalist periodical *The Remnant*, which had allied itself with Abp. Lefebvre in the controversy.

We filed a libel action in Federal court against these entities and against the various SSPX officials involved,

and had them all served with subpoenas at a reception they attended after a church dedication on Long Island.

Libel law in American is completely irrational. Though we thought we had a good case for libel on some of the statements, filing the case was another tactic to keep pressure on our opponents in the nasty legal war they had started.

Discovery and depositions for this suit creaked along. Our opponents filed a motion for summary judgment in their favor (judgment without an actual trial) on the grounds that all the statements were free expression of opinion — “freedom of speech,” protected by the First Amendment! The trial judge agreed, and granted their motion to dismiss.

We appealed, however, and the Court of Appeals overturned the trial judge’s findings on some of the statements, reinstated our case, and ordered it to proceed.

Ironically, the author of some of the disputed statements was Fr. Bolduc. We suspected that his vehemence in denouncing us was fuelled by hope that, in so doing, he could escape the purge the archbishop had already scheduled for him.

But it was to no avail. The ax fell on him the next year. Fr. Schmidberger then published an attack on Fr. Bolduc in *The Angelus*.

(3) **Virginia Beach.** Here, we served a congregation in a chapel that was owned by a lay corporation.

One of the directors, serving as sort of a stalking horse for SSPX, filed suit against the rest of the directors to get us out of the chapel and bring Fr. Williamson in.

This led to more discovery and more delays for the New York case.

Eventually all the parties ended up in a low-level trial before a court commissioner. The commissioner eventually ruled in favor of the directors who wanted to keep our priests coming in.

(4) **The Connecticut Seminary.** Our priests were the majority on the board of directors of the corporation that owned St. Thomas Aquinas Seminary in Ridgefield. We were therefore in a very strong position to evict the archbishop’s supporters from the seminary property.

Obviously, this would be a powerful weapon to use against our opponents.

So, a year after the conflict began, we filed suit in state court in Connecticut for possession of the seminary property, and when Abp. Lefebvre stepped out of a car at the seminary on May 20, 1984, he was served with the subpoena.

At this, Fr. Williamson said, the archbishop had a “look of pain” on his face. To be sure — but no pain, it seems, over the doubtful priests and phony annulments that started it all.

Again, more discovery and more depositions followed.

And again, the law on church property disputes in Connecticut was slightly different from New York. Had we lost the New York case, we would have pursued the Connecticut case to the very end.

V. The Settlement.

BY THE beginning of 1987, the lawsuits in the various jurisdictions had been dragging on for three and a half years. The first suit that the archbishop had filed in 1983 in Federal court in New York had still not come to trial. This was the main suit that our opponents had hoped would award them, in one fell swoop, all eleven properties in six different states.

Since 1983, the case had been assigned to another Federal judge in Brooklyn. He had a reputation as judicial liberal (= someone who interprets law “creatively”) and as a “conciliator” who liked to work out settlements between warring parties.

Since all discovery (depositions and document exchanges) in the New York case had finally been completed, the judge set a date for the formal trial of the case.

It was at this point that we fired the silver bullet.

A. The Silver Bullet

(1) **Lack of Jurisdiction.** One fundamental rule in most legal systems provides that the court where you sue someone must have *jurisdiction over the defendant*. Jurisdiction is apportioned to courts by geographical territory.

In America, this means that a defendant in a suit can only be sued where he actually lives or where he somehow “does business.”

For instance, if you live in Ohio and someone wants to make a claim against you for your house in Cincinnati, he can’t file the suit in Brooklyn, haul you into court in Brooklyn and take away your house in Cincinnati. He has to sue you in *Ohio*, in the county where your property is located, and he usually must do this in *state* court, not Federal court.

The archbishop’s original lawyer had previously done most of his work in state court. He did not seem to be familiar with the finer points of Federal procedure, especially those dealing with jurisdiction.

So, when he filed suit against us in Brooklyn, he named as defendants five priests — Frs. Kelly, Sanborn, Dolan, Jenkins and myself — and demanded that the Federal court order us to turn over to the archbishop churches in New York, Pennsylvania, Connecticut, Ohio, Michigan and Minnesota.

