

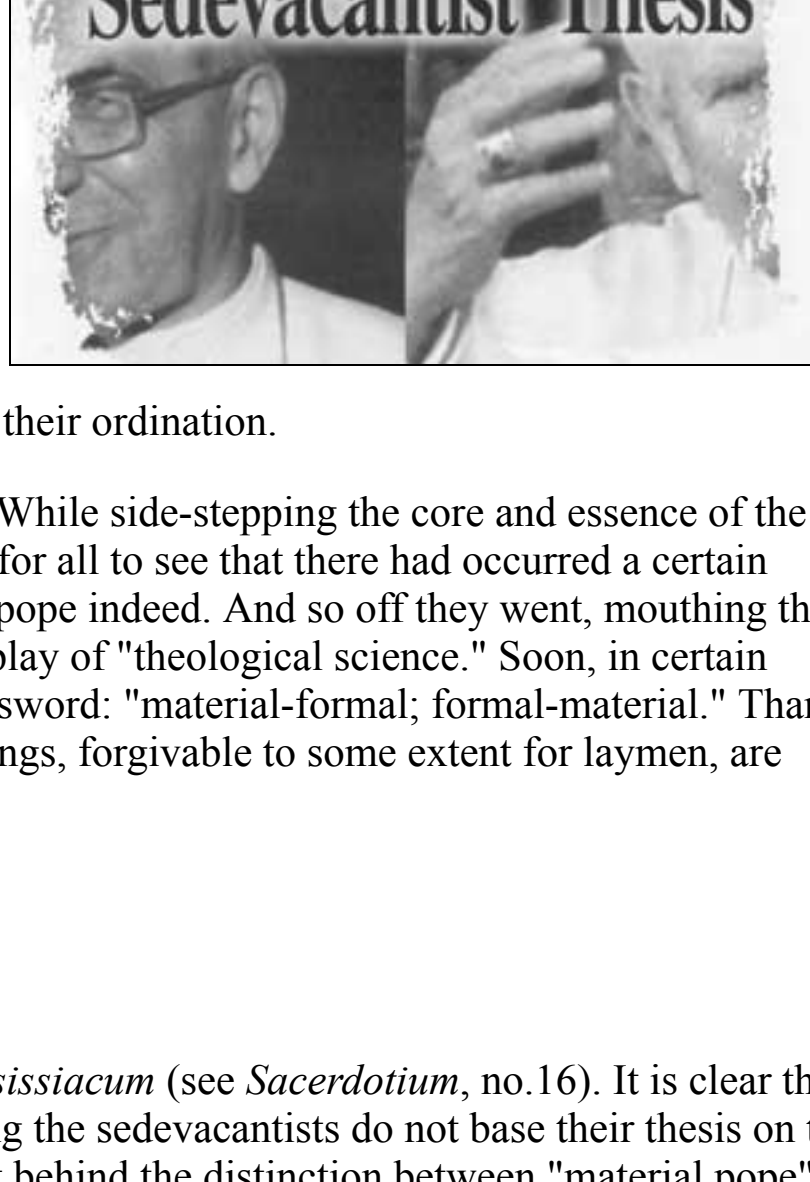


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"But let your speech be, 'Yes, yes,' 'No, no,' and whatever is beyond these comes from the evil one. (Mt. 5:37)"

November 1998 No. 29

Concerning a Sedevacantist Thesis



"Sedevacantists" have always constituted a particularly distant group in the Catholic resistance to the error of modernism. Their main characteristic is to be found in their manifest disregard of the *Apostles' Creed* in favor of their public support and adherence to a rather odd, to say the least, theological thesis. There have been certain occasions where "sedevacantist priests" have gone so far as to refuse the sacraments to faithful Catholics who sincerely profess the unchanging *Creed* of the Church, but who show no enthusiasm for their sedevacantist redemptive thesis, *i.e.*, the *Thesis of Cassissiacum* of which we will now give an analysis.

