

THE APOSTOLICITY OF THE CHURCH AND THE CASSICCIACUM THESIS

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STATUS QUAESTIONIS

One of the main objections to sedevacantism concerns the Church's apostolicity. If the See of Peter has been vacant since 1958, how is the Catholic Church still apostolic? Where is the Church if not in Rome? How is the Church visible today?

From this, our adversaries conclude that one must recognize the Vatican II popes as legitimate popes, that is, as possessing the authority to govern the Church; otherwise, they argue, the Church would have disappeared seven decades ago. The papacy is essential to the Church and will last until the end of time. Sedevacantism destroys the Church's indefectibility and apostolicity.

To address this objection, I will guide the reader through my process of understanding the crisis.

SEDEVACANTISM

I became a sedevacantist when I was still in high school. I had only known a somewhat conservative version of the Novus Ordo. Traditional Catholicism manifested itself as sedevacantism. A friend of mine¹ told me to

read the Vatican II documents and compare them to pre-Vatican II teaching. So I did.

What I understood before all else was that there had been a substantial change of doctrine at Vatican II. Doctrines clearly condemned by the Church (religious liberty and ecumenism, for example) were promulgated by the Council, which meant the Council had necessarily erred and was therefore devoid of authority, inasmuch as popes are infallible when teaching faith and morals. In other words, a true pope could never have signed those documents since the Holy Ghost would have assisted him.

My intellectual conviction was confirmed by a very special event. In July of 1998, I attended the Traditional Latin Mass for the first time. I remember thinking very clearly: "This is the Mass that expresses my Catholic faith." I had no doubts. The See of Peter was vacant, Vatican II was a false Council, and sedevacantism was authentic Catholicism.

Having discovered, by God's grace and the instrumentality of men, a truth so important and life-changing, I decided to concentrate all my energy on the only thing that really matters: eternal salvation. So I entered the seminary.

I began my studies in Argentina and eventually joined Most Holy Trinity Seminary² in Warren, Michigan, under the then Father Sanborn. I was processing my passport in

¹ This friend is now Rev. Fr. Federico Palma, a member of the Roman Catholic Institute. I wish to thank both him and His Excellency, Bishop Donald Sanborn, for their assistance in the preparation of this article.

² Most Holy Trinity Seminary is currently located in Reading, Pennsylvania. For further information, see the seminary's website: mostholytrinityseminary.org.

Buenos Aires on the day the Twin Towers were attacked.

The only version of sedevacantism that I knew at the time was “totalism,” according to which “Vatican II popes” are not true popes by reason of their personal heresy. Heretics are not members of the Church; ergo, they cannot be the head—a straightforward and easy-to-understand explanation. I later learned that the non-papacy of the “Vatican II popes” has little to do with the sin or crime of heresy, but rather with a defect in their consent to accept the papacy.

I began to take the Cassiciacum Thesis seriously the moment I understood the theory of hylomorphism, that is, the Aristotelian distinction between matter and form. Up to that time, I had heard that the Thesis was wrong because the concept of being a pope “materially” but not “formally” was contrary to St. Thomas’ teaching, since the Angelic Doctor had taught that “when matter and form are separated, the composite perishes.” In other words, we either have a pope (materially and formally) or no pope at all. But is this true?

The treatise on Cosmology helped me understand the analogical concepts of matter and form, which are necessary for grasping the underlying metaphysical framework that explains how things exist and change.³

³ Scholastic philosophy distinguishes between the metaphysical, physical, and moral orders based on their relationship to reality, human intellect, and human will. *The Metaphysical Order*: This is the highest and most fundamental order. It deals with being as being—reality in its most abstract and necessary principles, independent of any specific physical manifestation or human action. It concerns the ultimate nature of things, their essences, and the laws that govern all reality (e.g., the principle of contradiction, cause and effect, act and potency). Truths in this order are absolute, universal, and unchanging. *The Physical Order*: This order is concerned with nature as it actually exists and operates. It is the realm of the material world, governed by the laws of nature (physics, chemistry, biology). While grounded in metaphysical principles, the physical order deals with contingent realities—how things do work in this universe, not how they must work in every conceivable one. Truths here are based on empirical observation and inductive reasoning. *The Moral Order*: This order is distinct because it is based on human freedom

THE METAPHYSICAL FOUNDATION: ACT, POTENCY, AND HYLOMORPHISM

The most fundamental distinction used to explain change is that between *act* and *potency*.

Potency is the inherent, real capacity of something to become something different from what it currently is. It is not “nothing,” but a capacity for being. *Act* is the fulfillment, or actualization, of a capacity; it is what something currently *is*. Change is defined as the movement from potency to act.

Applying act and potency to the physical world leads to hylomorphism (from the Greek for matter-form). This teaching holds that every physical reality is a single, unified composite of two intrinsic principles: matter and form.

Matter (materia) corresponds to pure potency. It is the underlying, indeterminate “stuff” or substrate that has the capacity to receive a determination, or definition. Matter is also the principle of individuation,⁴ which is

and reason. It does not concern what is, but what ought to be in human conduct. It relates human actions to their ultimate end (happiness/God) through the guidance of a moral law (natural law and divine law). While physical laws describe how nature acts necessarily, moral laws direct how free agents should act voluntarily. The moral order is concerned with right and wrong, virtue and vice, merit and guilt. It also refers to the legally established body of rights and duties among human beings.

⁴ St. Thomas teaches that matter is the principle of individuation, but only as it is correlated to quantity. The expressions that he uses are “materia signata,” “materia subjecta dimensioni” (*In Boeth. de Trin.*, Q. iv, a. 2), “materia sub certis dimensionibus” (*De Nat. Mat.*, iii). This needs some explanation. Quantity, as such, is an accident; and it is evident that no accident can account for the individuality of its own subject. But quantity results in corporeal substance by reason of matter. Primordial matter, then, considered as such, has a relation to quantity, consequent upon its necessary relation to form (*De Nat. Mat.*, iv). When actuated by form, it has dimensions—the “inseparable concomitants that determine it in time and place” (*De Princip. Individ.*). Because the essence of a material thing embraces form and matter alike, it retains an inherent potency toward quantity. This aptitude for dimensional determination is necessarily fulfilled whenever the nature subsists in a particular subject.

what distinguishes this specific entity from another entity of the exact same kind. *Form* (*forma*) corresponds to act. It is the determining principle that organizes the potentiality of matter into a specific kind of thing with a specific nature (e.g., the “treeness” that makes matter into a tree). Form is the principle of intelligibility, allowing the intellect to grasp what a thing is.

Scholastic theologians adopted this hylomorphic framework as an indispensable tool for explaining Catholic theology rationally. This framework is used, for example, in Christian anthropology. Saint Thomas argued that a human being is a single substance composed of body and soul. The physical body is the matter (*potency*), which is actualized and organized by the soul, which serves as the substantial form (*act*), giving the body life and rationality.

Sacramental theology also employs the matter/form distinction. For a sacrament to be valid, it must consist of both matter (the indeterminate element corresponding to potency) and form (the determining element corresponding to act).

In a sacrament, matter is the physical element or action that has a natural capacity to signify a spiritual reality. For example, in Baptism, the matter is water and the washing with it; in the Holy Eucharist, it is wheaten bread and grape wine. The sacramental form is the specific words spoken that determine the indeterminate matter to be a sacrament rather than just a physical action. For example, in Baptism, the form is the words “I baptize thee in the name of the Father, and of the Son, and of the Holy Ghost.” In the Holy Eucharist, it is the words of Consecration (“This is my Body...”).

Let us go back to the objection: Saint Thomas teaches that the separation of matter and form destroys the substantial composite. Therefore, we either have a pope formally and materially, or no pope at all.

