

Archbishop Lefebvre and the Conciliar Popes

Papa dubius

While we are certain that the faith the Church has taught for 20 centuries cannot contain error, *we are much further from absolute certitude that the pope is truly pope.*¹

The theological position of Archbishop Lefebvre with respect to the Conciliar popes is shrouded in some mystery, for several reasons. First, despite the fact that the Archbishop made many comments on the possibility that the modern claimants may not truly be popes, and laid down *in extenso* the relevant principles upon which the question should be assessed², he did not actually detail his own stance on the matter. He provided sufficient data from which to divine his position, but he didn't explicitly state it at any length. Second, Michael Davies air-brushed the record so that the relevant information on this topic was simply not in the possession of most traditional Catholics. It had to be gathered together from many disparate sources, and until recently nobody has performed this work. Third, the Archbishop in one sense regarded the question as occupying a secondary place, which will be apparent from the analysis to follow.

Just as a correct understanding of the attitude of the Archbishop towards the sedevacantist thesis requires that we keep his own unique position in the traditionalist movement in mind, likewise when we examine the related question of *his own* thesis we must place it in the context of what he felt were his responsibilities, and within the context of his particular character and outlook.

As has been previously stated, Archbishop Lefebvre felt great responsibility for the faithful, religious, and clergy who looked to him for guidance in the crisis. Equipped with a profound native prudence, he always aimed to keep clearly distinct two categories of facts: those which were essential or necessary for maintaining the faith, and those which were able to be left aside pending further consideration. This explains his insistence that the doctrine concerning true and false obedience was *sufficient* for that minimal set of actions which were absolutely necessary, such as refusing the errors of Vatican II and the reforms to which it gave birth, and continuing to provide the sacraments and ordain priests, and ultimately bishops, for the continuance of the Church. Both charity and prudence also informed his care to avoid commenting upon, or forming judgements about, *persons* whenever possible.

The Archbishop's aim was to ensure that the faithful would have the mass, the sacraments and sound doctrine whilst avoiding unnecessary practical problems or difficulties of conscience for the clergy or for the faithful. The pope question he felt was deeply mysterious. Holy and learned men differed on the question, both sides presenting what seemed to be strong arguments, neither side securing a decisive victory. Further, the question was profoundly divisive. He recognised that the dispute was a legitimate one, that Christian doctrine did not demand that either view be outlawed. Yet he did not feel that the data was sufficiently solid to enable a secure judgement either way.

¹ *Le Figaro*, August 4, 1976

² Especially in his 1986 conferences delivered to seminarians in the USA and published in *The Angelus* and *Fideliter*.

With this mind, the Archbishop tolerated both openly sedevacantist and anti-sedevacantist priests and seminarians within the Fraternity. As he is reported to have expressed it once, *I do not say that the pope is not the pope, but I do not say either that one cannot say that the pope is not the pope.*

This statement summarises the true opinion of Archbishop Lefebvre, neither sedevacantist nor dogmatically sedeplenist. However there are in fact several positions relative to the Conciliar popes, not just the two possibilities generally chosen by traditional Catholics. These possibilities are permutations of two main questions.

1. Is the Conciliar claimant truly pope?
2. Is it lawful to hold either view of this question?

Consequently, there were from very early in the crisis those who held that Paul VI was certainly pope and anybody who denied it was a schismatic. Likewise, there existed men who regarded Paul VI's claim as certainly false, and held that anybody who failed to see this was a schismatic, adhering to a false pope at the head of a false church. However there were also those, possibly even a majority of thinking traditionalists at various times, who acknowledged that the question was legitimate, and that neither answer could claim sufficient objective certitude to render the other illegitimate. And in this last category were both sedevacantists and sedeplenists. We may title these various positions as Dogmatic Sedevacantism, Diffident Sedevacantism, Dogmatic Sedeplenism, and Diffident Sedeplenism.

Yet it would not suffice to describe Archbishop Lefebvre as a diffident sedeplenist, for he openly speculated that he may well change his view and judge that the See was in fact vacant. Indeed, the more one reviews his various statements on the question, over several decades, the clearer this becomes. So that one arrives at the conclusion that Archbishop Lefebvre's outlook can only be described as "*Papa dubius*"³ – the pope's status is doubtful.

In 1977, in a prepared text intended to clarify things for the clergy and faithful, the Archbishop stated that one day the Church may judge that Paul VI had *not* in fact been pope.

The question is therefore definitive: is Paul VI, has Paul VI ever been, the successor of Peter? If the reply is negative: Paul VI has never been, or no longer is, pope, our attitude will be that of *sede vacante* periods, which would simplify the problem. Some theologians say that this is the case, relying on the statements of theologians of the past, approved by the Church, who have studied the problem of the heretical pope, the schismatic pope or the pope who in practice abandons his charge of supreme Pastor. It is not impossible that this hypothesis will one day be confirmed by the Church.⁴

³ Literally, "a doubtful pope".

