

THE CASE OF



ABP. PIERRE MARTIN

NGO-DINH-THUC

THE BULLETIN

"So the faith was planted: so must it be restored"

Eight Pond Place - Oyster Bay, NY 11771

JANUARY, 1994

THE MENTAL STATE OF ARCHBISHOP THUC

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"The relapse into profanation of the sacrament of order (the latest consecration conferred in a sect was on 24 Sep 1982) and the lack of firmness in his promise not to lapse again make it permissible to ask an essential question. Was this old man, over 85 years of age, in possession of his faculties, did he realize what he was doing in imposing his hands so easily on no matter whom? Was he truly responsible for his acts? There are only three possible answers to this distressing question.

- No. Thuc was not in possession of all his faculties; he was not responsible and did not incur the penalties provided by the Law. But then the consecrations conferred are not valid, since the consecrator was not in possession of his faculties for the performance of a responsible act.

- Yes. The consecrator at these consecrations was in full possession of his faculties. The consecrations are valid but consecrator and consecrated have incurred all the penalties provided by the Law and Thuc is truly a scandalous bishop.

- We do not know with certainty. Perhaps he was in possession of his faculties, and perhaps he was not. That would leave a doubt hovering over the censures incurred, but also over the validity of all these ordinations." [Father Noel Barbara, "WHAT ARE WE TO THINK OF THE BISHOPS CONSECRATED BY NGO DINH THUC, CARMONA, VEZELIS, MUSEY ETC.?"]

INTRODUCTION

On November 30, 1993 Fr. Daniel Dolan joined the ranks of the Thuc bishops. He is now one of hundreds of doubtful bishops whose orders are traced to the late Archbishop Ngo-dinh-Thuc of South Vietnam. Fr. Dolan is also aligned with the Mount St. Michael sect of Spokane, Washington and is part of a coalition of clergy organized by "Bishop" Mark Pivarunas, the sect's bishop.

There are many serious problems with Archbishop Thuc and the Thuc consecrations. There is the problem of the mental state of Thuc. There is the problem of the scandal associated with his name. There is the problem of the many serious irregularities connected with the Thuc consecrations. And there is the problem of insufficient evidence to meet the Church's standards of proof to establish the fact of such clandestine consecrations.

We have dealt with each of these problems in the past to some degree. We are going to deal with the first two in greater depth because they need further treatment and they are on the minds of both the defenders and the opponents of the Thuc consecrations. Was Archbishop Thuc in his right mind? Was Archbishop Thuc a scandalous bishop to be avoided by those who oppose the scandals of the New Church?

This is not a mere theoretical debate. It is not about insignificant things. The very soul of the traditionalist movement, if we may use such an expression, in the United States is at stake. Traditional priests are promoting today what they condemned in no uncertain terms in the past. They want us to reverse course. Some want us to accept the Schuckardt sect. Others want us to open our arms and sanctuaries to the Thuc

bishops.

The acceptance of the Mount St. Michael sect and the Thuc bishops represents a radical and momentous break with the past. What is at stake here is communion with a "schismatic church" as Fr. Cekada called the Mount St. Michael group in 1980, and doubtful bishops, priests and sacraments and an endless series of sacrileges. **These are not small things.**

Since so much is at stake; since the Thuc bishops will continue to proliferate; and since many good and decent people are being led astray, the truth must be told. And the truth is this: there are serious doubts about the mental competence of Archbishop Thuc whereas there is no doubt that he did not help to "preserve the Catholic Faith" in the wake of Vatican II. These things we will prove beyond any reasonable doubt.

We will first deal with the question of the mental state of Archbishop Thuc. Then we will deal with the myth, put forth by the defenders of the Thuc consecrations, that Thuc helped to "preserve the Catholic Faith from the nearly universal corruption" in the wake of Vatican II. We will show that he had strong Modernist tendencies; that he betrayed his episcopal office and the Catholic priesthood; and that if he did these things in full possession of his faculties, as his defenders maintain, then he was in truth a criminal and must be numbered among the worst of the Novus Ordo bishops.

THE MENTAL STATE OF ARCHBISHOP THUC: Part I

The Mental State Of The Minister Of A Sacrament And The Question Of Validity

The question of the mental state of Archbishop Thuc is

of great significance. It is of great significance because the mental state of a consecrating bishop is directly related to the question of the validity of the episcopal consecrations he performs. If there are serious doubts about his being in full command of reason then there would be serious doubts about the validity of his episcopal consecrations. This is the teaching of Catholic Theologians. In his dogmatic treatment of the sacraments Msgr. Pohle says:

"The combination of matter and form into a sacramental sign (confectio), and its application to the individual recipient (administratio), -- two factors which, with the sole exception of the Holy Eucharist, invariably coincide, -- require a minister who has the full command of reason. Hence lunatics, children, and others who have not the full use of reason are incapable of administering a Sacrament." [The Rt. Rev. Msgr. Joseph Pohle, Ph.D., D.D., *THE SACRAMENTS, A DOGMATIC TREATISE*, Adapted and Edited by Arthur Preuss, (St. Louis: B. Herder Book Co., 1944), Vol. I, p. 162.]

According to Msgr. Pohle, if a priest or bishop did not have "the full use of reason" he would be "incapable of administering a Sacrament." Thus if Thuc did not have "the full use of reason" when he did the consecrations they would be invalid. Fr. Heribert Jone, the moralist, also treats of certain shortcomings in the minister of a sacrament that would render the sacrament invalid. He says:

a.) If the minister of the sacrament lacked "external attention ... the intention to administer a Sacrament is implicitly revoked, making the administration invalid. External attention is lacking if one undertakes an external action that is incompatible with internal attention." [Rev. Heribert Jone, O.F.M. Cap., J.C.D., *Moral Theology*, (Westminster, Maryland: The Newman Press, 1962), p. 312.]

b.) "The administration of a Sacrament is invalid if one previously, indeed, had the requisite intention, which here and now no longer exists and thus exercises no influence on his actions, even though he did not revoke it (intentio habitualis)." [*Ibid.*, p. 312] Habitual intention is insufficient to validly confer a sacrament.

c.) "... there is no consecration if a priest in the delirium of a fever pronounces the words of consecration over bread and wine on the table at his bedside; the same holds for any one attempting to consecrate a Sacrament while intoxicated, insane or asleep." [*Ibid.*, p.312.]

If we put together what Msgr. Pohle and Fr. Jone have said we see that the one who administers a sacrament must have "the full command of reason". If he were insane at the time or had "not the full use of reason" he would be "incapable of administering a Sacrament." He must also have sufficient intention. Habitual intention (*intentio habitualis*) is not sufficient. And he must have adequate attention. If he undertook "an external action that is incompatible with internal attention" the sacrament would be invalid.

We will now deal with the specific case of Archbishop Thuc to determine if there are serious reasons to believe that he did not have "the full use of reason". The questions about his mental competence or the lack thereof arise from a consideration of his behavior. He acted as if he were not in full possession of his faculties. He behaved as though he had "not the full use of

reason". But to fully appreciate this it is necessary to understand something about who he was, what he accomplished and the position he held.

Some Background

Archbishop Pierre Martin Ngo-dinh-Thuc was born on October 6, 1897. He was ordained a priest in 1925. He was consecrated a bishop in 1938. On November 24, 1960 he became the Archbishop of Hue which had been the imperial capital of Vietnam. In his 1983 article on the Thuc bishops Fr. Cekada gives us a short biography of Archbishop Thuc. He says:

"Ngo-dinh-Thuc entered the seminary, obtained doctorates in canon law, theology and philosophy in Rome, and was ordained to the priesthood on December 20, 1925. He taught for a while at the Sorbonne, and returned to Hue in 1927, where he taught in the major seminary and in the College of Divine Providence. He was appointed Apostolic Vicar at Vinh-long, and on May 4, 1938 was consecrated a bishop and named Titular Bishop of Sesina. At Vinh-long, he organized the diocese, as well as devoting some of his time to the University of Dalat." [Rev. Anthony Cekada, "Two Bishops In Every Garage," *The Roman Catholic*, January, 1983, p. 4.]

Fr. Cekada also indicates that Archbishop Thuc was something of an astute businessman. It should be noted, however, that clerics are forbidden, according to Canon 142, to engage in business either personally or through others whether for their own benefit or the benefit of others. Fr. Cekada quotes Hilaire du Berrier's book *Background to Betrayal, The Tragedy of Vietnam* to the effect that:

"Archbishop Thuc... recovered from his disappointment at not being given the Saigon diocese and plunged into business with gusto, buying apartment houses, stores, rubber estates and timber concessions. When Thuc set his eyes on a piece of real estate, other bidders prudently dropped out... Soldiers, instead of building defenses, were put to work cutting wood for brother Thuc to sell. Army trucks and labor were requisitioned to build buildings for him. A Saigon merchant observed, 'As a brother of Diem, his (Mgr. Ngo's) requests for donations read like tax notices.'" [*Ibid.*, p. 5.]

He attended the Second Vatican Council and addressed the Council Fathers on September 30, 1963. He spoke on the subject of "The Church". The "Council Daybook" gives an account of what he said which reveals his liberal tendencies:

"Archbishop Ngo dinh Thuc, brother of Vietnam's President Ngo dinh Diem, complained that the schema does not provide an adequate presentation of the Church for non-Christians. The result, he said, is that the Church would remain for non-Christians an almost unintelligible organism. He made a strong recommendation that heads of non-Christian religions be invited to the council as observers." [*Council Daybook, Vatican II, Sessions 1 & 2* (Wash., D.C., National Catholic Welfare Conference, 1965), p. 151.]

On November 2, 1963 his brothers, Ngo dinh Diem, President of South Vietnam, and Ngo dinh Nhu, were assassinated in the overthrow of the Diem government. Fr.

Cekada wrote that it was "obvious how deeply the sad turn of events affected him." [Cekada, "Two Bishops In Every Garage," *op. cit.*, p. 5.] On December 2, 1963 the opening Mass at the Council was offered for the brothers of Archbishop Thuc. It was offered by him.