This, our lawyer in Cincinnati noticed in 1983, ran afoul of the Federal court system’s rules on *jurisdiction*. The properties were owned not by the defendant priests but by *non-profit corporations*.

Five of these were out-of-state corporations that did no business in New York, and the disputed properties were *outside* New York. So, Federal court in Brooklyn could have no jurisdiction over them.

According to the Federal Rules of Civil Procedure, the Federal court in Brooklyn would be obliged to throw out any claims against the properties and corporations *outside* the State of New York.

(2) **Lack of Diversity.** When this happened, it would leave two *New York* corporations in the Federal suit.

But Federal court in Brooklyn could then have no jurisdiction over *these* either, because, though the disputed properties were within the jurisdiction of the court, both the

plaintiff (SSPX) and the *defendants* (we priests) either resided or “did business” in New York, the same state.

Federal rules, however, require “diversity” between the parties. This means not that Christmas, Kwanza, Ramadan and the death of Custer must all be celebrated together, but rather that the plaintiff and the defendant must be from two different (diverse) states.

According to the Federal Rules, the judge would be obliged to throw out the remaining claims against the properties and corporations *within* the state of New York as well, and thus dismiss the whole suit.

Abp. Lefebvre and SSPX would then be forced to go into *state* courts in New York, Ohio, Pennsylvania, Michigan and Minnesota, file *new* suits according to the rules of each state, and begin again the whole process of taking depositions and discovery.

So, once the prospect of a trial in Brooklyn became imminent, we filed a lengthy motion to dismiss the Federal case in Brooklyn on these grounds.

This would indeed be the silver bullet that would break the impasse and ultimately force SSPX to a reasonable negotiated settlement with us.

B. Settlement Negotiations

The archbishop and SSPX, in the meantime, had acquired a much better lawyer. Once the motion landed on his desk, he recognized the threat it posed. He scrambled to file suit against us in New York state court as a backup, should the Federal suit get tossed out. This would at least allow him to continue the battle for control of the properties within New York State.

After the lawyers on both sides had submitted written arguments to the court, we went down to Brooklyn for a hearing before the judge.

It was a strange experience, as if the Federal court system was now operating under its own version of the *Novus Ordo*. The judge wore a suit, rather than the black judicial robe, and instead of sitting on the bench to hear arguments, he descended to a large conference table, and bade us all sit around it.

The lawyers argued the motion back and forth. Instead of immediately granting the motion, the judge took it under advisement to decide later.

He then went “off the record” (told the court reporter to stop transcribing) and shifted into his “conciliator” mode, urging the parties to arrive at a negotiated settlement. He indicated to our opponents that our motion made strong arguments, and hinted that he might be inclined to grant it at some point. He then told us that, of course, *nothing* was certain in litigation, and who knows where a trial might lead. So, he said, both sides should consider settling the case at this point.

At the time, we were annoyed that the judge didn’t simply grant the motion. The jurisdictional question was obviously open and shut, and a judge is *paid* to make rulings, after all. Had the suit been thrown out of Federal court, we would have been in a very strong position indeed.

But our opponents, I suppose, were equally annoyed that the judge seemed inclined to grant the motion, and that he was using it as a hammer to force them to negotiate.

On the brighter side, at least the judge didn’t ask everyone sitting around the table to join hands or to do a group hug...

After some discussion, the judge offered to preside over the negotiations himself. We agreed to fix a mutually convenient date for the event.

The first settlement conference took place on July 4, 1987 in the judge’s chambers. Fr. Kelly, Fr. Sanborn and myself, as well as Fr. Schmidberger and Fr. Williamson, were present, together with lawyers for both sides and a court reporter.

One can only imagine the impression that our dour-faced European brethren got of American justice — it was a long way from powdered wigs, majestic robes and starched cravats. Here sat a Federal judge, attired for the occasion in a polo shirt, with his feet casually propped up on the desk.

Again, there was much back-and-forth in front of the judge. This was interrupted several times when both parties went off to separate rooms in order to discuss various proposals privately.