Response: Besides substantial composites, there are accidental ones.⁵ For an accidental composite to exist, you need a substance (second matter) and an accident (accidental form). For instance, Peter (substance, second matter) and authority (accidental form) give us an accidental composite: *Peter-Pope*. There were twelve Apostles, but only Peter became Pope. Why? Because he was *designated* by Christ to receive this power. Designation is an accident of the moral order that disposes the subject to receive authority.⁶ In summary, a *papa materialiter* is nothing else than a subject designated to the papacy. A pope-elect is not yet a pope, but he enjoys a real order to the papacy that others do not. In other words, negating the composite “Peter-Pope” does not necessarily negate designation. The separation, therefore, of the material and the formal elements in a pope would certainly mean the extinction of the pope *simpliciter*,⁷ although *secundum quid* something of the papacy could still remain, namely, designation.

The material/formal distinction regarding authority also works in the civil order. Bishop Sanborn points out that, in the United States, the president is elected in November but does not assume office (and thus does not

⁵ In Thomistic metaphysics, an **accident** (*accidens*) is defined as a reality whose nature it is to exist in another (*esse in alio*), as opposed to **substance**, which exists in itself (*esse per se*). While accidents modify the substance (e.g., via quality or quantity), they do not constitute its essence. Consequently, the union of a substance and its accident forms an **accidental composite** (*unum per accidens*), such as “a musical man.” This composite consists of a subject and a modification that can be gained or lost without destroying the subject’s fundamental identity, distinguishing it from a substantial union. See Thomas Aquinas, *De Ente et Essentia*, cap. VI; *Summa Theologiae*, III, q. 77, a. 1, ad 2.

⁶ The election of Saint Peter is narrated in Matthew 16:19, “Thou art Peter...”. Peter received authority after Our Lord’s Resurrection, “Feed my sheep...” (John 21:17). So, Saint Peter was *pope-elect* for a while.

⁷ The Scholastics distinguish between a nature possessed *simpliciter*—that is, simply and absolutely—and one possessed only *secundum quid*, meaning in a qualified sense or under a specific limitation.

receive the authority to govern) until January. During this interval, he is considered the president-elect; in Thomistic terms, he is president *materially* but not *formally*.

DESIGNATION AND AUTHORITY

The designation of a pope comes from below, through the Church, while authority comes from above, from Christ. The only exception to this is Saint Peter, the first pope, who was chosen directly by Our Lord. All subsequent popes are elected by human electors. Therefore, any canonical defect that affects the election can be “cured” through the universal peaceful acceptance of the Church. This process is known as *convalidation*. Convalidation, however, is not able to overcome a defect of consent on the part of a pope-elect, as in the case, for example, of the layman who refuses to receive episcopal consecration (more on this later), or the cardinal who intends to impose a false religion on the Church.⁸

If Peter were to lose his authority, for example, by becoming a heretic, it would *not* follow that he has lost his designation as well. Designation is a distinct and separate reality that can only be removed by the Church (or by actual resignation). That is why theologians commonly teach that the heretical pope who repents of his heresy after being admonished by the Church recovers authority without the need of a new election.⁹

⁸ Another important consideration is that convalidation can correct the flaws of a legally conducted election; however, it **cannot validate an illegal election**, such as one conducted by bishops without legal authority or jurisdiction. Read more about *Universal Peaceful Acceptance*: thethesis.us/chapter-xiv.

⁹ “If a Pope who has become a heretic mends his ways before the declaratory sentence, he recovers *ipso facto* his pontifical authority without any new election of the Cardinals or other legal formality. *Objection*: If, as we have said, the Pope by the very fact that he has become a heretic loses his pontifical dignity and remains outside the Church, then it is not possible for him to go back into office, at least not in the sense of becoming Pope again, because such a

According to the Thesis, the crisis we witness in the Church originated from a defect of intention on the part of “Vatican II popes,” who, although validly elected, never received the full power of the papacy. In the same way that a president-elect does not become the president until he solemnly swears to uphold the U.S. Constitution, a pope-elect does not become the pope until he solemnly promises to faithfully preserve the doctrine, discipline, and liturgy of the Church.¹⁰ However, it is evident that the “Vatican II popes” lack the requisite intention to accept the papacy validly, as they seek to use the papacy to change the Church from within, attempting to adapt Roman Catholicism to the modern world, thereby turning it into a dogma-free, humanitarian, one-world religion.

In my personal research, I found that the hypothesis of a “defect of consent” on the part of the pope-elect had been analyzed before Vatican

return would have the force of a new election, in which case a council would be attributing to itself a right that belongs to the Cardinals, namely the right of electing, and this—according to Rosellus—is not something that can be done legitimately. *Answer*: In the present case, according to the interpretation of ecclesiastical law, the right of election returns to the Cardinals only after a declaratory sentence of the crime, because the penalties imposed by the law itself cannot be executed without such a sentence... And it has not been shown that such a declaration should be pronounced in virtue of any existing law. But rather the opposite is true when the Pope mends his ways, as we demonstrated before. Thus, no harm is done to the Cardinals, since they receive back in a revocable manner the right of choosing another Pontiff, on condition that the heretical Pope be unrepentant and unwilling to mend his ways. We should not wonder if a reintegration of this type takes place without any legal solemnity, because, **if a person loses ecclesiastical dignity by committing a crime—and this happens by a simple internal effect of the law (*nudo juris mysterio fit*)—by the same token, once the crime goes away by reason of the amendment, the thing goes back to its original state—also by a simple internal effect of the law.**” Card. Hieronymus Albanus, *Tractatus de Potestate Papae*, anno 1544. —Cit. a D. Bouix, *Tractatus De Papa*, tomus I, Paisiis, 1869, p. 548.

¹⁰ This is confirmed by the existence of the papal oath. See “Chapter X: On the Lack of Intention to Accept the Papacy,” in *The Thesis*, thethesis.us/chapter-x.

II.¹¹ Theologians ask whether a layperson or a simple priest can become pope if he refuses to be consecrated a bishop. Francesco Bordoni, a 17th-century Franciscan theologian and canonist from Parma, Italy, wrote on the subject:

Question 18: Must the one to be elected Pope be a priest or a bishop? And if this is not necessary, must the elect nevertheless be made a priest and bishop?
 A.: It is not necessary that he be a priest, because even a Cardinal Deacon is elected Pope, as can be seen from what was adduced in question 12. And it is certain that many [who were] not yet priests, nay, not even deacons, have been elevated to the Pontificate. Among many, I will adduce a few: Innocent II, Innocent III, and Honorius IV were made popes after being made priests and bishops, as we read in their lives by Ciacconio. After their creation, they must be consecrated priests and bishops; otherwise they do not receive the effect of their election, that is, they are not truly Pontiffs, since they are altogether unfit and incapable of the office of the papacy, because for many of the principal functions those two things, the priesthood and the episcopate, are required, without which the Sacraments can neither be conferred nor administered, [and] this duty, indeed, concerns especially the Roman Pontiff, being deduced from those words: *Feed my sheep*; in such a way that, he who is unwilling to be ordained, is not really the Pope, and his election did not hold, as

¹¹ Pope Victor III (Desiderius) was elected on May 24, 1086 but immediately rejected the role due to illness, monastic preferences, and Rome's instability amid conflicts with Antipope Clement III and Emperor Henry IV. He fled Rome after four days, discarding papal symbols, and retreated to Monte Cassino. As "pope-elect" for nearly a year (May 1086–May 1087), he refused to exercise papal authority, instead serving informally as papal vicar. He mediated disputes, convened councils (e.g., at Capua in March 1087), and secured Norman alliances. But he avoided Rome and full pontifical duties until pressured to accept. He was finally consecrated a bishop and enthroned on May 9, 1087, ending his pope-elect status, though his pontificate remained brief and tumultuous until his death on September 16, 1087.

having been of someone unfit in act and habitually, **and with a will that preceded the election, [and was] afterwards declared by the refusal to be consecrated.** Wherefore the Cardinals, after making a declaration that if he refuses to receive orders, they can elect another Pontiff, can even punish him if he resists.¹²

What is particularly interesting about this quote is that the defect of consent can be hidden at the time of the election and subsequent "creation" of the pope. It is only after the candidate has revealed his unwillingness to be consecrated as a bishop, which may occur many days after the election, that the vitiated consent becomes manifest.¹³ Pope Pius XII confirmed Bordoni's teaching when he stated: "Even if a layman were elected pope, he could accept the election only if he were fit for ordination and willing to be ordained."¹⁴

Bishop Guérard des Lauriers¹⁵ was the first to explain how the "Vatican II popes" are not true popes by using the argument of defective intention. Archbishop Carlo Maria

¹² Franciscus Bordonus, *Opera omnia, iuridico-regularia, et moralia* (Lyon: Sumptibus Ioannis-Antonii Huguetan & Marci-Antonii Rauaud, 1665), vol. 1, 140.