BRIEF HISTORICAL BACKGROUND

In 1977, a former professor of theology at the seminary at Ecône, Fr. Guérard de Lauriers, published a fanciful thesis with the intention of proving without a shadow of a doubt that Paul VI, Bishop of Rome, recognized and acknowledged by the entire visible Church, was not, in fact, Pope at all. This thesis is known under the title of *Thesis of Cassissiacum*. This Father had previously attained widespread notoriety thanks to his incomprehensible courses. This thesis ran true to form. Literally no one could understand his "distinctions," for instance, between the *sessio* and the *missio*." A handful of young priests, just a little while before ordained by Archbishop Lefebvre and, to say the least, greatly lacking in experience, imprudently gave themselves heart and soul to the defense and explanation of the *Thesis of Cassissiacum*. They referred to themselves as "the syndicate." According to them, they were the true Thomists who simply could no longer put up with Archbishop Lefebvre's doctrinal infantilism. They soon left the Society of Saint Pius X and the "syndicate" then began to break up into rival tendencies, remaining united only in their deep-seated detestation of the very Bishop to whom they owed their ordination.

Around 1980, there appeared a new "popular version" of the "sedevacantist thesis," the so-called *Blignières-Lucien* version. While side-stepping the core and essence of the earlier thesis, *i.e.*, the distinction between "material pope" and "formal pope," it now concentrated on trying to make it plain for all to see that there had occurred a certain breakdown of papal infallibility, thus proving that the person who then seemed to be the pope could not in actual fact be the pope indeed. And so off they went, mouthing their inanities before an amazed audience made up of unqualified lay people full of admiration in the presence of such a great display of "theological science." Soon, in certain traditional chapels, there were to be found self-proclaimed theologians repeating and re-echoing over and over their new password: "material-formal; formal-material." Thanks to their grotesque errors, these efforts discredited them in the eyes of any learned, well-advised priest. Such erroneous teachings, forgivable to some extent for laymen, are completely inexcusable for priests, especially coming as they do from those pretending to be radar beacons of theology.

SEDEVACANTISM AMERICAN-STYLE

American sedevacantists have since come up with an interesting novelty which is a new rehash of the original *Thesis of Cassissiacum* (see *Sacerdotium*, no.16). It is clear that sedevacantist propaganda often seems to carry some weight by its gravity as well as its extensive research. The keenest among the sedevacantists do not base their thesis on the above-mentioned theological fantasies. First of all, they seriously try to elucidate or to clear up that reality which should exist behind the distinction between "material pope" and "formal pope." For those unfamiliar with philosophy, it seems worthwhile to explain the meaning of such a distinction:

A natural being is, in fact, composed of two essential co-principles: *matter* and *form*. In the same way, an accidental being (*e.g.*, a football team, a community, a radio station) is understood by analogy as a whole made up of two co-principles which are like matter and form. But then we have a superimposition of quasi-substantial or of almost-substantial forms, and only the latter constitutes the compound being in its essence. For example, the rungs of a chair in kit form finally constitute or make up the chair only after having been placed each in its own stable position, which is an accident of relation. This accident acts as the "form" of the chair.

In the present case, a pope is a man, that is, a bodily, created being, a man who has been baptized, a Catholic invested with an episcopal character, and finally, a bishop designated and recognized as the legitimate Pastor of the Church of Rome. The human being constitutes the quasi-matter for the superimposed supernatural accidental form: Baptism and supernatural life. A baptized male who has thus been elevated to a life of the supernatural order becomes the quasi-matter who receives the "quasi-form" of the sacrament of Orders, *etc.* To every ordinary bishop, however, there is still lacking a "form" to become pope, that is, the legitimate appointment, the recognition or acknowledgement of the Catholic faithful of his authority over the Church of Rome.

In the previously mentioned thesis, what is meant by the expression *material pope*?

Answer: It is a pope to whom would be lacking the ultimate "formality," meaning that ultimate accidental perfection which really and finally "activates" the papacy in a subject, that is, the man. It is through this "formality" that the pope-not-yet-pope becomes pope-in-fact-and-in-deed. All this being understood, the whole question resides in knowing for sure whether this superimposed accidental perfection actually exists outside the imagination of the sedevacantists.