Some matters were tentatively agreed upon, but another session would be required to work out the details, which were quite involved and complex.

On August 18, 1987, both sides attended a final settlement conference presided over by the judge. This one sealed the deal and ended the litigation.

C. SSPX Takes A Buy-Out

When all the horse-trading was over, SSPX got two properties that they already occupied (the Connecticut seminary and the Armada MI facility) and two properties that we occupied (churches in Redford MI and St. Paul MN).¹⁸

We got six properties (Oyster Bay NY, East Meadow NY, Rochester NY, Clearfield PA, Williamsport PA, Cincinnati OH).

For the Redford and St. Paul churches we extracted a concession: SSPX would not get these for fifteen months. This would allow us to purchase new facilities for both congregations — and in the meanwhile, protect them from the doubtful sacraments and phony annulments that SSPX was now promoting.

In the event, this last provision worked out nicely, because both the churches we agreed to turn over to SSPX were in “declining neighborhoods.”¹⁹ The relocation allowed us to move to the suburbs.

The most interesting part of the settlement story is that Abp. Lefebvre and SSPX agreed to a \$350,000 buy-out from us.

As I recall, neither side mentioned it publicly to the faithful at the time. Both sides, I suppose, had motives for saying little or nothing about it. The handful of SSPX supporters in the affected chapels might have regarded it as a sellout (which it was, of course) and news of such a seeming windfall for SSPX could have taken the steam out of its fundraising campaign for the Winona seminary. Our peo-

18. They had already gotten the Philadelphia property in a separate litigation, so that wasn’t on the table.

19. By 1987 drug dealers were operating near one of the churches. At the other, an SSPX priest installed after the takeover was actually mugged.

ple, on the other hand, might have regarded it as an expensive admission of defeat.

But after twenty-five years, the full story can be told: SSPX's representatives blundered into giving us a 40% rebate on the buy-out. They repeatedly mentioned their fear that we would mortgage the Redford and St. Paul properties to the hilt before turning them over to the Society; at the same time, SSPX seemed to be unaware that during the course of the litigation we had already *paid off* the mortgages on those two properties — something their lawyer could have found out merely by phoning the public records departments in Michigan and Minnesota.

Faced with their suspicious attitude, our lawyer (an *extremely* bright one, by the way, and worth every penny we paid him) offered them a reassuring concession: any mortgage outstanding when SSPX took over these churches would have *exactly* the same balance and terms as of the day of our break with the archbishop — no more, no less. This offer SSPX accepted.

Our "concession," though, was one worthy of Tom Sawyer, because it actually worked in *our* favor. Since we had already paid off the mortgages on both properties, we could now *re-mortgage* them for around \$125,000 and \$20,000 respectively.

And the best part: just a few months after SSPX would take the churches over, both balances could come due *in full* as balloon payments, because these were the *exact* terms and conditions in force on the mortgages existing as of April 27, 1983. This was the Nine's little housewarming gift for the Society.

So we ended up paying only \$205,000 on the overall settlement — a 40% reduction, and not a bad deal for six properties. I refrained from asking Fr. Williamson to throw in some Frequent Flyer miles...

All other suits were dropped. Moreover, if we used a variant of "St. Pius" as the name for any organization we would found, we would have to inform people at the beginning that we were "not affiliated with the Society of St. Pius X" — a mistake no one could have made by this time, to be sure!²⁰

Finally, it should be noted that Archbishop Lefebvre, and Frs. Schmidberger, Williamson and Roch all signed the settlement agreement on behalf of SSPX, releasing us from all other obligations "for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world [*sic!*] to October 26, 1987."

Once SSPX did so and actually accepted money from us, the principles of Catholic moral theology on "condonation" require that SSPX and its supporters forever refrain from claiming that the Nine "stole" property from them. For the discounted price of \$205,000, we bought 'em out, fair and square.

VI. Some Effects

THROUGHOUT OUR battle with Abp. Lefebvre and his organization from 1983 to 1987, despite inevitable distractions, we kept up our priestly apostolate just as before.