After the Council, Fr. Cekada says, Archbishop Thuc "wanted to return to his See, but the new South Vietnamese government refused him permission -- apparently with the approval of the Vatican." [*Ibid.*, p. 5.] He goes on:

"He was given the honorary title of Titular Archbishop of Bulla Regia on March 29, 1968, but for the most part was treated as an outcast by the Vatican. Access to his timber concessions and rubber plantations was cut off and he became an exile reduced to near destitution. He spent some time at the Cistercian Abbey of Casamari near Rome, and eventually went to work as an assistant pastor in the small village of Arpino, where he said Mass, heard confessions and engaged in catechetical work." [*Ibid.*, p. 6.]

The Palmar Fiasco

According to Fr. Cekada, Archbishop Thuc had doctorates in philosophy, theology and canon law. He was a seminary professor. He was from an important and powerful family. He was a Catholic Archbishop. He was a man of considerable intelligence and significant achievements. But in 1975 he began to act in a way that was not compatible with who and what he was. For it was towards the end of 1975 and the beginning of 1976 that Archbishop Thuc began to do the things which have caused impartial observers to wonder about his mental competence. It was then that he went to Palmar de Troya in Spain and caused what Fr. Cekada called the "Palmar Fiasco". Fr. Cekada wrote:

"Shortly before Christmas, 1975, a priest appeared unannounced in Arpino. Mgr. Ngo recounts his words:

'Your Excellency [the priest said], the Holy Virgin sent me to bring you to Spain at once to render her a service. My car awaits you at the door of the rectory, and we shall depart at once to be there for Christmas.' Flabbergasted by this invitation, I said to him: 'If it is a service requested by the Blessed Virgin, I'm ready to follow you to the ends of the earth...'

"The three-day journey by car took Mgr. Ngo to Palmar de Troya, a Spanish village 25 miles south of Seville. In 1968, tales of apparitions there began to circulate. Among the early enthusiasts was a young man named Clemente Dominguez Gomez who organized devotions and set up a shrine in the little town. Soon he declared that he had received the stigmata - not from God, but from Padre Pio. He began spreading the 'messages' he received from the apparitions which were coming at the rate of two or three a week. Believers received celestial bulletins on everything from the condition of Paul VI (a 'Prisoner of the Vatican' who had been 'replaced by a double') to the color of socks adherents were to wear. Mr. Dominguez even received messages as to when to cut off his beard.

"When Mgr. Ngo appeared in Palmar, Mr. Dominguez asked the prelate to ordain himself and several other laymen to the priesthood, and then to consecrate him

and a few others bishops. If Mgr. Ngo had any doubts, they were dispelled after Dominguez gave him the news that Paul VI had appeared to him by means of 'bilocation' to give his approval to the project." [*Ibid.*, p. 6.]

The sequence of events is incredible if you presume that Archbishop Thuc was in complete possession of his faculties. A Catholic Archbishop and former seminary professor with three doctorates leaves Italy on a moment's notice and makes a three day journey to Spain. When he arrives an untrained layman requests ordination for himself and others. And to allay any doubts that Archbishop Thuc might have this layman assures him that "Paul VI had appeared to him by means of 'bilocation' to give his approval to the project." And the Archbishop on the basis of such assurances proceeds to bestow priestly ordination and episcopal consecration. Archbishop Thuc was quite obviously not acting in a normal way. "Pause for a moment," writes Fr. Cekada:

"Pause for a moment to consider what Mr. Dominguez was saying: both the Blessed Virgin and Paul VI (by 'bilocation') were telling a Catholic bishop that he should ordain laymen to the priesthood (whom he had just met, and who had done no ecclesiastical studies) and then consecrate them bishops - all in three weeks time. Where anyone else would have laughed the proposal off as absurd, Mgr. Ngo showed a truly colossal lack of common sense and agreed." [*Ibid.*, p. 6.]

Little needs to be added to Fr. Cekada's remarks except to say that such "a truly colossal lack of common sense" in a man of Thuc's background, education and pastoral experience indicates that he either lost his faith or his senses or both. His subsequent behavior indicates the same thing. For "The Palmar Fiasco" was not a momentary aberration in the life of Archbishop Thuc. It was rather the beginning of a pattern of behavior that characterized his life for years before his death.

And so although the defenders of the Thuc consecrations insist that Thuc was in full possession of his faculties the facts indicate otherwise for the objective observer. There are, in point of fact, serious, positive and objective doubts about the mental competence of Thuc. Therefore there are serious, positive and objective doubts about the validity of the Thuc consecrations. For as Msgr. Pohle said, those "who have not the full use of reason are incapable of administering a Sacrament."

The Attitude Of The Vatican

The Thuc apologists have made many unfounded claims to support their contention that we are obliged to accept the validity of the Thuc consecrations. They tell us that the whole world accepts the validity of these consecrations. They even invoke the support of the Vatican to bolster their claim. But the truth of the matter is that the Vatican did not presume the validity of the Thuc consecrations in its official decrees and this is significant for several reasons.

It is significant because it shows that the defenders of the Thuc consecrations make reckless claims in defense of their cause. Thus their sweeping statements and condemnations must be taken with a grain of salt. It is significant because it shows that just because a ceremony of episcopal consecration took

place validity is not automatically presumed regardless of the circumstances or the people involved. And finally it is significant because whereas the Vatican did not accept the validity of the Thuc consecrations it did accept the validity of the ordinations and consecrations done by Archbishop Lefebvre. Archbishop Lefebvre was a serious, sober and credible individual. Archbishop Thuc was not. Thuc was a man whose behavior strongly suggests that he was not in full possession of his faculties. It is no wonder that even the Vatican did not presume validity but rather set the question aside.

The Vatican Set Aside The Question Of The Validity Of The Thuc Consecrations

In response to the Palmar consecrations the S. Congregation For The Doctrine Of The Faith issued a decree dated September 17, 1976. The decree said that Archbishop Thuc had "incurred *ipso facto* the excommunication reserved *specialissimo modo* to the Apostolic See". [Decree Of The S. Congregation For The Doctrine Of The Faith, *L'OSSERVATORE ROMANO*, WEEKLY EDITION IN ENGLISH, September 30, 1976.] This is also the document which set aside the question of validity. And setting aside that question it declared about those consecrated and ordained that: "the Church does not recognize their ordination nor shall it do so, and she considers them, as regards all legal effects, in the state which each one had beforehand" [*Ibid.*] This refusal to recognize the validity of the Thuc consecrations was also referred to in the "Commentary on the Decree, 'Concerning Unlawful Ordinations'" that was published later. It said:

"In number 3 of the Document [of the S. Congregation For The Doctrine Of The Faith of September 17, 1976], without entering into the problem of the validity of the ordinations conferred at El Palmar de Troya at the beginning of January and consequently of all the successive ordinations, it is stated formally that the Church does not recognize and will not in the future recognize these ordinations as having any value. Therefore, those who are thus ordained are considered by the Church, as regards all juridical effects, in the same canonical condition in which they found themselves prior to these irregular ordinations, and all the above-mentioned canonical sanctions remain in force until they repent." ["Commentary On The Decree 'Concerning Unlawful Ordinations'", *L'OSSERVATORE ROMANO*, WEEKLY EDITION IN ENGLISH, October 7, 1976, p. 12.]

Shortly thereafter the *National Catholic Reporter* published an article on the Palmar de Troya consecrations. It said:

"In September, the Vatican declared that the consecrations and ordinations performed by Thuc at El Palmar de Troya were null and void. The Vatican decree meant that the men involved are still laymen." [*National Catholic Reporter*, 115 E. Armour Boulevard, Kansas City, Mo. 64141, Vol. 13, No. 8, December 10, 1976, p. 17.]

The *Long Island Catholic* published a column by Fr. Daniel Hamilton which also dealt with the Palmar consecrations. Fr. Hamilton wrote:

"Furthermore, the Holy See declared, putting aside any

discussion of the validity of the ordinations, that the Church does not recognize and will not in the future recognize these ordinations as having any value. Thus, all those persons ordained as priests or bishops remain, for practical purposes, in the same canonical status as they were before. For the overwhelming majority, this means they are treated as laity, as if the ordinations had never occurred." [Rev. Daniel Hamilton, "Questions and Answers", *The Long Island Catholic*, October 14, 1976, P.O. Box 9000, Rockville Centre, NY.]

That the Vatican regarded those ordained and consecrated to be in the same state they were in before the ordinations and consecrations is reminiscent of a case that occurred in 1959. In that year the Holy Office decided a case involving a priest by the name of Giovanni Taddei of the Diocese of Biella. Fr. Taddei had gotten himself consecrated by a schismatic bishop. He then in turn ordained some Catholics. The Church, without deciding the question of validity, declared that those he ordained were to be regarded as laymen with the right to marry. The decree said "that these ordinations are not recognized by the Church and consequently the subjects are to be considered as laymen for all canonical effects, including the right to contract marriage." [AAS 51-484; Holy Office, 8 May, 1959.]

Practical Consequences

What the Vatican said about the Palmar consecrations it said about the consecrations of Fr. Guerard des Lauriers, who consecrated Fr. McKenna, and Moises Carmona, who consecrated Mark Pivarunas. The Vatican did not recognize the validity of these consecrations. It did not assume they were valid just because a ceremony of episcopal consecration took place. It did not operate on the false principle, created and promoted by Thuc apologists, which says that all episcopal consecrations must be "deemed valid" regardless of the circumstances or people involved and even in the absence of qualified witnesses, assistant priests and sufficient proof. The Vatican again set aside the question of validity saying that "it considers them [i.e., des Lauriers and Carmona] in the state which each one had previously ..." [Decree of the Sacred Congregation For The Doctrine Of The Faith, March 12, 1983, *L'OSSERVATORE ROMANO*, WEEKLY EDITION IN ENGLISH, April 18, 1983.] This was also reported in the April 8, 1983 edition of *The New York Times*.

What this means, in the practical order, is that in the eyes of the Vatican, laymen who were ordained and consecrated by Thuc, or by a Thuc bishop, are still regarded as laymen. Priests consecrated by Thuc, or a Thuc bishop, are regarded as priests and not as bishops. The Vatican thus considers "Bishop" Clemente Dominguez Gomez, a/k/a Pope Gregory XVII, to be a layman. The Vatican regarded the Thuc bishops Guerard des Lauriers and Moises Carmona as priests and not as bishops. It thus regards "Bishop" Mark Pivarunas, who "consecrated" Fr. Dolan, to be Mr. Mark Pivarunas, a layman with the right to marry.