⁴ Archbishop Lefebvre, Écône, February 24, 1977, *Answers to Various Burning Questions*. This is one of the striking texts that Michael Davies omitted from his books.

What was this but the acknowledgement that Paul VI was not *certainly* pope? And this is precisely how Bishop Tissier de Mallerais summarised it after the Archbishop's death. In 1998, as part of his reflections on the tenth anniversary of the episcopal consecrations, Bishop Tissier summarised the Archbishop's thinking as follows:

He said more than once about these popes – about Paul VI from 1976, and about John Paul II, after the prayer meeting of religions at Assisi in 1986 – that he did not exclude the possibility that these popes were not popes, that one day the Church will have to examine their situation, that a future pope and his cardinals might have to pronounce the finding that these men had not been popes. But for himself, he *preferred* to consider them as popes.⁵

And in the same interview, Bishop Tissier made public a text originally written by Archbishop Lefebvre in 1984.

The current state of the papacy renders insignificant the difficulties over jurisdiction, disobedience and apostolicity, because these notions suppose the reign of a pope Catholic in his faith and government. Without entering into consideration of the consequences of an heretical, schismatic or non-existent pope, which would lead to interminable theoretical discussions, in conscience could we not and ought we not, after the promulgation of the 1983 Code of Canon Law which clearly affirms the new Church, and after his scandalous declarations concerning Luther, now affirm that Pope John Paul II is not Catholic? We say no more, but we say no less. We had waited for the measure to become full, and it is so henceforth.⁶

The diffident, provisional character of the Archbishop's position, evident in so many of the texts in which he made comment upon it, was apparent also in his 1986 conferences in which he suggested that he was about to alter his judgement and decide that the See of Rome was in fact vacant.

For twenty years, Msgr. de Castro-Mayer and I *preferred to wait*, we said it was more prudent and more in conformity with Providence to wait because it is so important, so tragic, when it is not just a bishop, archbishop or cardinal, but the man in the chair of Peter. It is so important, so grave, so sad, that we prefer to wait until Providence gives us such evidence, that *it is no longer possible to refuse* to say that the Pope is a heretic.⁷

It is well known that Bishop Tissier is the most authentic channel of the thought of Archbishop Lefebvre, and for this reason a letter from the Bishop which has recently come to light is of great interest. The text is as follows.

⁵ Bishop Tissier de Mallerais in an interview published in the French magazine of the Society of Saint Pius X, *Fideliter*, (n. 123, pp. 25-29. May-June 1998), marking the tenth anniversary of the episcopal consecrations of June 1988. Emphasis added.

⁶ *Ibid.*

⁷ Talks given by Archbishop Marcel Lefebvre, March 30 and April 18, 1986, *The Angelus*, vol. IX, no. 7, July 1986. In 1988, when he proceeded to consecrate bishops against the will of John Paul II, Archbishop Lefebvre was securing what was *certainly necessary* – the continuance of true Catholic clergy in the world – by acting against what was *not completely certain* – the authority of John Paul II.

To: Fr. Paul Schoonbroodt
2/28/2009

Dear Fr.

I received your letter upon my return from the U. S. I can see why a priest or a layman can entertain doubts as to the validity of a Pope such as J.P. II or Benedict XVI; did not Msgr. Lefebvre entertain them? However just as our venerable founder, I myself do not wish to make this legitimate doubt the main reason for my combat or as a justification for my actions. My combat is based totally on the duty to defend the faith as per St. Paul. As for him who is seated on the See of Rome: Because there is a doubt, the presumption is in favour of the possessor; and since the Sede-Vacante arguments are not accepted by the vast majority of the traditionalist Catholics, it is necessary to apply Can. # 209: "in dubio positivo...jurisdictionem supplet ecclesia pro for tum externo tum interno." (in case of positive doubt... jurisdiction is supplied by the Church in both the internal and external forums.); that is why the SSPX maintains contact with Benedict XVI; of course, not to embrace his errors, but to convert him.

Please accept dear Fr. The assurance of my religious devotion in spite of all this in Our Lord Jesus Christ.