The aforementioned sedevacantists attempt to prove that there is still something lacking to the bishop who has legitimately been designated to occupy the Chair of Peter in Rome and who has so been acknowledged by the entire visible Church. It is obviously quite clear that Pope Paul VI as well as Pope John Paul II have indeed met these conditions. What is therefore lacking to them? To make a long story short, we simply and briefly give the American sedevacantists' conclusion, which is that the distinction between a *material pope* and a *formal pope* is the distinction between a *legitimate pope without authority* and a *legitimate pope with full authority*.

But is it really possible in fact to separate legitimacy from authority? Can a ruler be simultaneously legitimate yet without authority? Would it not be better to say that a ruler loses his authority in the eyes of his subjects only after having lost his legitimacy and that one does not lose one without also losing the other? One needs only to consult the treatise *De legibus* [Regarding Laws] to be convinced that that which requires obedience on the part of a subject is that which has been ordered by those enjoying legitimate authority. In social philosophy, legitimacy and authority are inseparable. The distinction dreamed-up by the sedevacantists does not, in reality, exist at all.

THE FUNDAMENTAL ERROR

The American sedevacantists support their arguments by quoting some very good authors. But these good authors speak of something else. They speak of the *authority of the law*, and not of the *authority of the one who rules*. There is a difference. It is common knowledge that the ruler is not infallible and that his subjects are also endowed with free will. It can happen that an order contrary to reason or injurious to the common good might be given by the legitimate authority. If an individual comes to realize that the law is harmful, he must not obey; for it is not, in truth, a law, but a tyranny.

In order to bolster their private judgment through the use of good authors, the sedevacantist propaganda jumps from the "*intentio promulgandi errorem*" [intention of promulgating an error]" to the "*intentio evertendae Ecclesiae per promulgationem erroris*" [intention of overthrowing the Church by promulgating an error]" (*Sacerdotium*, p.47).

The latter entails or leads to the first, but not vice versa (*i.e.*, not reciprocally). The intention of a ruler (*i.e.*, any superior, the father of a family, an employer, a teacher) to promulgate or proclaim something objectively harmful to the common good is compatible with the *intention* of promoting the common good¹ because it is possible that the subject can sincerely, but erroneously, believe that it is useful. How is it possible for subjects to prove with moral certainty that their ruler, in his heart of hearts (*i.e.*, within himself), actually hopes and wishes to cause and bring evil upon his subjects and that it is on account of this evil will that he promulgates such evil laws? It is not possible. To prove this proposal is as impossible a task as proving a Pope's well-known public *material* heresy is actually *formal* heresy. Of course, *errores et disciplinae noivae non sunt leges* [harmful errors and disciplinary regulations are not laws]! This only proves that a person invested with authority is mistaken. It does not at all prove that his authority no longer exists.

How many acts contrary to the common good would it take on the part of the ruler in order for his subjects to infer that he does not wish, in a case-hardened and habitual manner, the common good and has, therefore, become a tyrant? Five bad or evil laws? Ten bad laws? It is true, however, that such a frequent and recurring will on the part of the ruler to act against the common good gives rise to a legitimate suspicion which obliges us to closely examine those laws. Exactly in the same way, repeated teachings suspiciously smacking of heresy inevitably lead to suspicions of heresy. But, that's all - neither more nor less. All of which gives rise to doubts which tend to discredit the law but not the very existence of authority itself.

One gets the feeling that the sedevacantists have indeed caught a glimpse of the problem. They usually make at least two attempts to get around this difficulty:

Therefore, inasmuch as [authority] is a habit, it takes its species from its proper act and formal object. The primary and formal object, however, of the habit of authority is the making, promulgation and execution of laws. The formal object of law, however, is the promotion of the common good. It follows that he who enjoys authority must have the habitual intention of promoting the common good, as otherwise he cannot have authority (*ibid.*, p.14).

We reply in the negative to this objection. We cannot justifiably make a mental leap from the absence of obligation of a bad law to the absence of authority of the ruler promoting such a so-called "law." All of which simply means, in plain language, that he who rules and gives orders favoring evil at the expense of the public good, acts against nature and sins, nothing more.