THE MENTAL STATE OF ARCHBISHOP THUC: Part II in the next BULLETIN.

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THE BULLETIN

"So the faith was planted: so must it be restored"

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FEBRUARY, 1994

THE MENTAL STATE OF ARCHBISHOP THUC: Part II

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Introduction To Part II

Last month we dealt with the relationship between the mental state of the minister of a sacrament and its validity. We also looked at the background of Abp. Ngo-dinh-Thuc. We considered the fiasco of Palmar de Troya. And we saw, contrary to the claims of the defenders of Abp. Thuc, that the Vatican decree did not say that the Thuc consecrations were valid. Rather the Vatican set aside the question of validity and declared, of those ordained and consecrated, that "the Church does not recognize their ordination nor shall it do so, and she considers them, as regards all legal effects, in the state each one had beforehand". [Decree published in *L'OSSERVATORE ROMANO*, Weekly Edition In English, September 30, 1976.]

This month we will consider the events in the life of Abp. Thuc from the Palmar de Troya fiasco in 1975 to his death in 1984. We will see that from these events a pattern emerges. It is a pattern of abnormal behavior.

The Events at Palmar de Troya

Palmar de Troya is a village in Spain. It is located about 25 miles south of Seville. On the night of December 31, 1975, Abp. Thuc ordained five unqualified laymen. On January 11, 1976 he consecrated two of the five, and three others. He did these things at the request of a man named Clemente Dominguez Gomez, the so-called seer of Palmar de Troya. According to Fr. Cekada, Dominguez claimed that "he had received the stigmata - not from God, but from Padre Pio." And "He began spreading the 'messages' he received from the apparitions which were coming at the rate of two or three a week. Believers received celestial bulletins on everything from the condition of Paul VI (a 'Prisoner of the Vatican' who had been 'replaced by a double') to the color of socks adherents were to wear. Mr. Dominguez even received messages as to when to cut off his beard." [Rev. Anthony Cekada, "Two Bishops In Every Garage," *The Roman Catholic*, January, 1983, p. 6.]

Fr. Cekada said that Mr. Dominguez had assured Abp. Thuc that Paul VI and the Blessed Virgin Mary approved of the ordinations and consecrations: "... Mr. Dominguez was saying: both the Blessed Virgin and Paul VI (by 'bilocation') were telling a Catholic bishop that he should ordain laymen to the priesthood (whom he had just met, and who had done no ecclesiastical studies) and then consecrate them bishops - all in three weeks time." Abp. Thuc "agreed." [Ibid.]

Two weeks after the consecrations by Thuc Mr. Dominguez consecrated three more bishops.

"And this is only the beginning," he boasted to a reporter. 'We are going ahead ordaining priests and consecrating bishops to spread the work of Palmar everywhere.' He was true to his word. There are now hundreds of Palmar 'bishops' - Dominguez even consecrated a 16-year old boy. After the death of Paul VI (August 6, 1978), Dominguez (who had lost his eyes in an auto accident on May 29, 1976) declared himself Pope." [Ibid.]

According to a published pamphlet put out by the sect of Palmar and entitled "Palmar de Troya, Light of the World," Abp. Thuc defended the consecrations on January 13, 1976 with the words:

"We are returned to Apostolic times in that the first Apostles went about preaching and ordaining without referring to the first Pope, St. Peter." [Quoted in *Ibid.*]

The statement is curious because Abp. Thuc did the consecrations, in the first place, only after he received assurances from Dominguez that "Paul VI had appeared to him by means of 'bilocation' to give his approval to the project." [Ibid.] Commenting on the January 13th statement Fr. Cekada says, no doubt with tongue in cheek, that "It is possible he had forgotten about Paul VI's miraculous 'bilocation.'" [Ibid., p. 7.]

Excommunication and Reconciliation

Eight months after the Palmar consecrations the Vatican declared that Abp. Thuc was excommunicated. This was by a decree of the *S. Congregation For The Doctrine Of The Faith* dated September 17, 1976. This is the same decree that set aside the question of the validity of the consecrations. Subsequently a *Commentary On The Decree* was published in the English Edition of *L'OSSERVATORE ROMANO*. It tells us of the repentance of Abp. Thuc:

"The Prelate, [i.e., Abp. Thuc] as soon as he realized the gravity of the facts, deplored and repudiated what he had done, and sought to impede further abuses.

He then humbly placed himself at the disposition of ecclesiastical authority. For this purpose he hastened to request from the Holy Father absolution of the excommunication he had incurred and he wrote to His Eminence Cardinal Bueno y Monreal, Archbishop of Seville, a letter in which, recognizing his own error, he asked pardon for 'the grave scandal given to the faithful and for the immense harm caused to the Church by placing in danger its unity.' ["Commentary on the Decree, 'Concerning Unlawful Ordinations'" *L'OSSERVATORE ROMANO*, Weekly Edition In English, October 7, 1976, p. 12.]

A Consecration In Between

It is not mentioned in the decree - perhaps because it was not known at the time - but between the Palmar consecrations and his reconciliation with Paul VI, Abp. Thuc performed another episcopal consecration. According to Fr. McKenna, himself a Thuc bishop, it took place two months before Thuc's reconciliation with Paul VI. Thus it was that on July 10, 1976 Abp. Thuc consecrated P.E.M. Comte de Labat d'Arnoux. ["THUC-LINE BISHOPS" *CATHOLICS FOREVER*, P.O. Box 283, Monroe, CT, Issue No. 99, April, 1992, p. 6.] Who was Comte de Labat d'Arnoux? He was, according to Fr. Noel Barbara, just one of many apostates from the Catholic Church who became Thuc bishops. [Fr. Noel Barbara, *WARNING, Concerning A Sect Which Is "Made In France"* (A leaflet available from Fortes in Fide, 758 Lemay Ferry Rd. Saint Louis, Mo. 63125.)]

Consecrating The Leader Of A Non-Catholic Sect

The Palmar consecrations occurred in January, 1976. D'Arnoux was consecrated in July. The reconciliation with Paul VI whereby Abp. Thuc repented of "the grave scandal given to the faithful and for the immense harm caused to the Church by placing in danger its unity" was in September, 1976. And yet within a few months Thuc was at it again. This time he consecrated a man named Jean Laborie who just happened to be the founder and head of his own sect. According to Fr. Barbara he was also a known homosexual. This "consecration" took place on February 8, 1977. [McKenna, "-THUC-LINE BISHOPS," *op. cit.*] Laborie was consecrated at least three times and, according to Fr. Barbara, possibly as many as five times.

Fr. Cekada wrote about Laborie in his 1983 article on the Thuc bishops. He said that Abp. Thuc "raised to the episcopate (for the 'umpteenth time') Jean Laborie, leader of a schismatic 'Old Catholic' sect, the 'Latin Church of Toulouse.' He also ordained another 'Old Catholic' from Marseilles named Garcia, and a certain ex-convict named Arbinet who went on later to become a Palmar 'bishop.'" [Cekada, "Two Bishops In Every Garage," *op. cit.*, p. 7.]

Kozik And Fernandez

Multiple consecrations are not uncommon among Thuc bishops. We have mentioned Laborie. Others who were consecrated more than once include Roger Kozik, Michel Fernandez, Christian Datessen and Andre Enos. The first two, Kozik and Fernandez, were consecrated in 1979, in Spain, by a Thuc-Palmar bishop. And in 1981 they were consecrated again. This time by Abp. Thuc himself. One must of course wonder: Did Thuc doubt the validity of the consecrations he performed at Palmar de Troya?

Not too long ago, Fr. Barbara published a four page tract warning people about the sect that was started by Kozik and Fernandez. He wrote of these men: "Roger Kozik and Michel

Fernandez must be considered to be what they still are, that is, apostates from the Catholic Church. On this account they are heretics and schismatics, and THOSE WHO RECEIVE THE SACRAMENTS FROM THEM, OR WHO ASSIST AT THEIR WORSHIP SERVICES INCUR THE CENSURES PROVIDED FOR *COMMUNICATIO IN SACRIS CUM ACATHOLICIS*." [Barbara, *op. cit.*, p. 2.] He went on to say:

"To finish up with the leaders of this sect, here is some information which appeared in the French press. 'Brought before the criminal court of Agen, Messrs. Kozik and Fernandez were charged with racketeering, and then released. Then they were prosecuted in the court of appeals for fraud, and were sentenced to eight months in prison with parole.' They were, therefore, convicted of fraud. During the hearing of March 9, 1991, the prosecutor declared: 'Upon reading this dossier, two words impressed themselves upon me: deceit and sect.' 'A police investigation determined in 1989 that the total of the contributions, which had passed through their private accounts, reached SEVENTY-FIVE MILLION FRANCS, or 7,500,000,000 old French francs.'" [Ibid., p. 4.] (A footnote says the sum was equal to 14 million U.S. dollars.)

In addition to their double episcopal Thuc "consecrations" Kozik and Fernandez were "ordained" to the "priesthood" three times. They were first ordained by Jean Laborie. Then they were ordained by Andre Enos, an Old Catholic bishop, about whom we will hear more presently. And finally they were ordained by a Palmar-Thuc bishop before their first episcopal consecration.

The Tae Kwon Do "Nuns"

The *New York Times* recently published a rather long and complementary article about Kozik "nuns" who are working in New York City. The article appeared on February 2, 1994. The "nuns" are pictured "working out." They are working out with their male trainers at the *Tae Kwon Do* Academy located at 828 Ninth Ave., New York City. One of the "nuns," barefooted and in full habit, is photographed literally up in the air. She is seen delivering a kick to the chest of the gentleman who is her trainer. The other "nun" is seen in a *Tae Kwon Do* pose. She appears ready to move against her trainer.

Mutual "Consecration" Society

Another case which illustrates the bizarre and sacrilegious character of the whole Thuc fiasco is that of Christian Marie Datessen.