¹³ Pope Gregory XVI was elected pope on February 2, 1831. He was not a bishop at the time, so he required episcopal consecration, which took place on February 6, 1831—four days after his election. Pope Celestine V (a non-cardinal hermit) was elected pope on July 5, 1294, and consecrated bishop on August 19 of the same year—six weeks after his election. There are at least half a dozen examples like these.

¹⁴ Pius XII, "Address to the Second World Congress of the Lay Apostolate," October 5, 1957, *Acta Apostolicae Sedis* 49 (1957): 922–939.

¹⁵ Michel-Louis Guérard des Lauriers, O.P. (1898–1988) was a French Dominican theologian and mathematician. A professor at the Pontifical Lateran University in Rome, he served as a theological advisor to Pope Pius XII, notably contributing to the definition of the dogma of the Assumption (*Munificentissimus Deus*). He was the primary author of the "Ottaviani Intervention" (1969), a critique of the New Mass presented to Paul VI. In 1981, he was consecrated a bishop by Archbishop Pierre Martin Ngô Dinh Thúc without papal mandate. He is the author of the *Thesis of Cassiciacum*, which posits that the post-conciliar popes hold the papacy *materialiter* (materially) but not *formaliter* (formally).

Viganò, as of late, became the first [retired] member of the hierarchy to recognize a defect of consent in the election of Jorge Bergoglio.¹⁶

Having concluded that “Vatican II popes” are not formally popes, I did not stop conducting research. Other clergy have done the same, most notably Bishop Sanborn, Father Ricossa, and Father Dutertre. The latter is the author of most of the articles on our Thesis website.¹⁷

This article addresses the objection that sedevacantism is incompatible with the mark of apostolicity; we can now begin with the reasoning that enables a proper response to our adversaries.

If the “Vatican II popes” are not truly valid popes due to a lack of consent, then Catholics are not obligated to accept the doctrinal, liturgical, and disciplinary changes introduced by the conciliar and post-conciliar reforms. These changes did not originate from the Church but from false shepherds (albeit validly designated), which aligns with Our Lord’s description of them as ravenous wolves in sheep’s clothing.

Catholics are bound to keep the faith integrally, and therefore must reject the novelties of Vatican II. Catholics need valid and licit sacraments; therefore, they must seek such sacraments from uncompromising clergy. But we believe in an *apostolic* Church, not in a Church “of integral faith and valid sacraments.” The Thesis is the only sedevacantist position that explains how apostolicity is preserved during the present crisis. How? By saying that **apostolicity is essentially connected to the body of electors of the pope.**¹⁸

¹⁶ Carlo Maria Viganò, “*Vitium Consensus*,” address prepared for the Catholic Identity Conference, Pittsburgh, PA, October 1, 2023, *Fondazione Exsurge Domine, exsurgedomine.it/230930-cic-eng*.

¹⁷ “Understanding the Changes in the Catholic Church,” *The Thesis*, thesis.us.

¹⁸ "Let us note that this uninterrupted formal succession must be understood morally and such as the nature of things entails: succession of persons, the manner of

THE APOSTOLICITY OF SUCCESSION

Rev. Bernardino Marina, O.P.,¹⁹ has produced an excellent theological examination of apostolicity, defining it generally as the linkage of the Church's practices, doctrines, and institutions to the Apostles. Central to understanding this concept is the distinction between apostolicity as an intrinsic property and as a visible mark. A property is necessarily united to the Church's essence, whereas a mark is an external manifestation intended to make the Church visibly discernible and credible to the intellect. While every mark is a property, not every property possesses the external visibility required to function as a mark.

As an essential property willed by Christ, apostolicity is threefold: *of origin, of doctrine, and of succession.*

Apostolicity of origin denotes that the current Church maintains an individual identity with the Church Christ founded, preserving essential elements such as the sacraments and hierarchical organization amid organic development.

Apostolicity of doctrine requires adherence to the same teachings given to the

electing, as Christ willed it and understood it throughout Christian antiquity. This perpetuity therefore does not require that between the death of the predecessor and the election of the successor there be no interval, nor even that in the whole series of pastors none could have been doubtful; but 'by this is meant a succession of legitimate pastors such that the pastoral see, even vacant, even occupied by a doubtful holder, can never really be deemed to have lapsed; that is to say again that the government of the predecessors virtually perseveres in the right of the see always in force and always recognized, and that it always maintains as well the desire to elect a successor.'"
Auguste-Alexis Goupil, *L'Église*, 5th ed. (Laval, 1946), 48–49. The author clarifies that the See cannot be considered "have lapsed" (*tombé en déshérence*), meaning that the rights of the office persist virtually during an interregnum.

¹⁹ Bernardino Marina, "La Apostolicidad como Propiedad y Nota de la Iglesia," in *XVI Semana Española de Teología* (Madrid: Consejo Superior de Investigaciones Científicas, 1957), 97–120.

Apostles, allowing development only insofar as it makes explicit what was previously implicit.

Apostolicity of succession (or ministry) entails being governed by pastors who succeed the Apostles. This must be a *formal succession*, which requires not only uninterrupted material continuity but also legal continuity (legitimacy).

For apostolicity to serve as a mark of the Church, it must be visible, external, and easily verifiable. Theologians such as Fathers de la Brière and Bainvel argue that the apostolicity of origin and doctrine are not distinctive marks because they are not easily distinguishable from the Church's truth itself. Additionally, these characteristics can also be claimed by groups that are separated from Rome.²⁰ Therefore, only *formal apostolic succession*—continuous, legitimate succession in government—constitutes a true mark, as it is an empirically verifiable historical fact. Its legitimacy is externally proved by continuous succession within visible catholic unity, excluding schism and heresy.

In the context of Vatican II, the apostolicity of origin and of doctrine can be preserved only if we acknowledge the formal vacancy of the See of Peter. Why? Because Vatican II is a rupture with the past. In virtue of the Church's indefectibility, Catholics are bound to reject the novelties of the Council as illegitimate and devoid of all authority.

Concerning the apostolicity of succession, the Thesis affirms that the College of Cardinals preserves the continuous, legitimate

²⁰ Although not all theologians agree with this statement, it is a fact that some non-Catholic churches have apostolic origins. For example, the Patriarchate of Antioch was founded by Saints Peter and Paul, the Patriarchate of Alexandria was founded by Saint Mark, and the Patriarchate of Jerusalem was founded by Saint James. It is also possible to uphold apostolic doctrine while being separated from the true Church through schism. Therefore, while apostolicity of origin and of doctrine are indeed true properties of the Church, they do not serve as identifying marks. This is because they cannot, on their own, distinguish the true Church from false ones.

succession in government, thus verifying to this day apostolicity as a mark of the Church.

I make the words of Saint Antoninus of Florence my own:²¹

²¹ **Whether, when the Pope is dead, his power remains in the College of Cardinals?**

Augustine answers in *dist. 51, q. 3*.

The power of the Pope remains in the College of Cardinals after his death in two ways:

First, as regards the root. For the College is compared to the Pope as a root to a tree or a branch. Now, just as the power of a tree or a branch—by which it flourishes and produces fruit—remains in the root even when the tree or branch itself is dead, so too does papal power remain in the Church or in the College when the Pope is dead. It remains in the College, indeed, as in a *proximate* root, and in the Church of prelates and other faithful as in a remote root.

Secondly, such power remains in the Church and in the College as regards that which is material in the papacy. Because when the Pope is dead, the College can, through election, determine the person for the papacy, [designating] that it be this man or that man. Hence, just as the root produces the tree, through which it produces flowers and fruit, so the College makes the Pope, who possesses jurisdiction and its administration in the Church. Therefore, if by the name “papacy” we understand the election and determination of the person, which is something material in the Pope (as has been said), then such power remains in the College when the Pope is dead.