[I]t is not sufficient that he who holds authority intends in his will the common good of the community, but rather the good which he intends must be the true and objective common good. The reason is that law is defined as *an order of reason for the common good*. Therefore in order that the will of a superior oblige in conscience, it is necessary that he *objectively* intend the common good [emphasis in original] (*ibid.*, pp.14,15).

If the sedevacantists were right in this case, they would prove too much! They would imply both constitutive infallibility as well as impeccability of all true authority!

The first sophism can be found in the word *authority*. The author has illogically leapt from legitimacy before God (*i.e.*, the ruler acts virtuously by ensuring the common good of his subjects through good laws) to the legitimacy before subjects (*i.e.*, the order promulgated by the legitimate ruler must be obeyed). The ruler sins before God if he intends to harm society which he commands by his evil laws. But this does not mean that he has thereby lost his authority. An objectively bad law binds no one, yet subjects must, in conscience, obey as long as they truly believe them to be good, or even when they have doubts about it!²

The second sophism consists in leaping from the authority of such a bad law to the authority of the ruler in general.

The third sophism lies in the attempt to attribute such an absence of authority to the ruler, objectively provable the moment that it has been noted that a law is objectively bad.

There is, of course, to be seen a moral correlation running throughout all of these elements, that is to say, the praiseworthy intention of the leader before God, a good law, the duty of conscientious obedience on the part of the subjects, together with the objective welfare or well-being of human society. But there is in no way a metaphysical link here at all. Here we see sedevacantists theorizing metaphysically in spite of the fact that they are dealing, in truth, with the physical political order.

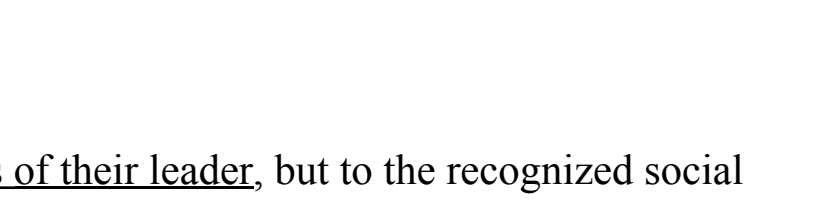
THE VERY SAME DEAD-END AS WITH THE DEMONSTRATION OF THE POPE'S HERESY

A ruler's authority can be understood either in its relation to 1) God, or 2) the society over which it is exercised.

1) The ruler (*i.e.*, the person invested with authority) as an individual subject, extends God's authority while constituting a channel through which courses the common good when he objectively desires that good through beneficial laws. The Latin word *autoritas* takes its origin from the Latin root, *autor*, meaning he who begets or generates, increases, or adds to. The right of commanding stems from the good generated. If the ruler enacts laws lacking the proportionate good or well-being of his subjects (despotism) or which cause damage or injury to the community (tyranny), he simply has no such right before God, and if he realizes his fault and is quite conscious of it, he is in the state of sin and has no authority to continue in such a manner.

2) Does this automatically give his subjects the right of disobeying such a leader? No, not until they have positive proof or evidence of the evil(s) befalling their community.

The subject's obedience is not due to the inner dispositions of the leader, but rather to the law, to the order coming publicly from legitimate authority, together with the necessary conditions required to make it a law in deed. The social relationship of *subject and authority* therefore remains, even in the case of the inner sinful dispositions of the ruler.



THE FATAL FLAW

We have now come to the flaw which warps the *Thesis of Cassissiacum*: subjects do not owe obedience to the inner dispositions of their leader, but to the recognized social authority, legitimate in the social body. Social function is inseparable from legitimacy, while the conformity of the ruler's will to the will of God can be separated from the question of his legitimacy.

American sedevacantists are able to explain this with remarkable precision without noticing, I suppose, that the entire "proof" of their theory has thus been struck and dashed to pieces:

Every society is a moral person, and by analogy to a physical person, a society has its intellect and will. Therefore it is possible and it often happens that a fact is able to be true in the real order, and even most evident, but is not recognized as such by society. For example, someone is able to commit a murder, in front of many witnesses. Although the witnesses know that such a man is a murderer, nevertheless, before the law, he is held as innocent until he should be condemned by a court of law. In other words, in the eyes of society, he is not a murderer until he is convicted, even if it is absolutely certain to the witnesses that he is a murderer.