Datessen was an Old Catholic bishop. He was consecrated on September 10, 1981 by Andre Enos. Enos was an apostate Catholic priest who left the Church in 1950 and became a bishop of the sect known as the *Old Holy Catholic Church* which was founded by Charles Brearley. Brearley, a married man, was himself consecrated at least three times. His sect was the revival of the *Old Catholic Evangelical Church*. "Brearley ... desired to revive that body, but along new lines, as a 'New Age Ecumenical Institution.' He called it the Old Holy Catholic Church (formed 1955), and took the title of Ignatius Carolus, though known mostly to followers as Father Charles." [See entry: "BREARLEY, CHARLES, OLD HOLY CATHOLIC CHURCH IN BRITAIN,"

Independent Bishops: An International Directory, Edited by Gary L. Ward, Bertil Persson, Alan Bain (Detroit: Apogee Books, 1990), p. 56-57.] "Brearley established a New Age Ecumenical Institute as part of the work of the church." [*Ibid.*, p. 57.] It also seems that he made "Mrs. Brearley at least a deaconess." [*Ibid.*, p. 56.]

The consecration of Datessen by Enos took place on September 10, 1981. On September 25, 1982, Datessen was consecrated again by Abp. Thuc. Datessen then turned around and consecrated Enos. [See entries: "DATESSSEN, CHRISTIAN MARIE, UNION DES PETITES EGLISES CATHOLIQUES," & "ENOS, ANDRE MAURICE ALEXANDRE, OLD HOLY CATHOLIC CHURCH," *Ibid.*, pp. 107, 132.] Enos had made Datessen an Old Catholic bishop. He then made Enos a Thuc bishop. Fr. Robert McKenna included Datessen and Enos in his list of Thuc bishops which he published in *CATHOLICS FOREVER*.

What we have presented here is not the whole story of Abp. Thuc's sacrilegious activities against the Catholic priesthood, the Mass and the sacraments. Fr. Barbara says that there were many other non-Catholics or apostates from the Church who became Thuc bishops. They include: "Claude Nanta, ... Pierre Salle, ... Jean Oliveres de Mamistra, Patrick Broucke de Tralles, Philippe Miguët, Michel Main". [Barbara, *op. cit.*, p. 4.] But what we have presented is more than sufficient to demonstrate beyond a reasonable doubt that there was something wrong with this Archbishop and former seminary professor. His behavior was decidedly abnormal.

OTHER MATTERS

Simulating A Sacrament

In 1981 Abp. Thuc concelebrated the New Mass with the Novus Ordo bishop of Toulon, France. Three weeks later he consecrated Father Guerard des Lauriers. According to Fr. Cekada, Abp. Thuc excused himself for concelebrating the New Mass by claiming, among other things, that he only pretended to say Mass; that is to say, that he simulated saying Mass. Simulating a sacrament "consists in performing the sacramental action **without the intention** of conferring a Sacrament, although others think a Sacrament is being administered." (Emphasis added.) [Rev. Heribert Jone, O.F.M. Cap., J.C.D., *Moral Theology*, (Westminster, Maryland: The Newman Press, 1962), p. 318.] To simulate a sacrament is to go through the motions while withholding one's intention. Simulation invalidates the sacrament. It is also a mortal sin of sacrilege. It is so serious that one may not simulate a sacrament even to save one's life. Fr. Jone says: "Simulation of a Sacrament is never allowed, not even to save one's life." [*Ibid.*]

Simulation = Invalidity

If Abp. Thuc simulated saying Mass, the Mass would be invalid. If he simulated an episcopal consecration, as Fr. Cekada accuses him of simulating saying Mass, it would be an invalid consecration. No bishop would be made. This would be true even if he were in full possession of his faculties. Speaking of Thuc's concelebration, Fr. Cekada said: "Mgr. NGO's justification for this action by maintaining that he only simulated the celebration of Mass - simulation of a sacrament, incidentally, is a grave sin - does not increase our confidence in his grasp of sacramental theology." [Cekada, "Two Bishops In Every Garage," *op. cit.*, p. 7.]

The problem, of course, is not Abp. Thuc's knowledge of sacramental theology. His three doctorates preclude ignorance of sacramental theology. Nor indeed does one have to have a doctorate in theology to know that it is wrong to pretend to say Mass or to consecrate the homosexual head of a non-Catholic

sect. The explanation lies elsewhere. Abp. Thuc either lost his mind or his faith or both.

More Erratic Behavior

Abp. Thuc consecrated Jean Laborie a few months after his reconciliation with Paul VI. The reconciliation was in September of 1976. The consecration was in February, 1977. In March of '77 he consecrated Claude Nanta. The following year he did Kozik and Fernandez. In 1981 he consecrated Guerard des Lauriers, Adolfo Zamora and Moises Carmona. In September of 1982 he consecrated Christian Datessen.

During much of this time Abp. Thuc was a Novus Ordo clergyman. He accepted the Post-Conciliar popes and the validity of the New Mass. According to Fr. Barbara, he assisted at the New Mass until the beginning of 1982. Fr. Barbara said: "With the authorization of the conciliar bishop of Toulon, Thuc had a confessional allotted to him in the conciliar bishop's cathedral, and until the *beginning of 1982* Thuc served daily at the new masses celebrated in this same cathedral." (Emphasis added.)

Then in February of 1982, seven months to the day before he consecrated the Old Catholic bishop Christian Datessen, he declared that the New Mass was invalid and the See of Rome was vacant. His statement is dated February 25, 1982. In it he said:

"But in the sight of Our Lord, what is today's Church looking like? These Masses - everyday and Sundays - do they please Our Lord? Not at all: because this Mass is the same one for Catholics and Protestants - that's why this Mass doesn't please Our Lord and is invalid. The only Mass pleasing Our Lord is the Mass of Saint Pius V, which is celebrated only by a few priests and bishops, I myself belong to them...."

"As a bishop of the Roman Catholic Church I declare the See of Rome being vacant [sic] and it is my duty, to do everything to assure the preservation of the Roman Catholic Church for the eternal salvation of souls." ["DECLARATION" given at Munich, 25th February 1982, published in *EINSICHT*, MUNICH, MARCH 1982, p. 7.]

This declaration is astounding. It is astounding because Abp. Thuc was assisting at the New Mass the previous month according to Fr. Barbara. It is astounding because of his desire to have the heads of pagan religions present at Vatican II. It is astounding because seven months later he bestowed episcopal consecration on an Old Catholic bishop. It is astounding because of his Modernist views on the Mass and his plea for diversity in worship, as we shall see when we deal with this in a future BULLETIN. It is astounding because in his autobiography he complained that to "impose only one manner of celebrating Holy Mass" is an abuse of power. It is astounding because of his complaint that, "The Vatican invents regulations in order to choke any particularity be it liturgical, or be it canonical, of the local Churches." [*THE SERAPH*, Vol. III, No. 3, Nov. 1982.] One must wonder about this statement as about the January 13, 1976 statement issued after the Palmar consecrations. One must wonder if it is the mind of Abp. Thuc speaking or the minds of others. One must wonder if he knew what he was doing.

The Einsicht Connection

A possible explanation for the February 25, 1982 statement may lie in Abp. Thuc's association with the people at

Einsicht magazine. Fr. Cekada wrote: "At some point ... Mgr. Ngo threw his lot in with -- or, perhaps, fell under the influence of -- yet another organization which had need of his episcopal ministrations." [Cekada, "Two Bishops In Every Garage," *op. cit.*, p. 8.] *Einsicht* was the publication of the "organization" which met at Munich. *Einsicht* promoted the rather abstruse teachings of Father Guerard in Germany through its publications. It took Mgr. Ngo under its wing, and, presumably, provided him with some sort of material support." [Cekada, "Two Bishops In Every Garage," *op. cit.*, p. 8.] Prominent among the *Einsicht* people were Dr. Kurt Hiller and Dr. Eberhard Heller. (Neither is a medical doctor.) These were the two "witnesses" at the consecration of Fr. Guerard des Lauriers.

When Fr. Sanborn, Fr. Jenkins and I travelled to Germany to interview them, we asked about the consecration of Fr. Guerard des Lauriers. They were also present at the consecrations of Zamora and Carmona. We asked about the *matter* and *form* of the sacrament. (The *matter* for an episcopal consecration is the laying on of both hands by the consecrating bishop. The *form* is a sixteen word formula.) Neither could testify that Abp. Thuc laid hands on the head of Fr. des Lauriers. Hiller was asked if Thuc laid one hand or two hands on the head of Guerard des Lauriers. He did not know. Heller, on the other hand, simply refused to answer any such questions. He angrily protested that he could not be expected to remember such details after six years.

Fr. Sanborn concluded, at the time, that the validity of the consecrations could not be proved in the external forum. He said the testimony of Hiller and Heller was useless. He said that even if we could prove validity, we could have nothing to do with the Thuc bishops because they were too "sordid". The word sordid means: "1. Filthy; dirty. 2. Vile; base; gross; despicable." [WEBSTER'S NEW COLLEGIATE DICTIONARY, 1958.] Dr. Hiller who had no problems with the validity of the Thuc consecrations did doubt the validity of the ordinations done by Abp. Lefebvre. He also defended the Palmar consecrations as a good thing. In the August, 1982 issue of *Einsicht* (English Edition), he said: "In no way can he [i.e., Abp. Thuc] be reprimanded for the consecrations of Palmar." [Quoted in Cekada, "Two Bishops In Every Garage," *op. cit.*, p. 6.] The following month Abp. Thuc consecrated the Old Catholic bishop, Christian Marie Dattessen.

The Final Recantation

In February of 1982 Abp. Thuc declared that the See of Rome was vacant and the New Mass was invalid. He said of the New Mass: "this Mass is the same one for Catholics and Protestants ... and is invalid." He said: "the See of Rome being vacant ... it is my duty, to do everything to assure the preservation of the Roman Catholic Church for the eternal salvation of souls." Yet in September of that same year he proceeded to consecrate the Old Catholic bishop, Christian Marie Dattessen, the so-called "bishop-abbot of the Union des Petites Eglises Catholiques". [Ward, Persson, Bain, "DATESSSEN, CHRISTIAN MARIE ...", *op. cit.*, p. 107.] In 1984 he renounced his declaration of February 25, 1982 and was reconciled to John Paul II. In his recantation and renunciation, given at Carthage, Missouri, on July 11, 1984, he said:

"I, undersigned, Peter Martin Ngo Dinh Thuc, Titular Archbishop of Bulla Regia, and Archbishop Emeritus of Hue, wish to publicly retract all my previous

errors concerning my illegitimately ordaining to the Episcopate, in 1981, several priests, namely Revs. M.L. Guerard des Lauriers, O.P., Moses Carmona, and Adolfo Zamora, as well as my denial of the Second Vatican Council, the new 'Ordo Missae', especially the dignity of His Holiness, Pope John Paul II, as actually legitimate successor of St. Peter, published in Munich in 1982.