However, if by the name “papal power” we understand his **authority and jurisdiction**, which is something *formal*, then such power never dies, because it always remains in Christ, who, rising from the dead, dies no more.

Hence, regarding that word, “*All power is given to me in heaven and on earth... and behold I am with you all days, even to the consummation of the world*” (Matt. 28:18-20), Augustine says that the Apostles to whom Christ was speaking were not going to remain until the consummation of the world; rather, He spoke to them in the person of all who would follow them, as to the one body of the Church.

But if by the name “papal power” we understand **actual administration**, which is something [combining the] material and formal in the papacy, then the actual administration indeed dies when the Pope dies.

For the actual administration of papal power does not remain in the College after his death (except insofar as it is committed to them by a statute of a predecessor);

Nor does it remain in this way in Christ, because, by the common law [ordinary order of things], Christ after the Resurrection has not exercised such power except through the Pope—even though He Himself is the door. Nevertheless, He appointed Peter and his successors as His doorkeepers, through whom the door of entering to Him is opened and closed.

Conclusion: Therefore, the power of the Church does not die when the Pope dies as regards

- 1) “When the pope dies, the power of the Church perishes concerning the actual administration of its jurisdiction, because the Pope’s demise leaves the Church empty and deprived of the administration of such power.”
- 2) “The power of the Pope remains in the Church and in the College with respect to that which is material in the papacy, since after the death of the Pope the College is able, through election, to determine a person to the papacy, that it be such or such a one.”
- 3) “The power of the Church does not perish concerning jurisdiction, which is formal in the papacy, when the Pope dies, but remains in Christ.”
- 4) “The power of the Church does not perish either concerning the election and determination of the person, which is as something material, but remains in the College of Cardinals.”²²

jurisdiction—which is, as it were, the formal element in the papacy—but remains in Christ.

Nor does it die as regards the **election and determination of the person**—which is, as it were, something *material*—but remains in the College of Cardinals.

But it does die as regards the actual administration of his jurisdiction, because when the Pope is dead, the See is vacant, and the Church is deprived of the administration of such power.

Nor is it an objection if one says that “*Christ’s priesthood endures forever just as Christ does, therefore when the Pope dies, his power remains.*” For this is true regarding that which is formal in the priesthood. For just as all priests are but one Priest (namely, Christ) regarding the power of consecrating [the Eucharist], because all consecrate in the person of Christ, so all Popes are but one Pope (namely, Christ), because all Popes receive jurisdiction and the power of administering immediately from God. Only the actual administration of the said power dies when this or that Pope dies.

— St. Antoninus of Florence, *Summa Sacrae Theologiae, Part III, tit. XXI, n.3.*

²² “It should not be imagined that the Church, when the pope is dead, possesses the power of the papacy *in act*, in a diffused state, such that she herself would delegate it to the next pope, in whom it would begin again to condense and specify itself.

Once the pope is dead, the Church is truly in widowhood, and, *as regards visible universal jurisdiction*, she is truly headless [acephalous]. But she is not at all headless like the schismatic churches, nor like a body destined by its nature to decomposition. Christ directs her from heaven.

There is then no one on earth to exercise visibly in His name the supreme spiritual jurisdiction, and,

Formal apostolic succession is defined as the succession *with authority*. If we equate “authority” with jurisdiction, it is clear that during an interregnum, this power remains in Christ until the election of the new pope. If we take “authority” in a material sense, then this power remains in the Cardinals and guarantees the continuity of the papacy.²³ As noted earlier, designation originates from below and provides a subject for the authority that originates from above. When the pope dies, authority must necessarily revert to the source, Christ, the invisible Head of the Church, until a new pope is elected. But the Church does not cease to be “apostolic” by the fact that authority is back in Christ; the apostolicity of succession is preserved by the very fact that a legal body of electors is able to provide a new subject to continue the succession of popes.

consequently, new manifestations of the universal life of the Church are impeded.

But, though it be slowed, the heartbeat of life does not cease in the Church; she possesses the power of the papacy *in potency*, in the sense that Christ, who willed that she should depend throughout the ages upon a visible pastor, has thereby conferred upon her the power to designate the men to whom He Himself would commit the keys of the kingdom of heaven, deposited first in the hands of Peter.” Charles Journet, *L’Église du Verbe Incarné*, Ch. VIII, Sect. III, n. 2, page 529.

²³ “*When the See is vacant, does this supreme pontificate or this plenitude of power remain in the Church, or in the College of Cardinals?*” It is customary among theologians to make a distinction: either this pontificate refers to the authority itself and to the supreme jurisdiction in its source, and then it does not perish when the pope dies—since it remains in Christ the First Pastor who, rising from the dead, is not able to die anymore, which authority Christ has given immediately to Peter and in him to his successors; or this pontificate, taken materially, refers to the faculty of electing and determining the person who is to discharge the office of supreme pontiff and in this sense it remains immediately in the College of Cardinals.” Bernardino López de Carvajal, *Oratio de eligendo Summo Pontifice* (Rome: Eucharius Silber, 1492).

THE MISSION OF THE CHURCH

But authors also teach that the Church's mission is linked to formal apostolic succession. In fact, Father Marina²⁴ affirms that the essential conditions of apostolicity of succession are: a) the *uninterrupted continuity of pastors*; and b) the *legitimacy* of a continuous succession, or, in other words, a *legitimate mission*. Lacking either one of the two conditions suffices for a church to cease to possess this apostolicity of succession. In the complete sense, then, formal apostolicity of succession requires uninterrupted continuity and, above all, a **legitimate mission**,²⁵ in virtue of which it obtains legitimate jurisdiction and authentic magisterium. In other words, it is impossible to have formal succession unless the designation is ordered immediately and by its very nature to receive power from Christ. The "Greek Orthodox Church," for instance, lacks formal apostolicity of succession because it has no legitimacy or mission; it has been cut off from the true Church of Christ both factually and juridically.²⁶

²⁴ *Op. cit.*, p. 111.

²⁵ For Marina, no legitimate mission is possible in the presence of schism or heresy, as these acts fundamentally disrupt the unity of the Church. The Thesis asserts that Vatican II resulted in a rupture in fact (*de facto*) without constituting an official break in law (*de jure*). Marina, like the rest of theologians, by "schism or heresy" means *declared* schism or heresy, i.e., *de jure* schism or heresy.

²⁶ "Succession, as used in this connection, is the following of one person after another in an official position, and may be either *legitimate* or *illegitimate*. Theologians call the one *formal* succession; the other, *material*. A material successor is one who assumes the official position of another contrary to the laws or constitution of the society in question. He may be called a successor in as much as he actually holds the position, but he has no authority, and his acts have no official value, even though he be ignorant of the illegal tenure of his office. A formal, or legitimate, successor not only succeeds to the place of his predecessor, but also receives due authority to exercise the functions of his office with binding force in the society. It is evident that authority can be transmitted only by legitimate succession; therefore, the Church must have a legitimate, or formal, succession of pastors to transmit apostolic authority from age to age. One who intrudes himself into the ministry against the laws of the Church receives no authority and consequently can transmit none to his successors.

According to Catholic theologians, the Church's ultimate mission is the salvation of souls (*salus animarum*). This mission is derived directly from Jesus Christ, embodied in the "Great Commission" to the Apostles to "teach all nations; baptizing them in the name of the Father, and of the Son, and of the Holy Ghost" (Matthew 28:19–20).²⁷

Theologians generally understand this mission as the continuation of Christ's own work: *As the Father hath sent me, I also send you* (John 20:21). This mission is carried out through a threefold office (*munus triplex*):

- The *munus docendi* (Office of Teaching): Preaching the Gospel and guarding the deposit of faith.
- The *munus sanctificandi* (Office of Sanctifying): Administering the sacraments and communicating grace to the faithful.
- The *munus regendi* (Office of Governing): Guiding the faithful toward their supernatural end through laws and discipline.