20. Despite the settlement, in January 1988 an SSPX supporter filed *another* suit against us in St. Paul. Though it was quashed by the New York judge, this idiotic escapade cost both sides money because lawyers had to file papers and go to hearings.

In May 1984, three more priests who had just been ordained in America by the archbishop, Fathers Thomas Mroczka, Denis McMahon and Daniel Ahern, likewise joined us. The Nine became the Twelve.

The eleven disputed properties affected by the lawsuits constituted only part of the missions where we offered Mass — more than 40 at one point. We continued to build or acquire churches and other institutions in various regions of the United States. The majority of the faithful in each of these missions continued their financial, moral and spiritual support as before.

There were also more lasting effects for both sides.

A. SSPX in America

- SSPX promptly installed foreign priests in all key organizational positions in the U.S.; only foreigners could be trusted to be loyal to the SSPX and suspicious of the local populace. This always reminded me of Stalin sending his Mongolian troops into Hungary after the 1956 revolt.

Only in 2002 did SSPX find an American priest it considered sufficiently loyal to head the U.S. District.

But even a quarter century after the '83 dispute, no American has yet been found to serve as Rector of the SSPX seminary in Winona MN. Father (later Bishop) Williamson held the post for twenty years; the current occupant is a Frenchman, Fr. Yves LaRoux.²¹

- As a result of the '83 crisis, ordinands in SSPX seminaries must sign an oath declaring their loyalty to the Society's "positions" on the pope, the new sacraments, Vatican II, the John XXIII liturgy, etc.

One of the main points of our dispute with Archbishop Lefebvre, of course, was precisely that he placed loyalty to himself, his organization and his positions *du jour* above loyalty to the Church.²² As Fr. Sanborn pointed out in his 1984 article, "Crux of the Matter":

"The ones the Archbishop considered his *true* followers were those who did not draw any conclusions from his sayings or actions, who did not seek an answer to the fundamental question, who were neither hard-liners nor soft-liners, but only 'Archbishop-liners.' [*though 'flat-liners' might be more accurate...* —AC] His Excellency always cultivated and favored this kind of seminarian, and surrounded himself with them when they were ordained. He would visibly spurn those who, either by word or deed, manifested an adherence to a principle which lay above and beyond the Archbishop, and to which the Archbishop himself was considered subject and responsible....

"His attitude, one sensed, was, 'Why come to Ecône if not to follow Monsignor Lefebvre?' I think he believed that the fundamental operating principle of Ecône was to follow Archbishop Lefebvre in his struggle to retain tradition."

- I have been repeatedly told over the years, that the rare American seminarian in SSPX who manifests tenden-

21. Finding a likely candidate for the position of an SSPX seminary rector is tricky in any case. He needs to have enough intelligence to be credible as an academic, but not so much intelligence as to recognize any theological principles beyond the party line of the Society at any given moment.

22. The fifth proposed resolution in our 25 March 1983 Letter: "5. The Society recognizes and accepts the principle that our loyalty to it is subordinate to loyalty to the Church and its traditions."

cies towards independent theological reasoning is still swatted down with a hint that he may possess “the spirit of the Nine.” We are the boogey-men of the SSPX creation myth.

- As regards Mass centers, SSPX completely abandoned some areas to the Nine. In other areas where we already operated larger chapels, it took SSPX years to draw enough new followers to establish a small chapel of their own.

B. The Apostolate of the Nine

- For the Nine, one long-term effect of the dispute was to make us gun-shy about forming a tightly knit organization. Abp. Lefebvre had made his organization into a substitute church. We were fearful of repeating the same error ourselves.

This is one of the reasons why the successor organization that we formed, Society of St. Pius V, fell apart so quickly. Five years after the legal settlement, only three of the original Nine were still members of SSPV.²³

But those who lament this and look longingly at the SSPX empire do not see the dangers: a centralized organic entity like this can be subverted with one stroke of a pen and draw thousands of unsuspecting souls into the ecumenical One-World Church. Exhibit A: On May 5, 1988, Abp. Lefebvre signed an agreement with Ratzinger that, even apart from the matter of recognizing JP2 as a true pope, accepted the teaching authority of Vatican II, the validity of the new sacraments, and the legitimacy of the 1983 Code of Canon Law.²⁴ The archbishop sold priests and laymen out to the false church of Vatican II on the *principles*, but reneged on the deal the next day only because he wanted the heretics to give him a better price²⁵ — the full thirty pieces of silver, as it were. His successors could indeed not only cut a deal like this, but also carry it out.