"I wish to sincerely ask you all to forgive me, praying for me, and redressing all scandal caused by such regrettable actions and declarations of mine.

"I would also like to exhort the above mentioned priests who had illegitimately been ordained to the Episcopate by me in 1981, and all others whom they have in their turn ordained bishops and priests, as well as all their followers, to retract their error, leaving their actually false status, and reconciling themselves with the Church and the Holy Father, Pope John Paul II."

This was published in the December 24, 1984 English Edition of *L'OSSERVATORE ROMANO* shortly after his death. He died on December 12, 1984 at Carthage, Missouri. He was, it seems, living at a Novus Ordo Vietnamese seminary at the time. It was suggested by certain Thuc followers that he had been kidnapped from Rochester, N.Y. and was taken to Carthage against his will. For Dr. Hiller the recantation was an embarrassment. And so he, like so many of the defenders of Abp. Thuc, simply conformed reality to his desires and denied that it had ever occurred.

Conclusion To Part II

In light of the erratic, tragic, scandalous and sacrilegious events that marked the life of Abp. Thuc from 1975 until his death, no honest, objective person can continue to maintain that it is a calumny to question his lucidity. Fr. Sanborn wrote: "Put simply, therefore, the objectors' charge that Abp. Thuc was not 'lucid' is calumny. It is a mortal sin to continue to repeat it." [Rev. Doland Sanborn, *The Thuc Consecrations: A Postscript* (Madison Heights, MI: Catholic Restoration, 1993), p. 8.] It is time to remove the blinders and face the facts. The evidence is overwhelming that Abp. Thuc did not have "the full command of reason". And since those "who have not the full use of reason are incapable of administering a Sacrament", as Msgr. Pohle put it in *The Sacraments, A Dogmatic Treatise*, the Thuc consecrations are and must be regarded as certainly doubtful.

That a Catholic Archbishop, in his right mind, would do the things that Abp. Thuc did is not possible. When you consider his erratic and sacrilegious behavior from 1975 to the end of his life, it is not hard to see that it is not the behavior of a Catholic Archbishop and former seminary professor with three doctorates who was in his right mind - especially if you believe he was a "traditionalist". It is the behavior of a man who lost "the full command of reason". The Thuc consecrations are therefore certainly doubtful. They must be treated, in the practical order, as if they were certainly invalid. For when it comes to the validity of the sacraments it is necessary to follow the *safer course*. To abandon the *safer course* is to commit "grave sacrilege against religion". This is the teaching of Catholic Moral Theology. It is the teaching of Pope Innocent XI, as we shall see in Part III of *The Mental State Of Archbishop Thuc*.

THE BULLETIN

"So the faith was planted: so must it be restored"

Eight Pond Place - Oyster Bay, NY 11771

APRIL - MAY, 1994

THE MENTAL STATE OF ARCHBISHOP THUC: Part III: The Doubters

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Introduction To Part III

In Part I of *The Mental State of Archbishop Thuc* we dealt with the question of the relationship that exists between the mental state of the minister of a sacrament and the validity of a sacrament. We surveyed the background of Abp. Thuc. We considered the Palmar de Troya fiasco in Spain. And we showed, contrary to the claims of some, that the Vatican decrees on the Thuc consecrations did not concede the validity of those consecrations. In Part II we traced the sequence of events in the life of Abp. Thuc from the end of 1975 up to his death in 1984. We presented the abundant and compelling evidence that indicates that Abp. Thuc did indeed lack the full command of reason. In Part III we will deal with the doubts that have been raised about the mental state of Abp. Thuc by present day defenders of the Thuc consecrations and related questions.

THE DOUBTERS

In his 1983 article on the Thuc bishops Fr. Anthony Cekada said that Abp. Thuc was a man of "great pastoral experience and [had] a brilliant academic background in theology, philosophy and canon law." [Rev. Anthony Cekada, "Two Bishops In Every Garage," *The Roman Catholic*, January, 1983, p.8.] And yet in spite of this "great pastoral experience" and "brilliant academic background" in 1975 he began to act in a way that Fr. Sanborn would later characterize as "bizarre." This bizarre behavior began in 1975 and continued until his death in 1984. What he did was simply not compatible with the behavior of a Catholic Archbishop and former seminary professor with three doctorates who was sound in mind. This was so obvious that many questioned his mental competence. Among those who raised such questions about the mental state of Abp. Thuc were Fr. Anthony Cekada, Fr. Donald Sanborn and Fr. Noel Barbara.

Fr. Cekada & The Mental State Of Abp. Thuc

In his article on the Thuc bishops, mentioned above, Fr. Cekada cited the many inconsistencies of Abp. Thuc. He spoke of: "... the Palmar affair, the promises made and promises broken to the Vatican, the involvement with 'Old Catholics,' concelebrating the New Mass while claiming he really wasn't, then consecrating someone who believes the New Mass is invalid." [Ibid., pp. 7-8.] Fr. Cekada sought "an explanation" for this behavior. He suggested that it might be found in a combination of old age, great personal tragedy, psychological strain and mental complexes. He cited a pro-Thuc publication to make his point. He said: "A newsletter which supports Mgr. Ngo [dinh-Thuc] describes him as a 'timid asiatic who was easily influenced,' and

continues:

'Once again, realize the fact that Mgr. Ngo, physically and psychologically worn out, ... only wants peace and quiet ... It should be noted that this prelate has acquired some complexes, and that age doesn't help things.'" (Emphasis added.) [Ibid., p. 8.]

Fr. Cekada also noted that Abp. Lefebvre "... who knew Mgr. Ngo, observed that he never recovered from the death of his brothers." [Ibid., p. 8.]

Fr. Sanborn & The Mental State Of Abp. Thuc

Fr. Sanborn went even further. He said the behavior of Abp. Thuc was "bizarre". And in his attempt to understand it he concluded that there were three possible explanations. Two of the three were insanity and senility. The third was gullibility.

Insanity is defined as the: "State of being insane; unsoundness or derangement of mind, esp. without recognition of one's own illness. *Insanity* is rather a social and legal than a medical term, and implies mental disorder resulting in inability to manage one's affairs and perform one's social duties. The term covers a variety of disorders, such as manic-depressive insanity, dementia praecox, paranoia, general paralysis, and the alcoholic insanities." [Webster's New Collegiate Dictionary (Springfield, Mass.: G&C Merriam Co., Publishers, 1958). p. 434.] *Senility* is defined as the: "Quality of being senile; old age or its physical and mental infirmity." [Ibid., p. 770.]

Insanity or senility might very well account for Abp. Thuc's bizarre and abnormal behavior. Whereas gullibility, of itself, would not. For we are here talking about a man, as Fr. Cekada put it, of "great pastoral experience and ... brilliant academic background in theology, philosophy and canon law". Such men are not gullible to the point where they think there is nothing wrong with consecrating a known homosexual who is the head of a non-Catholic sect. But gullibility, in connection with some mental disorder, could certainly explain Abp. Thuc's behavior.

It should also be noted that it was Fr. Sanborn who told the priests of the Society of St. Pius V that a certain Vietnamese priest, who met and spoke to Archbishop Thuc, "said that Thuc 'went in and out of lucidity'."

Bishop Barthe & The Mental State Of Abp. Thuc

Bishop Gilles Barthe was the Novus Ordo Bishop of FREJUS-TOULON. Abp. Thuc settled in his diocese sometime after the Palmar Fiasco in Spain. Bishop Gilles apparently received Abp. Thuc with a certain measure of kindness. And while in the diocese it was the custom of Abp. Thuc to concelebrate the New Mass with Barthe on Holy Thursdays. Thuc also regularly assisted at the New Mass. For contrary to the myth that has been created by the defenders of the Thuc consecrations, Abp. Thuc was actually a very liberal Novus Ordo bishop. His interventions at Vatican II show him to be a liberal and his memoirs show him to be a Modernist.

At the Council he declared that he was greatly consoled by the presence of Protestants. But at the same time he said it was a "scandal coming to the whole world" that "the chiefs of the non-Christian religions" were not invited. As he spoke the Archbishop of Diamantina indicated to him that they were, in fact, invited. And Thuc then apologized saying: "I have tried to open a gate which was already open." On another occasion Abp. Thuc challenged the Council Fathers to produce one plain text of Sacred Scripture which would exclude women "from the sacred functions."

It is therefore not surprising that Abp. Thuc concelebrated the New Mass with Bishop Barthe three weeks before the consecration of Fr. Guerard des Lauriers. That was on Holy Thursday April 15, 1981. He consecrated Fr. des Lauriers in May. Five months later Thuc consecrated Frs. Carmona and Zamora. Then on January 24, 1982 Bishop Barthe issued a statement in which he called into question the validity of the consecrations of Guerard des Lauriers, Carmona and Zamora. He cited the mental state of Abp. Thuc as one of his reasons for calling the validity of the consecrations into question. His statement was published in *La Documentation Catholique* on February 21, 1982 - No. 1824.

The Vatican & The Mental State Of Abp. Thuc

Shortly after Bishop Barthe issued his statement, Abp. Thuc issued one of his own. In it he affirmed that he was lucid when he did the Palmar de Troya consecrations in Spain. He did not refer to the 1981 consecrations about which Bishop Barthe had spoken. He was responding, instead, to a previous "declaration of Paul VI," which also, it seems, called Abp. Thuc's lucidity into question. Abp. Thuc said:

"I testify to have done the ordinations of Palmar in complete lucidity.

"I don't have anymore relations with Palmar after their chief nominated himself Pope.

"I disapprove all what they are doing.

"The declaration of Paul VI has been made without me; I heard of it only afterwards.

"Given the 19, XII, 1981 at Toulon in complete possession of all my faculties." [Printed in *EINSICHT*, Munich, Germany, March 1982, page 13.]

This protestation of lucidity, in response to the "declaration of Paul VI," is a clear indication that what was being questioned by Paul VI was Abp. Thuc's mental competence.

Fr. Barbara & The Mental State Of Thuc

Fr. Noel Barbara, of the publication *Fortes in Fide*, is today a defender of the Thuc consecrations. But it was not always so. He was once a staunch opponent. His change seems to be rooted in his present attitude that, as he put it, it is *necessary to break the monopoly of the Lefebvre bishops* and in a serious theological mistake.