There is also a distinct concept known as the "canonical mission" (*missio canonica*). **While the general mission belongs to the**

In some cases they [Orthodox churches of the East] may also have a *material* succession of bishops from Apostolic times, but this avails them nothing, since they lack both unity and Catholicity,—two essential marks of the true Church. In no case do they have legitimate succession..." E. Sylvester Berry, *The Church of Christ: An Apologetic and Dogmatic Treatise* (St. Louis: B. Herder Book Co., 1927), 139–140, 184–185.

²⁷ "The mission of the Church is the glory of God (essential principal end, demanding the perfect submission of the will in view of the restoring of the Holy Sacrifice), which the Church attains by being a witness to the truth, leading to the salvation of souls (essential subordinated end)." Original French: "La mission de l'Église est la gloire de Dieu (fin essentielle principale, exigeant la soumission parfaite de la volonté en vue du rétablissement du Saint Sacrifice), que l'Église atteint en rendant témoignage à la vérité, conduisant au salut des âmes (fin essentielle subordonnée)." Bernard Lucien, *La situation actuelle de l'autorité dans l'Église* (Brussels, 1985), chap. X. Lucien grounds this definition in the scriptural mandates for the Church to exist "unto the praise of the glory of his grace" (Eph. 1:6; cf. Eph. 3:21), to "give testimony to the truth" (John 18:37; cf. Acts 1:8), and to labor for "the salvation of souls" (1 Pet. 1:9; cf. Matt. 28:19–20).

whole Church by its nature, the canonical mission refers specifically to the juridical authorization required to exercise certain functions in the name of the Church, publicly and officially.²⁸

In Catholic ecclesiology and canon law, an individual—even one who is ordained—cannot validly or licitly exercise the power of governance (jurisdiction) or authoritative teaching without a canonical mission granted by competent ecclesiastical authority (such as the Pope for a bishop, or a bishop for a priest in his diocese).

This concept is rooted in the theological understanding that one must be “sent” (the Latin word *missio*, mission, sending forth, derives from *mittere*, to send) by Christ, through the apostolic succession to act with Christ’s authority. The canonical mission is the concrete, legal mechanism by which that apostolic authority is conferred upon an individual for a specific territory or group of people. The canonical mission governs what Bishop Guérard

des Lauriers calls *sessio*,²⁹ that is, the occupying of sees of authority.³⁰

THE BIG QUESTION

How does the mission of the Church continue to this day? **Juridically, i.e., with regard to the canonical mission, the Church’s mission is evidenced by the existence of a pope-elect and a material hierarchy being appointed to that mission, and capable of receiving jurisdiction to rule.** The positions of authority are still being filled, and this constitutes an essential element of the mission. All the confusion we witness in the Church today derives from a single obstacle that impedes the normal functioning of the ecclesiastical apparatus: since authority formally taken goes back to Christ during *sede vacante*, the mission of the Church, which requires

²⁹ This distinction is supported by the ecclesiology of Timoteo Zapelena, who identifies a dual mission in the Church’s founding: a “juridical mission” that establishes the permanent social structure (analogous to the *sessio* or material hierarchy), and a “pneumatic mission” that infuses the vital principle of authority (analogous to the *missio* or formal jurisdiction). Zapelena writes: “Christ instituted His Church with a double mission: one juridical, by which He cemented together the social structure of the New Eve; the other pneumatic, by which He inserted the soul-like principle of life into the already formed social body.” (“*Christus Ecclesiam suam instituit duplice missione: una iuridica qua socialem novae Evee compaginem coagmentavit; altera pneumatica, qua plasmato iam corpori sociali animicum vitae principium inseruit.*”) Timoteo Zapelena, *De Ecclesia Christi*, vol. 1 (Rome: Gregorian University, 1955), 140.

³⁰ Bernard Lucien further explains the critical distinction between *sessio* (the legal occupation of the See) and *missio* (the supernatural authority to govern). He argues that, while the two are normally united, they possess distinct orderings. The *sessio* is primarily ordered to the *missio* (teaching and ruling); this relation is currently impeded by the defect of intention in the occupant. However, the *missio* implies a secondary, natural duty to perpetuate the *sessio* (ensuring the indefectibility of the Church’s structure). Lucien concludes that while the post-conciliar claimants lack the jurisdiction to teach or rule (*missio* in the primary sense), they retain the power to validly designate electors and successors (*missio* in the secondary sense), thereby preserving the material continuity of the apostolic hierarchy. See Bernard Lucien, *Op. cit.*, chap. X.

²⁸ For the distinction between the general obligation of the faithful and the public juridical office, see Pius XII, *Allocution to the Second World Congress of the Lay Apostolate*, October 5th, 1957, where the Pontiff clarifies that, while all faithful possess a private apostolate, the “public” character of the Church’s mission requires a specific *missio canonica* or mandate. See also *Codex Iuris Canonici* (1917), c. 109, which establishes canonical mission as the sole root of jurisdictional power.

authority, is also affected. In a typical papal vacancy, according to the words of Saint Antoninus quoted before, the Church's ability to exercise its power in administering jurisdiction—which governs the canonical mission—can be said to “perish.” In light of this, a situation in which those appointed to authority act against the very end for which they were commissioned would only worsen the crisis, as we see today. The current “hierarchy” aligns with the modernist plan to subvert Roman Catholicism and therefore lacks the power to teach, rule, and sanctify, all while possessing an order to this power and a real capacity to receive it.

The current crisis is unprecedented. Since the early seventies, Catholics have found themselves obliged to take matters into their own hands. Archbishop Lefebvre founded the Society of Saint Pius X to resist the changes and preserve the Latin Mass. Archbishop Thuc publicly acknowledged the vacancy of the See of Peter and ordained priests and consecrated bishops without papal mandate. One of those bishops was Guérard des Lauriers. It was a survival instinct that has yielded long-term benefits.

When discussing the mission of the Church, then, it is essential to distinguish between two groups of individuals. The first group comprises those who are canonically appointed to the mission, holding legitimate jurisdictional titles.³¹ However, they fail to fulfill their roles because they adhere to the teachings of Vatican II, thereby placing an obstacle to both mission and jurisdiction. The second group includes individuals who, although not canonically “sent,” remain faithful to a higher moral law: *the salvation of souls*, which is the very end of the Church’s mission. They exercise prudent judgment by continuing to preach the

³¹ A title is defined as the concrete fact upon which a definite person’s right to a definite juridical object is based. See Bernard Wuellner, *Dictionary of Scholastic Philosophy* (Milwaukee: The Bruce Publishing Company, 1956), 125.

Gospel and administer the sacraments to those who are spiritually deprived, thus fulfilling the *general* mission that Christ gave to His Church.³² They do this *not by virtue of jurisdiction*, but by urgent charity and necessity. The theologian Billuart cites a historical example in which a bishop, Saint Epiphanius, chose to administer holy orders outside his own territory, an act in itself irregular. Billuart clarifies that episcopal jurisdiction was not exercised in such a case, but that, nevertheless, the action was prudent and justified.³³

³² In Catholic moral theology, *epikeia* (from the Greek for “equity” or “fairness”) is a virtue rooted in justice that governs the interpretation of human laws. It rests on the understanding that human legislators draft general laws for ordinary circumstances but cannot foresee every possible specific situation. When faced with a particular case where following the strict “letter of the law” would be harmful, unjust, or counter to the common good that the law intends to serve, the ideal response is to seek clarification or dispensation from the proper authority. However, in the absence of the legislator—meaning when there is no time or opportunity to consult the competent authority due to urgency or inaccessibility—*epikeia* allows an individual to use prudent judgment to act according to the “spirit of the law.” The individual presumes the benign intention of the lawmaker, reasoning that if the legislator were present and understood the unique circumstances, he would not intend for the law to bind in that specific instance. Therefore, *epikeia* is not a license to break the law, but rather a way to fulfill the higher demands of justice and the ultimate purpose of the law when the written rule falls short in an unforeseen situation.