+Bernard Tissier de Mallerais

Several things are sufficiently clear from this letter. First, that the diffident sedevacantist view is lawful; Archbishop Lefebvre himself doubted the legitimacy of the Conciliar popes. Second, given its doubtful nature, this view cannot be the basis of our resistance to Vatican II, which must rather be based upon the supernatural certitude of faith. Third, if Benedict isn't pope, those acts of his which are objectively for the good of souls are valid by virtue of supplied jurisdiction. Jurisdiction is supplied under various conditions, one of which is in positive and probable doubt of fact. A positive doubt is a doubt based upon a serious reason yet without sufficient strength to exclude all fear of error. A doubt is probable if there is solid and probable reason in favour of a proposition, which however falls short of certitude. Bishop Tissier is therefore saying that the proposition that Benedict is not pope has solid probability; it is not a flippant or irresponsible opinion. Fourth, Benedict requires conversion to the faith – he does not profess the Catholic faith.

Several things are unclear, which isn't surprising given the brevity of the text. It is unclear what Bishop Tissier means by saying that it is necessary to apply canon 209 on supplied jurisdiction because most traditional Catholics are not sedevacantists. This fact would seem to be irrelevant technically. What is necessary is that the doubt be, objectively, positive and probable. The opinions of most traditionalists would be beside the point. The opinions of traditional Catholics would only be relevant if one were considering the existence of supplied jurisdiction under condition of *common error*, rather than positive and probable doubt of fact or law.

Consider the way that the argument runs: "since the Sede-Vacante arguments are not accepted by the vast majority of the traditionalist Catholics, it is necessary to apply Can. # 209". Implied by this argument is the corollary, if the Sede-Vacante arguments *were* accepted by the vast majority of the traditionalist Catholics, Benedict would exercise no jurisdiction, even supplied jurisdiction. As already stated, this argument would apply properly to a case of *common error*, not to one of positive and probable doubt. So this is unclear.

Also unclear is the conclusion that Bishop Tissier draws, “that is why the SSPX maintains contact with Benedict XVI.” This cannot truly be a conclusion based upon the existence of supplied jurisdiction, which does not bestow or confirm an otherwise doubtful office, but merely supplies jurisdiction for specific acts.

To supply jurisdiction means to give it *in the very acts* which are placed without jurisdiction from any other source. Hence when jurisdiction is supplied by the Church, the person acting is entirely without jurisdiction both before and after the act in question; he has jurisdiction, supplied by the Church, only in the act itself.⁸

If Benedict exercises supplied jurisdiction, he isn't pope. Therefore, treating him as pope would not be a result of considering that he exercises supplied jurisdiction. What then does Bishop Tissier mean in this very compressed comment? His “that is why” must refer back to an earlier point, and that would be the fact that most traditionalists do not accept the “Sede-Vacante arguments.” To put it in its full form, the argument would read, “since the Sede-Vacante arguments are not accepted by the vast majority of the traditionalist Catholics, the SSPX maintains contact with Benedict XVI.” The case regarding supplied jurisdiction is entirely distinct and essentially unrelated.

Finally, Bishop Tissier's comment as follows is unclear: “Because there is a doubt, the presumption is in favour of the possessor.”

This is an application of the general principle that possession is nine-tenths of the law; the principle of *prescription*. However the Code of Canon Law⁹ states that whatever pertains to divine law, whether natural or positive, cannot be subject to prescription. But if Benedict is not pope, this is because of divine law, the divine law which requires all Christians to avoid heretics, as St. Robert Bellarmine teaches. Therefore it would seem that prescription would not apply to the office of the papacy in the case of a claim by a public heretic.

On the contrary, the doctrine explained by Wernz and Vidal would seem to be applicable.

454. Scholion.

The ancient authors everywhere admitted the axiom, 'Papa dubius est papa nullus' [i.e. 'A doubtful pope is no pope'], and applied it to solve the difficulties which arose from the Great Western Schism. Now this axiom could have several meanings. For instance 'a doubtful pope' could be understood not negatively, but positively - i.e. in the sense that would apply when, after a careful examination of the fact, competent men in the Catholic Church would pronounce: 'The validity of the canonical election of this Roman pontiff is uncertain.' Moreover, the words 'No pope' are not necessarily understood of a pope who has previously been received as certain and undoubted by the whole Church, but concerning whose election so many difficulties are subsequently brought to light that he becomes 'a doubtful pope' so that he would thereby forfeit the pontifical power already obtained.

⁸ Bouscaren & Ellis, *Canon Law, A Text and Commentary*, 2nd Ed. Bruce, Milwaukee, 1953, p. 141. Emphasis in the original.

⁹ CIC 1509.