- Liberation from the dead hand of the Lefebvrist party line permitted us to research and publish articles on the great issues of our time — the pope, the heresies of Vatican II, the validity of the new sacraments, etc.

As of this writing, Bishop Sanborn and I have published enough articles on these topics to fill several books. Formerly, one had to fear the arrival of a “rocket” letter from Abp. Lefebvre, complaining of how an article or sermon would compromise his “negotiations” with “Rome.”²⁶

- With our departure from SSPX, of course, we had no means of forming seminarians and no bishop to whom we could turn for ordinations — obviously a major setback for the apostolate.

23. Frs. Kelly, Jenkins and Skierka.

24 See “Protocol of Agreement between the Holy See and the Priestly Society of St. Pius X,” May 1988, www.unavoce.org/protocol.htm.

25. Permission from the modernist heretic John Paul II to consecrate *three* bishops for SSPX instead of just the *one* agreed upon. His weaseling out of this agreement, by the way, illustrates why we put point (7) in front of him at our meeting with him on April 27, 1983.

26. While we were still in SSPX and I was responsible for editing *The Roman Catholic*, we would amuse ourselves each month by trying to come up with a “hard line” quote from the archbishop to feature on the Contents page. This we sometimes referred to as “the quote from the Chairman” or “the Great Helmsman” — an allusion to the practice of writers in communist countries who began articles with a quote from Mao or Lenin because they feared being purged for “deviationism” when the party line inevitably changed.

But this spurred us to investigate other possibilities. When Fr. Sanborn visited Bp. Antonio de Castro-Mayer in Campos, the prelate suggested we go to Bp. Guérard des Lauriers, who had been consecrated in 1981 by Abp. Pierre-Martin Ngô-dinh-Thuc. We did extensive research into the issue of Abp. Thuc’s consecrations and concluded they were valid. This in turn eventually led to the consecrations of Bishop Dolan (1993) and Bishop Sanborn (2002) and the foundation of Most Holy Trinity Seminary.

Frs. Kelly and Jenkins, for their part, initiated contact with Bishop Alfred Mendez via Natalie White, past contributor to *The Wanderer* and an old friend of the Jenkins family. This eventually led to Fr. Kelly’s secret episcopal consecration by Bp. Mendez in 1993.²⁷

- Our departure also led to contacts or cooperation with other traditionalist clergy throughout the world: the Congregation of Mary Immaculate Queen (CMRI), Trento (Mexico), the Institute of Our Mother of Good Counsel (IMBC) (Italy), and priests in France, Belgium, Germany, Poland, Mexico and Argentina. This would not have been possible while we were in SSPX, where the “positions of the Society” regulated contact with outside clergy.

- Separation from SSPX allowed us to proselytize more actively for the preservation of the old, pre-1955 liturgical practices, as opposed to the 1962 Bungini/Roncalli Missal which is the liturgical standard for both the SSPX and the Motu Mass authorized by Benedict XVI in 2007.

The faithful are now able to assist at solemn, or even pontifical celebrations of the old Holy Week rites in many places throughout the U.S.

As of this writing, moreover, the parish where I work, St. Gertrude the Great in West Chester OH, has just begun regularly broadcasting its Masses on the Internet.²⁸ This allows Catholics from all over the world to witness the celebration of the old liturgy first hand.

C. Sedevacantism in General

In France, the sedevacantist presence on the traditionalist scene is minuscule. *La Frat* (the Society) is everything, and even sedevacantists look to SSPX as their principal frame of reference.

In America, this is not the case. As noted above, the nine priests were not all sedevacantists at the time of their break with Abp. Lefebvre. All, however, eventually wound up adhering to the sedevacantist position in one form or another.