³³ *Objection:* Any bishop can use his authority in another diocese. Therefore, the pope has no primacy of jurisdiction. The preceding is proved: from the act of St. Epiphanius, bishop of Salamis, who, in the diocese of Jerusalem, without consulting John the bishop of Jerusalem, ordained a deacon and a priest in the monastery of Bethlehem; which act, when John had disapproved, St. Epiphanius claimed to be just and lawful. *I answer:* I deny. To the proof: **St. Epiphanius conferred orders in another diocese, not by force of jurisdiction, but by urgent charity and necessity:** for since in the monastery of Bethlehem there was a shortage of ministers of the pilgrim brothers, and those who were suitable refused to be ordained, nor could they be compelled by John the bishop of Jerusalem; both because they disagreed with him on the Origenist side, and because, as Epiphanius writes to John himself, “this monastery owed nothing to his province,” Epiphanius, finding an opportunity from God’s special dispensation, apprehended one of the rebels, and ordained him deacon, then priest, as he himself relates in his praised letter to John. But to the fact that John says that he had forbidden Epiphanius, Epiphanius responds in the same letter that he

THE CARDINALS

There is understandable confusion within the Church regarding the effects of Vatican II. This event was like an atomic bomb, shaking the very foundations of the Church. While the Church cannot be destroyed, it can certainly be shaken.³⁴ However, it is important to note that Vatican II did not create a “new church” or establish a new juridical entity. The hierarchy before and after Vatican II remains legally and materially the same. There is no loss of legality, only a privation of jurisdiction. This is the reason why “Novus Ordo Catholics,” although they must renounce their errors, are not required to make a formal abjuration before two witnesses and receive an absolution from their excommunication, as Protestants or members of the Greek schism do when they seek the Sacraments from us.

The reader should be familiar with the phrase “where Peter is, there is the Church.” Now, it is no less accurate to say: “where the Cardinals are, there is Peter,” inasmuch as they are empowered to elect Peter.

The history of papal elections up to Pius XII’s reforms underscores the College of Cardinals’ pivotal role as electors, evolving from early consensus-based selections to a structured system ensuring Church representation, continuity, and independence.

had heard nothing of such a prohibition. Translated from the Latin original. See Charles-René Billuart, *Summa Sancti Thomae* (Paris: Apud Victorem Palmé, 1900), vol. 3, diss. 4, art. 3, 367.

³⁴ The idea that the Church is tossed from time to time is not new. Saint Bede the Venerable, *In Marci Evangelium Expositio*, I.4.38, in *Corpus Christianorum Series Latina*, vol. 120, ed. D. Hurst (Turnhout: Brepols, 1960), 486: “*Navicula illa... praesignabat Ecclesiam, quae inter fluctus huius saeculi... Christo dormiente... quasi relicta, contremiscit*” (“That little boat... prefigured the Church, which amidst the waves of this world... while Christ sleeps... trembles as if abandoned”). Saint Bede draws this allegory from Saint Augustine, *Sermo 63.1–3 (PL 38:424)*: “*Navis tua cor tuum est... Quare tempestas? Quia dormit in te Christus*” (“Your boat is your heart... Why the storm? Because Christ is asleep in you”).

Initially, from the Apostolic Age to the 11th century, popes were chosen by Roman clergy and laity through acclamation, often marred by imperial interference from Roman, Byzantine, and Holy Roman rulers, leading to schisms and antipopes.

This broad involvement risked external domination, prompting reforms to centralize authority in the Cardinals—senior Roman clergy, including bishops, priests, and deacons—who symbolized the local Church’s voice.

In 1059, Pope Nicholas II’s *In nomine Domini* designated the College as sole electors, reducing lay and imperial influence to foster ecclesiastical autonomy and represent the Roman diocese’s clergy.

The Second Lateran Council (1139) eliminated lay assent, while the Third (1179) equalized Cardinal votes and required a two-thirds majority to prevent factionalism.

Prolonged vacancies, such as 1268–1271, highlighted the need for efficiency; Pope Gregory X’s 1274 *Ubi periculum* introduced the conclave, sequestering Cardinals to expedite decisions free from external pressures, a practice reinstated in 1294 by Celestine V.

This ensured apostolic succession and the continuity of governance during *sede vacante*, with the College administering the Church.

Sixtus V (1587) capped the number of Cardinals at 70, and Gregory XV (1621–1622) mandated secret ballots, thereby reinforcing secrecy and representation.

Secular vetoes (*jus exclusivae*) persisted until Pius X’s 1904 abolition, preserving the College’s independence.

Pius XII’s 1945 *Vacantis Apostolicae Sedis* refined voting (two-thirds plus one, anonymity), maintaining the College’s centrality amid global expansion.

The historical development of the College of Cardinals demonstrates its importance in upholding unity, preventing schisms, and ensuring the continuity of legitimate government in the Church. The pope is the pope *insofar as* he is the Bishop of Rome. But the Bishop of Rome is elected by those who *represent* Rome. It is true that, originally, both the Roman clergy and the Roman laity participated in the election; however, this is of interest only to historians. The legal framework established by the last reigning pope now states that only the Cardinals have the authority to elect the Roman Pontiff.

Interestingly enough, in the 1870s, the *Sacra Poenitentiaria* excommunicated members of a society that sought to reclaim the right to elect the pope for the Roman people.³⁵

Even if we set aside the views of Bellarmine, St. Antoninus, Turrecremata, Albanus, Azorius, and many others who argue that the College of Cardinals is divinely instituted,³⁶ the current crisis of authority highlights the providential role of this College.³⁷

³⁵ The *Società cattolica italiana per la rivendicazione dei diritti spettanti al popolo cristiano, ed in ispecie al popolo romano* (Italian Catholic Society for the Vindication of the Rights Belonging to the Christian People, and Especially to the Roman People) was a short-lived but controversial movement in post-unification Italy that argued the power to elect the Pope should be returned to the people of Rome, rather than being the exclusive privilege of the College of Cardinals. According to a document issued on August 4, 1876, anyone who registered with the Society or promoted its ideas faced an excommunication *latae sententiae* specially reserved for the Roman Pontiff. Cf. Sacred Apostolic Penitentiary, “Declaration regarding the *Società Cattolica Italiana per la rivendicazione dei diritti spettanti al popolo cristiano*,” August 4, 1876, in *Nouvelle Revue Théologique* 8 (1876): 462.

³⁶ These authors speak about the substance of the Cardinalate, not about the way the College exists today. A strong argument in favor of the divine institution of the College of Cardinals, as successors of the Apostles, is the condemnation of the following teaching of John Hus (Denz. n. 639): *The Cardinals are not the true and manifest successors of the college of the other apostles of Christ, unless they live in the manner of the apostles, keeping the commandments and counsels of our Lord Jesus Christ.*

³⁷ “Moreover, even assuming that it is now certain that the Cardinals have proceeded from an exclusively

Perpetual successors of Peter demand perpetual electors of Peter.³⁸ Pope Pius XII, echoing his predecessors, affirms that “the right to elect the Roman Pontiff belongs solely and exclusively to the Cardinals.”³⁹ There is no need to engage in theological speculation regarding “imperfect general councils” or other extraordinary election methods when a College of Cardinals is still in place.⁴⁰

ecclesiastical institution, **it still remains morally certain that their college will remain until the end of the world.** For since there will always be a need for those who will assist the Roman Pontiff in the government of the Church, and among the possible forms of such assistance, the College of Cardinals easily surpasses the others, both by antiquity, and by the splendor of the Apostolic institution, and by its own natural aptitude (which right reason perceives and experience demonstrates to be very great), the case in which the aforesaid suppression would ever be deemed useful by the Apostolic See can be considered a chimerical one.” D. Bouix, *Tractatus de Curia Romana*, Paris (1859), p. 52.

³⁸ “Si quis ergo dixerit, non esse ex ipsius Christi Domini institutione seu iure divino ut beatus Petrus in primatu super universam Ecclesiam habeat perpetuos successores; aut Romanum Pontificem non esse beati Petri in eodem primatu successorem; anathema sit.”