This understanding of the axiom concerning 'a doubtful pope' should be reproved, because the whole Church cannot entirely fall away from a Roman pontiff who has been legitimately elected, on account of the unity promised to His Church by Christ. But the other part of this axiom could have the meaning that a Roman pontiff whose canonical election is uncertain and remains subject to positive and solid doubts after studious examination, absolutely never did acquire also the papal jurisdiction from Christ the Lord. For this reason the bishops gathered together in a general council, in the event that they subject to examination a doubtful case of this kind, do not pronounce judgement on a true pope, since the person in question lacks the papal jurisdiction. Now if the axiom be understood in this last sense, the doctrine which it contains is entirely sound. Indeed this is what is deduced in the first place from the very nature of jurisdiction. For jurisdiction is essentially a relation between a superior who has the right to obedience and a subject who has the duty of obeying. Now when one of the parties to this relationship is wanting, the other necessarily ceases to exist also, as is plain from the nature of the relationship. However, if a pope is truly and permanently doubtful, the duty of obedience cannot exist towards him on the part of any subject. For the law, 'Obedience is owed to the legitimately-elected successor of St. Peter,' does not oblige if it is doubtful; and it most certainly is doubtful if the law has been doubtfully promulgated, for laws are instituted when they are promulgated, and without sufficient promulgation they lack a constitutive part, or essential condition. But if the fact of the legitimate election of a particular successor of St. Peter is only doubtfully demonstrated, the promulgation is doubtful; hence that law is not duly and objectively constituted of its necessary parts, and it remains truly doubtful and therefore cannot impose any obligation. Indeed it would be rash to obey such a man who had not proved his title in law. Nor could appeal be made to the principle of possession, for the case in question is that of a Roman pontiff who is not yet in peaceful possession. Consequently in such a person there would be no right of command - i.e. he would lack papal jurisdiction.

The same conclusion is confirmed on the basis of the visibility of the Church. For the visibility of the Church consists in the fact that she possesses such signs and identifying marks that, when moral diligence is used, she can be recognised and discerned, especially on the part of her legitimate officers. But in the supposition we are considering, the pope cannot be found even after diligent examination. The conclusion is therefore correct that such a doubtful pope is not the proper head of the visible Church instituted by Christ. Nor is such a doubtful pope any less compatible with the unity of the Church, which would be in the highest degree prejudiced in the case of the body being perfectly separated from its head. For a doubtful pope has no right of commanding and therefore there is no obligation of obedience on the part of the faithful. Hence in such a case the head would be perfectly separated from the rest of the body of the Church. Cf. Suarez, *De Fide*, Disp.10, sect.6, n.4, 19.

Now, this doctrine is not so clear as to permit the bare assertion that if Benedict's claim is doubtful, then he is not pope. This I say because to make that case (a case I believe *can* be made), requires the demonstration of several intermediary truths. First, it must be shown that the whole Church did not peacefully accept Benedict's claim when was first elected. This, I say, can be shown, but unless it is, the doctrine of Wernz and Vidal will not aid in settling the debate. Second, it must be shown that Benedict's claim is objectively doubtful, in the sense meant by Wernz and Vidal. Unfortunately those esteemed authors did not treat explicitly of the case of a heretical pope, so that the application is debatable. A strong case can be put, but it would be open to others to dispute it, and I think with arguments of some probability.

For the purposes of this article, we have seen enough. Our aim was to understand the position taken by Archbishop Lefebvre in relation to the question of the status of the Conciliar popes.

The Archbishop held that their status was doubtful. Bishop Tissier interprets this to mean the kind of doubt which would justify the application of canon 209, a positive and probable doubt of fact. Yet if this is truly the status of the Conciliar popes, it would seem that the doctrine *Papa dubius est papa nullus*, would apply, and render certain what is otherwise doubtful.

In any case, Archbishop Lefebvre's view certainly saved him from a rash subjection to Paul VI and John Paul II. He applied precisely the central constitutive principle enunciated by Wernz and Vidal, "indeed it would be rash to obey such a man who had not proved his title in law." Archbishop Lefebvre treated neither of them as Catholics must and always have treated undoubted popes. He invoked the doctrine of emergency, and proceeded to act entirely independently of them, preserving merely a verbal acknowledgement of their claims.

The entire strength of the Conciliar revolt has been in the prestige of Rome. Without it, the revolt would have been an abject failure; with it, it has been an unprecedented success. Obedience has been employed in favour of revolt. Archbishop Lefebvre's repeated speculation concerning the true status of Paul VI and John Paul II served as a powerful weapon against both Modernist claimants, stripping them of some of the power they wielded against the faithful. Neither man could ever be quite sure that Archbishop Lefebvre would not finally form the judgement that the See of Rome was vacant, and that their power was null. This seriously weakened their hand, and enabled the Society of St. Pius X to flourish without serious intervention by the Modernists. To the extent that the Society has lost sight of Archbishop Lefebvre's true view of this question, it has been drawn into dangerous relations with the heretics.

John Lane
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