The theological mistake is that he does not understand that

one can become a heretic as readily by deed as by word. Thus he wrote: "... if one accepts the worst possible scenario with regard to him, [i.e., Abp. Thuc] namely that he administered the sacrament of orders and episcopal consecration on unquestionable heretics and schismatics with full awareness of the fact, such a grave fault would still not make him a formal heretic or schismatic" [Fr. Noel Barbara, *Fortes in Fide*, No. 12, 1er trimestre 1993, 758 Lemay Ferry Rd. St. Louis, Mo. 63125, p. 43.]

The truth is that "the worst possible scenario" would compel us to regard Abp. Thuc as a heretic in the external forum. To consecrate "unquestionable heretics ... with full awareness" is an heretical act. It is true that words are the common way that one commits the crime of heresy. But the crime can be committed just as readily by an heretical deed. As Fr. MacKenzie puts it:

"... the delict [i.e., the crime] of heresy is committed most commonly by words, written or spoken. This is the ordinary way of externalizing thought. ... Words are the ordinary but not the only means of communication. ... The very commission of any act which signifies heresy ... gives sufficient ground for juridical presumption of heretical depravity." [Rev. Eric MacKenzie, *The Delict of Heresy*, *CANON LAW STUDIES*, Number 77, (Wash., D.C.: The Catholic University of America, 1932), pp. 34, 35.]

If Abp. Thuc "... administered the sacrament of orders and episcopal consecration on unquestionable heretics and schismatics with full awareness of the fact ..." there would certainly be a "juridical presumption of heretical depravity". You can be sure that if John Paul II did such a thing, the defenders of Abp. Thuc would lose no time in declaring that it was sufficient and compelling proof that he was a heretic.

The law is plain in this regard. It says that when an external violation of the law takes place malice is presumed in the external forum. According to Canon 2200, "... when an external violation of the law occurs, in the external forum the existence of malice is presumed until the contrary is proved, because in the ordinary case man acts knowingly and freely." [John A. Abbo, J.C.D. & Jerome D. Hannan, J.C.D., *THE SACRED CANONS* (St. Louis: B. Herder Book Co., 1952), Vol. II, p. 788.]

But even apart from this question, it is a fact that Fr. Barbara did raise questions about the mental state of Abp. Thuc just as Fr. Sanborn did.

Fr. Barbara's Three Possible Answers

Fr. Barbara interviewed Abp. Thuc in March of 1981 and again in January of 1982. Subsequent to these interviews he suggested three possible answers to the question of whether or not Abp. Thuc was "in possession of his faculties". Fr. Barbara wrote:

"The relapse into profanation of the sacrament of order (the latest consecration conferred in a sect was on 24 Sep 1982) and the lack of firmness in his promise not to lapse again make it permissible to ask an essential question. Was this old man, over 85 years of age, in possession of his faculties, did he realize what he was doing in imposing his hands so easily on no matter whom? Was he truly responsible for his acts? There are only three possible answers to this distressing question.

"- No. Thuc was not in possession of all his faculties; he was not responsible and did not incur the penalties provided by the Law. But then the consecrations conferred are not valid, since the consecrator was not in possession of his faculties for the performance of a responsible act."

"- Yes. The consecrator at these consecrations was in full possession of his faculties. The consecrations are valid but consecrator and consecrated have incurred all the penalties provided by the Law and Thuc is truly a scandalous bishop.

"- We do not know with certainty. Perhaps he was in possession of his faculties, and perhaps he was not. That would leave a doubt hovering over the censures incurred, but also over the validity of all these ordinations." [Fr. N. Barbara, "WHAT ARE WE TO THINK OF THE BISHOPS CONSECRATED BY NGO DINH THUC, CARMONA, VEZELIS, MUSEY ETC.?"]

Cardinal Lara & The Mental State Of Abp. Thuc

The apologists of the Thuc bishops cite the Vatican to bolster their defense of the validity of the Thuc consecrations and the mental stability of Abp. Thuc. In a previous BULLETIN we demonstrated the fact that the Vatican did not concede the validity of the Thuc consecrations. It seems that the Vatican also raised questions about his mental state. For example Cardinal Jose Castillo Lara who was President of the Pontifical Council for the Interpretation of Legislative Texts from 1985 to 1990 and who held other high Vatican posts recently questioned the mental competence of Abp. Thuc. He stated quite categorically that Abp. Thuc was mentally unbalanced and that because of this his actions did not have the same character as those of Abp. Lefebvre. In a letter to John Beaumont, dated May 26, 1993, on the subject of the consecrations of Abp. Lefebvre, Cardinal Lara wrote:

"Ngo Dinh Thuc represents a pitiable situation, as there is some mental imbalance." [Fidelity, March 1994, p. 37.]

John Weiskittel & The Mental State Of Abp. Thuc

John Weiskittel wrote regularly for CATHOLIC RESTORATION and SACERDOTIUM. He is apparently no longer welcome to do so because of his opposition to the Thuc consecrations and his position that they are doubtfully valid at best. He has also written for Fr. Fenton's THE ATHANASIAN. And since Fr. Fenton's illness he has assumed responsibility for its publication.

In the December 1, 1993 issue of THE ATHANASIAN Mr. Weiskittel wrote an article entitled "Notes Concerning The 'Episcopal Consecration' Of Father Dolan". In it he takes note of the fact that the defenders of the Thuc consecrations have "sought to stifle open discussion of" the mental state of Abp. Thuc. [John Kenneth Weiskittel, "Notes Concerning The 'Episcopal Consecration' Of Father Dolan," THE ATHANASIAN, Vol. XIV, No. 8, Dec. 1, 1993, p. 3.] They have done this by trying to make it a mortal sin even to raise the subject. One prominent apologist for the Thuc consecrations who is also a chief defender of the Mount St. Michael sect put it this way:

"... Catholic teaching forbids assaults on Abp. Thuc's sacramental intention. And, in light of statements from the Archbishop and those who knew him, Catholic moral principles dictate that one cease repeating the baseless calumny that he was incapable of conferring a valid sacrament." [Rev. Anthony Cekada, The Validity of The Thuc Consecrations, (Catholic Restoration: Madison Heights, MI, 1993), p. 24.]

And another declared:

"Put simply, therefore, the objectors' charge that Abp. Thuc was not 'lucid' is calumny. It is a mortal sin to continue to repeat it." [Rev. Donald Sanborn, THE THUC CONSECRATIONS: A POSTSCRIPT, (Catholic Restoration: Madison Heights, MI, 1993), p. 8.]

The definition of "calumny is the untruthful imputation of some fault not actually committed." [Dominic M. Prummer, O.P., HANDBOOK

OF MORAL THEOLOGY (New York: P.J. Kenedy & Sons 1957), p.137] To suggest that Abp. Thuc was not in his right mind when he consecrated non-Catholics is not a calumny. It is an act of charity because instead of imputing guilt it suggests that he was not responsible for what he did.

The question is: why do the defenders of Abp. Thuc want to stifle the debate about his mental state? Why are they afraid to consider the facts? The reason is clear. It is because the mental state of Abp. Thuc has a direct bearing on the validity of the episcopal consecrations he performed. And the evidence that there was, as Cardinal Lara put it, "some mental imbalance" in him is so overwhelming as to be virtually conclusive. These two facts render the Thuc consecrations doubtfully valid. And according to the teaching of Catholic Moral Theology they must be treated, in the practical order, as invalid. For to administer doubtful sacraments is a mortal sin of sacrilege.

They want to stifle the debate because the evidence that Thuc had "some mental imbalance" simply cannot be refuted. It's that simple. Thus John Weiskittel asks the question: "So how is it ... that they can accuse their opponents on this issue of 'calumny' and 'mortal sin'?" [Weiskittel, op. cit., p. 7.] He says:

"On the contrary, they should be asking themselves if they can continue to argue for the validity of sacraments emanating from a mentally impaired bishop. ... How, then, can the consecration of Father Dolan even begin to be considered valid so long as those performed by his 'episcopal great-grandfather are debatable?" [Weiskittel, op. cit., p. 7.]

Mr. Weiskittel also informs us that Fr. Francis Fenton now regards the Thuc consecrations to be dubious. He says: "The specific word that Father Fenton used to describe the 'consecration' of Father Dolan is 'questionable.'" [Ibid., p. 4.]

Moral Consequences

What are Catholics obliged to do in the practical order? The answer may be summed up in four words: *follow the safer course*. This is not a suggestion. It is a moral imperative. When it comes to the validity of the sacraments the Church says that we must follow the *safer course*. Fr. Davis the moralist puts it this way:

"In conferring the Sacraments (as also in Consecration in Mass) it is never allowed to adopt a probable course of action as to validity and to abandon the safer course. The contrary was explicitly condemned by Pope Innocent XI." [Henry Davis, S.J., Moral And Pastoral Theology, Vol. III, "THE SACRAMENTS," (London: Sheed and Ward, 1938) p. 27.]

This obligation binds under pain of mortal sin. In the case of the *necessary* sacraments, it binds under pain of a triple mortal sin - a mortal sin of sacrilege, a mortal sin against charity and a mortal sin against justice. Fr. Davis puts it this way:

"To do so [i.e., to abandon the *safer course* with regard to the sacraments] would be a grievous sin against religion, namely, an act of irreverence towards what Christ our Lord has instituted; it would be a grievous sin against charity, as the recipient would probably be deprived of the graces and effect of the Sacrament; it would be a grievous sin against justice, as the recipient has a right to valid Sacraments whenever the minister, whether *ex officio* or not, undertakes to confer a Sacrament. In the necessary Sacraments, there is no doubt about the triple sin; in the Sacraments that are not necessary, there will always be the grave sacrilege against religion." [Ibid., Vol. III, "THE SACRAMENTS," p. 27.]

A Probable Opinion Is Not Enough

What this means is that strict moral certitude is required. Thus when it comes to the validity of the sacraments it is not probability that matters but certainty - strict moral certainty. Thus: "In conferring the Sacraments ... it is never allowed to adopt a probable course of action as to validity and to abandon the safer course." We must therefore follow the safer course in the matter of the Thuc consecrations and treat them in the practical order as if they were certainly invalid because they are certainly doubtful.