Translation: “Therefore, if anyone says that it is not by the institution of Christ the Lord Himself (that is to say, by divine law) that blessed Peter should have perpetual successors in the primacy over the whole church; or that the Roman pontiff is not the successor of blessed Peter in this primacy: let him be anathema.” Vatican Council I, “First Dogmatic Constitution on the Church of Christ (*Pastor Aeternus*),” July 18, 1870, sess. 4, chap. 2, canon, in *Decrees of the Ecumenical Councils*, ed. Norman P. Tanner, vol. 2 (Washington, DC: Georgetown University Press, 1990), 814.

³⁹ “Jus eligendi Romanum Pontificem ad S. R. E. Cardinales unice et privative pertinet.” Pius XII, “Apostolic Constitution *Vacantis Apostolicae Sedis*,” December 8, 1945, *Acta Apostolicae Sedis* 38 (1946): 65–69.

⁴⁰ The question of how the Church elects a Pope if the College of Cardinals were to be entirely extinguished (or if their identity were hopelessly confused) is a classic problem in ecclesiology known as the **“Supplication of the Electorate.”** Theologians generally agree that the Church, being a “Perfect Society,” has the inherent right to elect a leader. However, they disagree on *who* specifically exercises this right: the **Universal Church** (via a General Council) or the **Roman Church** (via the Roman Clergy). For the argument favoring the **Universal Church**, see Tommaso de Vio Cajetan, *De Comparatione Auctoritatis Papae et Concilii*, cap. 13, no. 742, who argues that while the right belongs effectively to the Church of Rome, it belongs representatively to the Universal Church; Francisco de Vitoria, *Relectiones Theologicae II: De Potestate Ecclesiae*, q. 2; and Louis Billot, *Tractatus de Ecclesia*

Since the apostolicity of succession is linked to the continuity of government, the juridical elements of the Church cannot suffer a substantial change.⁴¹ In other words, **the legal/material/human aspect of the Church, embodied by the College of Cardinals, must always exist to guarantee the institutional existence of the papacy.**

An objection could be raised: How can we have Cardinals if there is no pope *formally* to appoint them? My research led me to discover that great theologians (for example, Fathers Zapelena and Wilmers) have considered such a scenario. They argue that *false popes* receive **supplied power** from Christ to perform valid ecclesiastical acts when necessity urges.⁴² The Cassiciacum Thesis affirms that the continuity of the Church as an institution requires that the “Vatican II popes,” who enjoy at least a *colored*

title⁴³ to the papacy, exercise a supplied power from Christ in the appointment of Cardinals.

CONCLUSION

We began this article by asking: If the See of Peter has been vacant since 1958, how is the Catholic Church still apostolic? Where is the Church if not in Rome? How is the Church visible today?

Our argument relies on the distinction between the legal occupation of the office (*sessio*) and the divine mission (*missio*) which is governed by formal authority. While the *sessio* is primarily ordered to the supernatural *missio* (teaching, ruling, and sanctifying)—a relation currently severed in the post-conciliar hierarchy due to a defect of intention—there exists a secondary, natural relation wherein the *missio* serves merely to perpetuate the *sessio* (the visible structure of the Church). Consequently, while the claimants lack the formal authority to teach or rule, they retain the power of legal

Christi (Rome: Gregorian University, 1927), q. 14, th. 29. For the argument favoring the **Roman Clergy**, see St. Robert Bellarmine, *De Clericis*, blk. 1, chap. 10; St. Antoninus of Florence, *Summa Theologica*, pars III, tit. 21, cap. 2; and Francisco Suárez, *De Fide*, disp. 10, sect. 6, no. 19. The canonist Albanus (cited in Bellarmine, *De Clericis*, blk. 1, chap. 10) further restricts this right, arguing that the election pertains exclusively to the clergy of the diocese of Rome.

⁴¹ “[T]he juridical principles, on which the Church rests and is established, derive from the divine constitution given to it by Christ and contribute to the attaining of its supernatural end[.]” Pius XII, “Encyclical *Mystici Corporis Christi*,” June 29, 1943, *Acta Apostolicae Sedis* 35 (1943): 193–248, sec. 63.

⁴² “However, if you were to hypothesize that those three popes were null [during the Great Western Schism], you would have to admit that jurisdiction was supplied (on account of [their] colored title) not, indeed, by the Church—which lacks supreme power—but by Christ Himself, who would confer upon each of those antipopes as much jurisdiction as was necessary.” Zapelena, *De Ecclesia Christi*, Roma, 1954, pars alt., p. 115.

⁴³ Ancient canonists and theologians distinguished four kinds of titles: 1) *true* or *legitimate*, given by competent authority under the required forms, to a capable subject. This title confers a genuine jurisdiction; 2) *invalid*, which lacks one of the essential conditions or is made void by the law, a defect which is usually public and can be easily known; 3) *colored*, which has all the appearances, the colors, of validity but which in reality has no value or effect, by reason of a hidden defect; 4) *putative*, or *presumed*, which is falsely believed to have been given, but which in reality does not exist and has never been granted. In matters of jurisdiction, properly so called, it goes without saying that an invalid title or a putative title are unable of themselves to transmit or create legitimately an ordinary or delegated power. And yet, these two kinds of titles can serve as the basis for the “common error,” because they are capable of creating in the community a false judgment about the existence of the jurisdiction. However, in the case of a common error, the Church declares to supply the jurisdiction. Cf. canon 209. For a greater reason, if there is a *colored* title, the common error will happen almost automatically and will produce the same effects as a true and legitimate title. Tr. from the original French. “Titre,” in *Dictionnaire de théologie catholique*, eds. A. Vacant, E. Mangenot, and É. Amann (Paris: Letouzey et Ané, 1946), vol. 15, col. 1151. Cf. “The Little Catechism on the Thesis,” Q. 11, in *The Thesis, thethesis.us*.

designation. The Cassiciacum Thesis holds that Christ supplies the necessary jurisdiction for these specific acts (e.g., the appointment of Cardinals) to ensure the material continuity of the hierarchy and the indefectibility of the Church as a visible society.

The Church remains apostolic because apostolicity is linked to the succession of the Petrine See. Since the Church retains the power to elect the next pope, this succession is guaranteed; the Church *is* in Rome, because the Cardinals, who are the clergy of Rome, continue to elect the Bishop of Rome. In fact, there is a *pope-elect* in the Vatican who can become the pope formally by removing the obstacle to his election.

Election provides the ultimate disposition to receive authority;⁴⁴ election is the remote matter,⁴⁵ while consent to the election is

⁴⁴ In the metaphysics of acquiring authority, the **election** (or designation) of the person is viewed as the *materia remota* (or initial disposition). It identifies the specific subject to receive the form of jurisdiction but does not of itself unite the form to the subject. The **acceptance** of the election serves as the *materia proxima* (or ultimate disposition). It is the final condition required to make the subject immediately capable of receiving the form. As John of St. Thomas explains, the election applies the person to the power merely *dispositive* (as a disposition), but it is the acceptance that completes this disposition, allowing Christ to immediately infuse the power. Without this proximate disposition, the election remains a purely material designation without formal authority. See John of St. Thomas, *Cursus Theologicus*, II-II, q. 1, disp. 2, a. 1, “De Auctoritate Summi Pontificis,” nn. 3–8.

⁴⁵ **Understanding “Remote” vs. “Proximate” Matter.** To understand this philosophical distinction, imagine you are building a house or cooking a meal. **Remote Matter** is the “raw stuff.” It *could* become what you want, but it is not ready yet. It needs work before it can receive the final form. *Example: Flour* is the *remote matter* of a cake. You cannot put dry flour in the oven and expect a cake. It has the potential, but it lacks the preparation. **Proximate Matter** is the “ready-to-go” material. It has been prepared, shaped, or mixed so that it is immediately ready to receive the final form. *Example: Batter* is the *proximate matter* of a cake. It is no longer just flour; it is mixed and ready. The moment you add the heat, it becomes a cake. **Applying this to the Election: The Election (Remote Matter):** The Cardinals choose a man. He is like the “flour.” He *could* be Pope, but he is not yet. He is just a designated candidate. **The Acceptance (Proximate Matter):** The man says, “I accept.” Now he is like the “batter.” He is immediately disposed and ready. At that exact moment, God gives him

the proximate matter.⁴⁶ Despite the significant harm caused to the Church, Vatican II has not hindered the legal continuity necessary for formal apostolic succession.