Another example: in matrimony a spouse simulates [*i.e.*, pretends - *Ed.*] consent. Before God and in reality, there is not a bond of matrimony in this case; but before the Church, the marriage is valid until it can be proven that the consent was simulated. If the priest should discover, by the confession of a spouse, that the consent was simulated, he must forbid the spouses the use of matrimony, because before God the bond does not exist, although before the Church the bond does exist until it shall be declared null by a legal declaration.....Because of this distinction between a real fact and a legal fact, the Church - and every society - is distinguished from a mere mob (*ibid.*, pp.49-50).

These very precise and apt remarks are aimed at those intending to prove the deposition of the pope through Canon 188, §4 of the *1917 Code of Canon Law*.

American sedevacantists have done an excellent job on the canonical meaning of heretical notoriety (*ibid.*, pp.62-65; 72-74). In the canonical sense, "notorious heresy" means heresy acknowledged by society, that is to say, a pertinacious heresy (*i.e.*, persistent and determined to the point of stubbornness). One's own personal subjective convictions concerning the pope's writings have no social effects.

This point must be made unmistakably clear: it means, for example, that a priest must celebrate Mass in union with the pope, no matter what intimate conviction that such a priest may entertain regarding the pope's "heresy" or "schism," since the Holy Sacrifice of the Mass is not a *private* prayer, but an act of the Church's official *public* worship as such, and the pope remains pope as long as he is so acknowledged legitimacy. He remains pope before the public as long as he has not been proven pertinacious. This is why the priests of the Society of Saint Pius X include the name of the current pope when celebrating Holy Mass.

A heretical pope remains pope as long as he is not pertinacious. Pertinacity is determined by the public acknowledgement of the heresy by the legitimate authority. Is this possible in the case of the pope who has no superior here on earth? - Maybe, as in the case of his rejection from the communion by the moral unanimity of the episcopacy. This is what occurred at the Council of Constance (1414-1418).

In human society, legitimacy is inseparable from authority. The loss of the one in the social order entails the loss of the other. The sudden changes and reversals of fortune encountered, for instance, at the Council of Constance constitute a classic case. Things had reached a point where, in the eyes of all of the bishops, even in the view of his own personally-appointed cardinals, a pope's obstinacy in prolonging the Great Schism was incompatible with the will to promote the common good, and caused the loss of all legitimacy and thus all authority.³

To lose social legitimacy means exactly the same things as to lose authority.

We take our conclusion from the American sedevacantists themselves. As long as the Catholic episcopacy does nothing, there is no one capable of providing the certainty of conscience that the presently-reigning pope has been stripped of his authority:

Our problem today - which is indeed horrendous - is that all the sees of authority, at least apparently, teach the errors of Vatican II as the magisterium [doubtlessly meaning here as belonging to the revealed Deposit of Faith - *Ed.*], and all electors of the pope⁴ participate in the errors of Vatican II, in such a way that there is no one who, in a legal way, is able to recognize or ascertain the fact of error in the magisterium, and therefore the absence of authority in those who promulgate it (*ibid.*, p.51).

THE REAL QUESTION

Sedevacantists are truly obsessed by the question of the papacy. One may well wonder if in many of them this is not due to some psychological trauma. Their understandable ancestral veneration for the pope seems to unleash a veritable panic at the idea of contrasting their cherished, idealized image of the papacy with such popes as Paul VI and John Paul II.

Sedevacantism appears to be more of a psychological than a theological problem. It would be both easy and cruel to evoke here some of the variations, as well as the successive divisions fostered by their numerous cliques and the astounding reversals and turnabouts coming from their inconsistent motives.