Conclusion

St. Thomas Aquinas says that we are to be "*slow in taking counsel*." And to this he adds the words of St. Augustine who said that "*prudence keeps most careful watch and ward, lest by degrees we be deceived unawares by evil counsel*." (Summa Theologica, Pt. II-II, Q. 47, Art. 9.)

St. Thomas defines "prudence as *correct knowledge concerning things to be done*." [Pummer, *op.cit.*, p. 105.] It is knowledge of things that we should desire and of things that we should avoid. Thus it is that "The Acts of the virtue of prudence are three in number: to take counsel carefully, to judge correctly, to direct." [*Ibid.*, p. 105] The virtue of prudence moves us to carefully seek counsel about what is right and good. It then judges correctly. And finally it directs us to our end. In the case before us we want to know what is right and good and what is required of us by God and His Holy Church. Does prudence direct us to embrace the Thuc bishops or to avoid them? I think the answer is evident from what has been said. And it is evident from a consideration of the sins against the virtue of prudence which are:

"precipitancy, which acts before due consideration has been given;"

"want of thought, which neglects to take due consideration of the circumstances;"

"inconstancy, which changes resolutions too quickly;"

"negligence, which does not take sufficient care of the operation of the intellect;"

"astuteness, deceit, fraud, which devise and use evil means to obtain their purpose;"

"solicitude for things of this world and for the future which prevent man from attaining to the true purpose of his life." [*Ibid.*, p. 106.]

When we consider the effort to impose the Thuc consecrations on traditional Catholic people and study the arguments put forth to advance this cause it is evident that it is not prudence that directs the effort but a desperate imprudence. We see "precipitancy", a "want of thought", "inconstancy", "negligence", "astuteness, deceit" and "fraud". We see "solicitude for things of this world and for the future which prevent man from attaining to the true purpose of his life". We see a great lack of prudence in the desperate statements of the most important apologist for the Thuc consecrations:

"I would say that nothing short of an intrinsically evil act would be able to constitute a sufficient reason to avoid the reception of a traditional episcopal consecration in these times." (Emphasis in original.) [Fr. Donald Sanborn in a written response to an interested party]

"This need is so great that any circumstantial evil may be

and must be tolerated in order to achieve this end." (Emphasis added.) [*Ibid.*]

"... the main point is that whatever there is to tolerate in any association with Thuc, however proximate or remote, is justifiable by the proportionate reason of having to survive." (Emphasis added.) [*Ibid.*]

Let the people be "*slow in taking counsel*" from those who say such things. Let them exercise the virtue of prudence for themselves. For those who say these things are not to be relied upon for guidance in such serious and controversial matters. Let us all then keep "*most careful watch and ward, lest by degrees we be deceived unawares by evil counsel*."

If we may say it this way: the soul of the traditional movement in the United States is at stake. The honor of the Catholic Religion is at stake. The integrity of the sacraments is at stake. The salvation of the souls of the faithful is at stake. The salvation of the priests' souls is at stake.

The Thuc consecrations are like the forbidden fruit. To the imprudent mind they seem "good to eat, and fair to the eyes, and delightful to behold". (Genesis 3:6) But this is a deadly fruit. It is the malignant fruit of sacrilege and doubtful sacraments. Eating it will not win God's favor but His wrath.

Winning Divine Assistance

We live in difficult times. We live in a time of apostasy. It may very well be that it is the great apostasy that was spoken of by St. Paul in his Second Epistle to the Thessalonians. The Apostle says that "God shall send ... the operation of error" to those who "receive not the love of the truth". (2 Thess. 2:10) He will send them this "operation of error" so that they will "believe lying". And in this God will expose those who "have not believed the truth, but have consented to iniquity." (2 Thess. 2: 10,11)

If these are the latter days, and I am personally convinced that they are, if these are the days spoken of by St. Paul then it is clear that above all we must have a "love of the truth". We must be prepared to live for the truth and to die for it. We must banish expediency and love the truth. We must not sacrifice the truth on the altar of expediency.

If we love the truth and hold fast to the traditions God will not abandon us. If we act prudently He will not be indifferent to our cries for help. He will come to our assistance. He will provide us with all we need to live and to die as good Catholics. He will provide for the present and He will provide for the future. We do not need some quick-fix imprudent solution to a problem for which only God can provide a solution. We need only to "stand fast; and hold the traditions". (2 Thess. 2:14) God will do the rest. We can be certain of it.

Let us then be determined to follow the safer course when it comes to the sacraments. This is the principle that protected us from the reforms of Vatican II. It is the principle that moved us to reject the doubtful bishops, priests and sacraments of the New Church. It is the same principle that compels us to reject the doubtful Thuc bishops, priests and sacraments.

Our Lord told St. Margaret Mary that His Heart is a Treasure Chest of love and graces. And the key that opens It is our confidence. Let us have recourse to the Sacred Heart in our need - ever relying on the intercession of His and Our Most Blessed Mother.

THE BULLETIN

"So the faith was planted; so must it be restored"

Eight Pond Place-Oyster Bay, NY 11771

OCTOBER, 1993

Tragedy and Travesty

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"... seeking their own glory rather than that of Jesus Christ, and being carried away by the fire of ambition ..."

(Pope St. Pius X, *Gravi Iamdiu Scandalo*)

INTRODUCTION

The Announcement

A few days ago I received a copy of an announcement. It reads: "Announcement of Episcopal Consecration." It was written by a man who calls himself "Bishop Pivarunas". It informs us that he will perform an episcopal consecration on November 30, 1993 at St. Gertrude the Great Church in Sharonville, Ohio. On that day, "Bishop" Pivarunas says, he will "consecrate" Fr. Daniel Dolan. On the first page of the announcement there is a picture of "Bishop Pivarunas". Under it is a caption which tells us that "Bishop Pivarunas" was "Superior General" of the CMRI of Spokane, Washington; that he was himself "consecrated" two years ago by a Mexican (Thuc) "bishop" named Carmona; and that he formed a coalition of priests.

The Biographical Sketch

With the announcement I received "A Biographical Sketch". It is a glowing account of the life of Fr. Dolan. It seeks to establish in the mind of the reader the idea that Fr. Dolan is pre-eminently qualified to be a bishop. It invokes Archbishop Lefebvre's name on behalf of this cause. It even invokes my name. It says that Archbishop Lefebvre once applied to Fr. Dolan the words: "Zeal for thy house hath consumed me". It does not mention the fact that the Archbishop spoke these words in jest. Nor does it give the uncomplimentary circumstances that prompted him to say them.

Speaking For Myself

It is not for me to speak for Archbishop Lefebvre - God rest his soul - but I can speak for myself. This I will do because the "Biographical Sketch" of Fr. Dolan gives the impression that I think he is qualified to be a bishop. In fact it gives a number of false impressions. It gives the impression that "Bishop Pivarunas" is a Catholic bishop. It gives the impression that his episcopal orders are certainly valid. And it gives the impression that the "consecration" of Fr. Dolan is in accord with Catholic Tradition and practice.

However facetiously Archbishop Lefebvre or I may have spoken in the past, what I say now I say in earnest and in a most serious and sober fashion. And what I say is this: the "consecration" of Fr. Daniel Dolan by "Bishop" Mark Pivarunas is a *tragedy* and a *travesty*. It is a tragedy because many souls will be harmed - including Fr. Dolan's. It is a travesty because it flies in the face of Catholic tradition and practice.

We will demonstrate these things by a consideration of 1) the organization that produced "Bishop" Pivarunas; 2) his episcopal orders; and 3) certain practical consequences that flow from these things.

I. THE ORGANIZATION THAT PRODUCED "BISHOP" PIVARUNAS

The organization that produced "Bishop" Mark Pivarunas is known by various names. It is known as the *Tridentine Latin Rite Church*, the Mount St. Michael group, the CMRI. The consecration announcement itself tells us that Pivarunas was the "Superior General" of the CMRI of Spokane, Washington. To understand the organization you have to know something about its origins and history. And the episcopal orders of its founder. This takes us back to the pontificate of Pope St. Pius X.

1. St. Pius X Excommunicates Two Priests And A "Pseudo-Bishop"

In 1911 Pope St. Pius X excommunicated two Catholic priests. They were Fr. Herbert Beale and Fr. Arthur Howarth. He excommunicated these priests because they got themselves consecrated by an apostate priest and "pseudo-bishop" named Arnold Harris Mathew. Mathew was ordained a Catholic priest in 1877. He left the Church in 1889 and became a Unitarian. In 1892 he entered into an invalid marriage and became an Anglican minister. In 1903 he expressed a desire to return to the Catholic Church. But he wanted to return on his own terms. The Church, however, would not dispense him from his vow of priestly celibacy and so he did not return. In 1908 he received episcopal consecration at the hands of an Old Catholic bishop. He subsequently consecrated Father Beale and Father Howarth and with them was excommunicated and anathematized by St. Pius X. Pius X also excommunicated and anathematized all others who aided, counselled or consented to the consecrations which he characterized as a "sacrilegious" and "nefarious crime." He said:

"In the pale of a grave and enduring scandal, it is with the most profound grief of soul that We have learned that priests of your country, [that is, England] namely **Herbert Ignatius Beale and Arthur William Howarth**, of the clergy of Nottingham, *seeking their own glory rather than that of Jesus Christ, and being carried away by the fire of ambition*, [emphasis added] having attempted on various occasions to be elevated to the episcopal dignity by non-

Catholics, have recently proceeded with such temerity that, having obtained their wish, they have arrogantly announced unto Us that they have procured episcopal consecration. Nor does their announcement lack authentic testimony; for he who was the principle author of this sacrilegious crime, the pseudo-bishop **Arnold Harris Mathew**, has not feared openly to confirm this deed, having transmitted to Us letters swollen with pride." [Pope St. Pius X, *Gravi Iamdiu Scandalo* "The Excommunication of Arnold Harris Mathew," *The Roman Catholic*, October, 1980, p. 20.]