Had we abandoned our congregations and quietly slipped away, we would have left the field free for SSPX to foist invalid sacraments, phony annulments and its crypto-schismatic notion of papal authority on the entire U.S. traditionalist scene. But because we aggressively fought Abp. Lefebvre and SSPX in court, we were able to maintain continuity in our apostolates.

As a result, America has become a sedevacantist bastion. Between the Nine, the clergy subsequently affiliated with them and the CMRI, sedevacantists in America can count nearly 90 Mass centers (vs. 100 for SSPX), 16 schools (vs. 24) and three seminaries.

27. The consecration was revealed only after Bishop Mendez’ death in January 1995.

28. <http://www.sgg.org/for-newcomers/mass-streaming/>

This is a source of encouragement for sedevacantists (read “Catholics”) elsewhere in the world. And it is one of the indirect but permanent effects that flowed from our legal battle with Abp. Lefebvre and SSPX.

* * * * *

FIGHTING A lawsuit, especially one that is long, costly and complicated, is a truly miserable occupation. St. Francis de Sales said it would qualify one for canonization (though one premature “saint” in this story is enough). It is especially dispiriting and distracting for a priest, because while the prayers of the Mass that he recites each day ask for peace, the very word “litigation” derives from the Latin word *lites* — strife.

This task was all the more unpleasant for us because we had to fight Abp. Lefebvre, the bishop who ordained us, and a prelate with many outstanding qualities and indeed, great personal virtues.

But the archbishop’s virtues did not confer upon him infallibility in judgment, immunity from criticism, or the right to an obedience that trumped the fundamental principles of moral and dogmatic theology.

It was the desire to be faithful to these principles that led us to Abp. Lefebvre as seminarians in the 1970s — and it was that same desire that led us away from him as priests in 1983. We had all seen other good priests and prelates surrender to the modernist program. For us, Abp. Lefebvre was one more disappointment to add to a very long list.

So, if for the sake of negotiating with heretics, the archbishop was willing to bargain away the validity of Holy Orders, the indissolubility of marriage and the integrity of the traditional liturgy, and if for the sake of integration into the false, ecumenical One-World Church, he was willing to “accept Vatican II in light of tradition,” he would do it without us. And indeed, as the affair of the lawsuits demonstrated, we would stand in his way and resist him publicly — “to his face,” as the phrase goes — when he tried to do it.

By signing the May 5, 1988 agreement with Ratzinger and John Paul II, Abp. Lefebvre sold out the Society and all its followers on the underlying *principles* for the traditionalist (read “Catholic”) resistance to Vatican II. From this it was but a short step to the likes of the Fraternity of St. Peter and Benedict XVI’s Motu Proprio Masses, which, under the camouflage of “traditional Masses,” now lure unsuspecting Catholics to invalid sacraments, implicit acceptance of the *Novus Ordo* as a Catholic rite, acquiescence in the errors of Vatican II, and communion with an ecumenical church that paves the way for the anti-Christ.²⁹

All these things have come about as logical consequences of the theologically incoherent position that Abp. Lefebvre enunciated in the late 1970s. His Society has accepted them all in *principle*; the only thing now barring SSPX’s full reintegration into the modernist establishment (apart from a fear of actually having to obey a pope whom they claim to recognize) is a few quibbles over some practical details.

If anything, the history of the Society of St. Pius X over the past twenty-five years demonstrates that we, the Nine,

were correct in taking the stand that we did, when we did. Had we priests not fought Abp. Lefebvre in 1983, we would have fought him in 1988, though from a position far less advantageous for our people in the long run.

So, sad though it was for us priests to battle a virtuous prelate, sadder still would it have been for us to surrender on the principles — to abandon our flocks to the risk of invalid sacraments and eventual union with a church which the archbishop himself had said, “begins in heresy and ends in heresy.”

With such, there can be no compromise. And for fighting a battle over *that* with Abp. Lefebvre, *Non, je ne regrette rien* — No, I don’t regret a thing.

29 September 2008

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For a free info pack, contact:

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29. See also “The Motu Mass Trap”, “Absolutely Null and Utterly Void”, “The Grain of Incense,” on www.traditionalmass.org