But why be so harsh with them? Are not those reproaches, which they make regarding the Pope's teaching, his pastoral approach, including some erroneous Vatican II teachings, indeed well founded? Admittedly, some indulgence could be shown for some theological error which, for the moment, has but little practical consequences, if we were not to note and observe the dire consequences brought upon the faithful. We now see only too well what effects those theological outpourings produce in passionate Catholics. They now have become their own pope. They judge their own priests. No longer do many of them have recourse to the sacrament of Confession. No longer do they hearken to the Church's infallible teachings. They generally bring moral ruin on their own families. [These are the self-titled and self-styled "home-aloners." - *Ed.*]

We used to know truly pious Catholics. After a few years we met them again only to find them marked by the psychological behavior found in types such as the Jehovah's Witnesses or in protesters in general: haughty, understanding everything, seeing everything through their jaundiced and obsessed eyes, unceasingly shaking their rattles of definitive, final, and unanswerable arguments which they do not understand themselves. Beware the time when they lose their God-given Faith and give up on everything.

How can one explain such a breakdown in the Christian spirit? We may well wonder if sedevacantism may not prove to be even more grave, more serious than it first seemed. Experience has shown that that which is understood by most of those Catholics won over to the sedevacantist camp turns out to be quite a simple idea: an unworthy pope is no longer pope. This strangely resembles the unhinged teachings of Wycliffe and of John Hus: A pope in the state of mortal sin is no longer pope, a bishop in the state of mortal sin is no longer bishop having authority in his own diocese, nor does a pastor in such a state have any authority over his parish. And the same for a king over his country, *etc.* We may think that John Hus was sincere in his errors. His death does not seem to be one of a formal heretic. But this fact changes nothing with regard to the eventual ugly consequences. The followers of Jan Hus later became bloodthirsty wolves feeding on their exploited fellow citizens as they hunted to death those bishops, pastors, kings and princes whom they thought were not worthy of life.

Rank speculation? A strange mixture of ideas? Do not be too sure. Let those who know of the appalling affair of the *Institut Cardinal Pie* think deeply about this: a half-crazed, self-appointed leader had applied the *Cassissiacum* thesis to the French political system. He preached that those in power had no intention of working for the common well-being of their people, and therefore their power was only a sham, their places in government were vacant and required being taken over by right-thinking men. "I," said their leader, "know what is necessary for the welfare of France. This is my desire and intent and I therefore constitute the legitimate power of the country." And thus was founded a secret society levying taxes on its members, passing judgments by internal tribunals, and spying on its associates. Of course, such nonsense could not last and soon fell apart. But the sudden appearance and taking form of such a project and the seduction it was able to exert over intelligent men and women proves that the spirit of sedevacantism is indeed harmful to souls.

Dionisius

(Abridged and edited by Rev. Fr. Kenneth Novak)

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¹ This is readily admitted by American sedevacantists without their fully realizing it. "The condition of accepting authority *sine qua non* is that he who receives it have the intention of promoting the common good of the community over which he rules" (*Sacerdotium*, no.16, p.54). Here it is a question of the subjective intention of promoting the common good, which means that the candidate can be mistaken. Otherwise we would be forced to acknowledge the personal infallibility (!?) of every candidate seeking public office or power.

² This holds as a general rule. We have seen above that many laws contrary to the common good give rise to legitimate suspicions. At such a moment, doubt can militate against the law.

³ See *Dictionnaire de théologie catholique*, article "Constance"; and *Le Concile de Constance au jour le jour* [The Council of Constance Day by Day] by P. Glorieux, Desclée, 1964.

⁴ Here we take up and note one of the many errors of American sedevacantists: They maintain that legitimacy depends upon the regularity of the election as well as upon the orthodoxy of the voting cardinals. This is a false and legalistic idea of legitimacy. The enthronement ceremonies serve to clearly establish the leader's legitimacy, but do not constitute legitimacy itself. Some popes were installed by force, for example, by the emperor Constantine or by factions of Roman nobility (9th and 10th centuries). They were true popes, however, because their Roman episcopacy was acknowledged and accepted by the faithful and the Catholic episcopate. The election of Pope Alexander VI Borgia, although tainted with simony, gives rise to no doubt as to his legitimacy even today. This legitimacy follows from the *de facto* acknowledgment of his authority by the Church. Indeed, this is a classic theological thesis.