APPENDIX I: ON THE OBLIGATIONS OF CATHOLICS

From the perspective of the Cassiciacum Thesis, the obligations of a traditional Catholic in the confusion caused by Vatican II revolve around recognizing the unique state of the hierarchy—that the occupants of apostolic sees are popes and bishops *materially* (they hold the place) but not *formally* (they lack God-given authority, due to placing an obstacle to receiving it).

Based on this perspective, the obligations of the faithful are summarized as follows:

Absolute Avoidance of “Una Cum” Masses.⁴⁷

The primary practical obligation is to

the power (the “heat”), and he becomes the Pope. **In the case of “Vatican II popes,” the designated candidates vitiated their consent (by not intending the common good of the Church), and therefore never received power from Christ.**

⁴⁶ “The pontificate, being supreme and immediate, requires merely an appropriate human factor or instrument in order to exist. (**Election is, we might say, the remote material element, whilst the consent of the elect is *materia proxima*, to which is added the divine form of the primacy embodied in the Roman bishop.**)” Charles Augustine Bachofen, *A Commentary on the New Code of Canon Law*, vol. 2, Clergy and Hierarchy (St. Louis: B. Herder Book Co., 1918), 210.

⁴⁷ Bishop Sanborn presents two compelling reasons why sedevacantists should avoid attending *una cum* Masses (such as those offered by the SSPX, which include the name of a conciliar claimant in the Canon):

1. The *una cum* prayer is reciprocal, meaning it professes the Sacrifice as being offered in unity with the named “pope” (for instance, a hypothetical Leo XIV as the true pope). However, a legitimate pontiff would not be in communion with groups like the SSPX, which inconsistently recognizes conciliar claimants while resisting their errors. Therefore, this supposed communion does not hold theologically in both directions, making participation in such Masses a false profession of faith.

strictly avoid assisting at any Mass—even a Traditional Latin Mass—that is offered *una cum* (“together with”) the present claimant to the papacy (e.g., “Pope” Leo). According to the Thesis, naming a man who lacks formal apostolic authority in the Canon of the Mass is an objective falsehood. It establishes an illicit communion with one who is damaging the Church. The faithful must only attend Masses offered by priests who omit the name of the post-conciliar claimant. The Mass by its very nature is an act of the whole Church.⁴⁸ To include the name of a false pope in the Mass objectively places the Mass outside the Church.

Recognition of the Lack of Formal Authority: Catholics are obliged to recognize that while the post-Vatican II claimants to the papacy are legally elected designate-popes, they do not possess the divine jurisdiction required to teach, govern, and sanctify the Church because their intention is contrary to the good of the Church. Therefore, they are not true Vicars of Christ *in act*.

Refusal of Submission to Conciliar Novelties: Because the hierarchy lacks formal authority, the faithful must refuse submission to the teachings of Vatican II, the *Novus Ordo Missae*, the new sacramental rites, and the new Code of Canon Law. These reforms are viewed as non-binding and harmful to the Faith.

2. Christ is the Head of the Church and cannot be in communion with a false pope. Thus, including the name of a false pope in the Canon profanes it. The faithful should refrain from joining in the offering of the Sacrifice in this defective union, as it contradicts Christ’s own non-communion with a false pontiff. In other words, if Leo is a true pope, the *una cum* SSPX Mass is objectively schismatic, since it is not approved by him; if he is not the pope, it is objectively schismatic, since it is offered in union with a false pope.

⁴⁸ “The sacred liturgy is, consequently, the public worship which Our Redeemer as Head of the Church renders to the Father, as well as the worship which the community of the faithful renders to its Founder, and through Him to the heavenly Father. **It is, in short, the worship rendered by the Mystical Body of Christ in the entirety of its Head and members.**” Pius XII, “Encyclical *Mediator Dei*,” November 20, 1947, *Acta Apostolicae Sedis* 39 (1947): 521–595.

Adherence to Tradition: The faithful must preserve the Catholic Faith in its entirety, adhering exclusively to the Church’s doctrine, discipline, and liturgy as they existed before the changes of Vatican II, supporting only those clergy who reject the “living” conciliar magisterium and the “una cum” position.

Prayer for the Hierarchy: Unlike total sedevacantism, the Cassiciacum Thesis holds that the material occupants can revert to formal authority if they remove the obstacle (i.e., condemn the errors of Vatican II and restore Tradition). Therefore, the faithful have a duty to pray for the conversion of the material hierarchy so that the See of Peter may once again return to order and authority be restored in the Church.

APPENDIX II: SAINT ANTONINUS IN HIS OWN WORDS

Utrum mortuo papa potestas ejus remaneat in collegio cardinalium? Respondeat Augustinus in dist. 51, q. 3. Duobus modis potestas papae remanet in collegio cardinalium ipso defuncto, primo quantum ad radicem. Comparatur enim collegium ad papam, sicut radix ad arborem vel ramum. Sicut autem potestas arboris vel rami qua floret et fructum producit remanet in radice, ipsa arbore vel ramo defuncto, sic potestas papalis remanet in ecclesia, vel collegio ipso papa mortuo. In collegio quidem tamquam in radice propinqua et in ecclesia praelatorum et aliorum fidelium tamquam in radice remota. Secundo talis potestas remanet in ecclesia et in collegio quantum ad illud, quod est in papatu materiale, quia papa mortuo potest collegium per electionem personam determinare ad papatum, ut sit talis vel talis. Unde sicut radix producit arborem mediante qua flores et fructum producit, sic collegium facit papam habentem jurisdictionem et administrationem ejus in ecclesia. Unde **si nomine papatus intelligimus personae electionem et determinationem quod est aliquid materiale in papam (ut dictum est) sic talis potestas remanet in**

collegio mortuo papa. Si vero nomine potestatis papalis intelligimus ejus auctoritatem et jurisdictionem, quod est aliquid formale, sic talis potestas numquam moritur, quia semper remanet in Christo, et resurgens a mortuis jam non moritur. Unde super illo verbo, data est mihi omnis potestas in coelo et in terra, et ecce ego vobiscum sum omnibus diebus usque ad consummationem saeculi (Matth. 28:20), dicit Augustinus quod apostoli quibus Christus loquebatur non permansuri erant usque ad consummationem saeculi, sed in persona omnium sequentium eos ipsis locutus est tamquam uni corpori ecclesiae. Sed si nomine potestatis papalis intelligimus actualem administrationem, quod est quid materiale et formale in papatu, sic actualis administratio bene moritur mortuo papa, quia nec remanet in collegio actualis administratio potestatis papalis ipso mortuo, nisi in quantum per statutum praedecessoris est eis commissum, nec remanet isto modo in Christo, quia de communi lege Christus post resurrectionem non est executus talem potestatem, nisi mediante papa, licet enim ipse sit ostium. Petrum tamen et sucessores suos constituit ostiarios suos, quibus mediantibus aperitur et clauditur janua intrandi ad ipsum. **Potestas ergo ecclesiae non moritur mortuo papa quantum ad jurisdictionem, quod est quasi formale in papatu, sed remanet in Christo. Nec moritur quantum ad personae electionem et determinationem, quod est tamquam quid materiale, sed remanet in collegio cardinalium, sed moritur quantum ad actualem administrationem jurisdictionis ejus, quia mortuo papa ecclesia vacat, et privatur administratione talis potestatis. Nec obstat si dicatur Christi sacerdotium durare in aeternum sicut Christus, ergo mortuo papa remanet potestas ejus, quia hoc est verum quantum ad id quod est formale in sacerdotio, sicut enim omnes sacerdotes non sunt nisi unus sacerdos, puta Christus quantum ad potestatem conficiendi, quia omnes conficiunt in persona Christi, sic omnes papae non sunt nisi unus papa, puta Christus, quia omnes papae recipiunt jurisdictionem et potestatem administrandi immediate a deo: moritur tantum actualis administratio dicatae potestatis mortuo isto vel illo papa.**

— S. Antoninus Florentinus, *Summa Sacrae Theologiae*, pars III, tit. XXI, n.3.

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