Pius X urged the bishops of England "to guard zealously against their frauds and snares." [*Ibid.*] He declared "the aforesaid consecration to have been illegitimate and sacrilegious ..." And then by God's authority he declared Mathew, Beale and Howarth excommunicated and anathematized:

"The above-named priests, therefore, namely **Arnold Harris Mathew, Herbert Ignatius Beale, and Arthur William Howarth**, and all others who lent aid, counsel or consent to this nefarious crime, by the authority of Almighty God, We hereby **excommunicate, anathematize**, and solemnly command and declare to be separated from the communion of the Church and to be held for schismatics, and to be avoided by all Catholics and especially yourselves." [*Ibid.*]

St. Pius X's Bull of excommunication reveals the mind of the Catholic Church on the matter of seeking episcopal consecration at the hands of a "pseudo-bishop" like Arnold Harris Mathew. This very point was made by Fr. Cekada in his "Commentary" on the Bull of excommunication which appeared with his 1980 article on the Old Catholics. This was published in the October issue of *The Roman Catholic* magazine. Fr. Cekada said: "This decree should be a sufficient indication of how the Church regards those who get involved with Old Catholic sects." [Rev. Anthony Cekada, "Commentary," *The Roman Catholic*, October, 1980, p. 20.]

2. The Founder Of The Sect

The founder of the Mount St. Michael group was "Bishop" Francis Konrad Schuckardt - a direct "episcopal" descendant of the Old Catholic "pseudo-bishop" Arnold Harris Mathew, as we shall presently see. Schuckardt was born on July 10, 1937 in Seattle, Washington. He graduated from O'Dea Catholic High School in 1954 and from Seattle University in 1959. He entered a seminary but dropped out before completing the first year. He was involved with the Blue Army but was dismissed from it in 1967. He founded a group called the Fatima Crusade. In 1968 it had its headquarters in Coeur d'Alene, Idaho. While still a layman, Schuckardt began to distribute Holy Communion to group members. He also gave Benediction of the Blessed Sacrament as a layman. In 1971 he was consecrated by an Old Catholic bishop named Daniel Q. Brown. (The original Old Catholics were an heretical sect that was organized in the nineteenth century in German-speaking countries to fight against the dogma of papal infallibility. Their episcopal orders are derived from the Jansenist church of Utrecht. There are now scores of Old Catholic sects.)

3. Ordained By An Old Catholic Bishop

Daniel Q. Brown was a married man who left the Catholic Church and joined the *North American Old Roman Catholic Church*. This sect was founded by Carmel Henry Carfora. Carfora was an excommunicated Catholic priest and an Old Catholic bishop. Carfora assumed the title of "Most Illustrious Lord, the Supreme Primate, and considered his teachings infallible when spoken *ex cathedra*."

[*Independent Bishops: An International Directory* (Detroit: Apogee Books, 1990), p. 73.] Carfora was succeeded by Hubert A. Rogers whom he consecrated. Rogers subsequently consecrated his son James on January 25, 1948. In September of 1969 Rogers consecrated Brown. He was assisted by his son "Bishop" James, who worked for Cokesbury, a United Methodist Church publishing house, and by an apostate Franciscan priest named George Koerner. Fr. Koerner had left the Catholic Church and became a bishop in the *North American Old Roman Catholic Church*. [See entries: "KOERNER, GEORGE JOHN," "ROGERS, HUBERT AUGUSTUS" and "ROGERS, JAMES HUBERT" in *Ibid.*, pp. 223, 348 and 349.]

4. The Creation Of A Sect

Brown split with Rogers and founded his own church. Seeking to attract disillusioned Catholics, he called it *The Tridentine Rite Catholic Church* (TTRCC). In October and November of 1971 he ordained and consecrated Francis Schuckardt, the former first year seminarian. They established yet another church, still with their eyes on disillusioned Catholics. The Schuckardt-Brown sect was named the *Tridentine Latin Rite Church* (TLRC) -- a variation of the name Brown had chosen for his church. Schuckardt subsequently split with Brown. In a June, 1975 letter Brown wrote:

"The arrangement (at the time of the consecration) was that we were to form two dioceses with each of us to head up one. ... However, I was never able to bring him to a decision about diocesan boundaries....It became painfully obvious to me that he had no intention whatever of sharing episcopal authority but, on the contrary, his aim was to 'take over' and crowd me out." [Letter to Robert Klotz of Post Falls, Idaho, quoted in Bob Cabbage, *Tridentine Latin Rite Church* (Spokane: Inland Register, 1980), pp. 36-37.]

On December 30, 1977 the former Jesuit seminary known as Mount St. Michael's was acquired by Schuckardt. Hence the name, the Mount St. Michael group.

5. The Demise Of "Pope Hadrian VII"

Whereas Carmel Henry Carfora, the founder of the *North American Old Roman Catholic Church*, claimed the title, "Most Illustrious Lord, the Supreme Primate," Francis Schuckardt asserted that he was Pope Hadrian VII. It was said that he received the papal tiara directly from Our Lady of Guadalupe. But in April, 1984 four ex-members of the *Tridentine Latin Rite Church* accused Schuckardt of homosexual conduct. The charges were made to a reporter from the ABC-TV affiliate KXLY. Denis Chicoine, Schuckardt's Vicar General, said in a letter dated June 21, 1984 that he had known for "several years" of such charges against Schuckardt but he did nothing about it.

Cornelius and Mary Strain, who were members of the church, wrote in a September 12, 1986 letter to "Bishop Robert McKenna, O.P." that "Father Clement Kubish who served our community for about 7 years ... tried to expose Bishop Francis as a homosexual. *He was disgraced from the pulpit by our priests* especially Fr. Denis [Chicoine] in a community wide sermon." [Emphasis added.]

In the wake of the public scandal Schuckardt left in June of 1984. He was succeeded by Denis Chicoine and then by Mark Pivarunas the man who will consecrate Fr. Dolan. Schuckardt subsequently accused Chicoine of "spreading 'lies and slander' against him and that Chicoine, not he, was guilty of grave moral offenses". [Quoted in Cabbage, *op. cit.*, p. 35.] 1993.

6. The Old Catholic Connection

The Old Catholic connection is no secret. The leadership of the *Tridentine Latin Rite Church* cited the Old Catholic-Arnold Harris Mathew connection in its defense of Schuckardt's orders. They did this

in a document entitled *STATEMENT ON THE VALIDITY OF HOLY ORDERS*. The first paragraph says:

"In the past several months many of you have had various questions in regard to the validity of the Orders of the Priests and Clerics here at Mount Saint Michael's. This statement is an attempt to answer the questions that have been raised. We hope that the information provided will answer any questions that you may have."

The *STATEMENT* goes on to explain the schismatic Old Catholic connection. It gives the history of Schuckardt's orders. It begins with the Old Catholics and Arnold Harris Mathew. It talks about consecrations done by Mathew. And it traces the line from him to Brown and Schuckardt. It says:

"... in 1912, Matthews [sic] also consecrated an Austrian nobleman, the prince De Landes-Berghes et de Rache, and then sent De Landes-Berghes to the United States to head the Old Roman Catholic movement in this country. ... In 1916, De Landes-Berghes consecrated Carmel Henry Carfora (1878-1958). Carfora, a former Roman Catholic priest, had been born, educated and ordained in Italy. ... After his consecration by De Landes-Berghes, Carfora proceeded to found the North American Old Roman Catholic Church, which became one of the largest Old Roman Catholic Churches in the world; by 1958, Carfora's organization numbered some 85,000 members. ... In July 1942 Carfora consecrated Hubert A. Rogers. ... Rogers became the head of the North American Old Roman Catholic Church. In 1969, Rogers consecrated Daniel Q. Brown to the episcopacy. ... Bishop Brown ... ordained and consecrated Bishop Schuckardt in October and November 1971." [*STATEMENT ON THE VALIDITY OF HOLY ORDERS*, A Mount St. Michael's publication, pages 3 & 4 of the *STATEMENT*.]

The schismatic Old Catholic connection is simply undeniable. We see it from Mathew to de Rache; from de Rache to Carfora; from Carfora to Rogers; from Rogers to Brown; and from Brown to Schuckardt. The line of schismatic "pseudo-bishops" is unbroken from Mathew to Brown. It is continued with Schuckardt who with Brown's help founded his own sect, the *Tridentine Latin Rite Church*.

7. From Sect Critic To Sect Apologist

In 1980 Fr. Anthony Cekada published a long, well-researched article on the Old Catholics. He called it: "A Warning On The Old Catholics: False Bishops, False Churches". It was published in the October, 1980 issue of *The Roman Catholic*. In that article he characterized the *Tridentine Latin Rite Church* as a "sect". He called it a "schismatic church". He put it on his list of "Schismatic Churches." He wrote: "Schuckardt formed his own sect" [Rev. Anthony Cekada, "A Warning On The Old Catholics: False Bishops, False Churches," *The Roman Catholic*, October, 1980, p. 19.]

The article reflected the unanimity among traditional priests on the subject of Mount St. Michael's. It was commonly regarded as a sect by Fr. Cekada, Fr. Dolan, Fr. Sanborn and by the priests with whom they worked. There was never a suggestion that it was anything other than a sect. It was inconceivable that the likes of Brown and Schuckardt would produce a traditional Catholic community. Brown was a fallen away Catholic who joined a schismatic church. He was ordained and consecrated for that sect. He was a married man with two children. He was still living with his wife when he pretended to be a Catholic bishop. As for Schuckardt, he ruled his church as if he were its "pope." And in time he claimed to be just that.

There was no objection among the priests to Fr. Cekada's characterization of Mount St. Michael's as a schismatic church. There was no outcry against calling Schuckardt's group a sect because it was obviously just that. And if there is an outcry now it is not because new facts have been uncovered which show that Fr. Cekada was wrong to call the *Tridentine Latin Rite Church* a "schismatic church" and "sect." Rather it is for other reasons. For certain priests now have a vested interest in convincing the people that the "sect" is really just another Catholic community.

One of these priests is Fr. Cekada who has promoted the consecration of his friend Fr. Dolan by the sect's bishop, Mark Pivarunas. And so from being an outspoken critic of the Schuckardt "sect" and "schismatic church," as he called it, Fr. Cekada has become its chief apologist. He is publicly associated with the sect and justifies the consecration of Fr. Dolan by Schuckardt's successor. He has changed radically and dramatically. Nor has he made any serious attempt to reconcile the contradictions between what he says today and what he said in the past. For these contradictions cannot be reconciled. *Ignore them and they will go away* - is what he seems to say.

But they will not go away in spite of the fact that he approves, justifies and defends the consecration of Fr. Dolan by Mark Pivarunas, one of the successors of Francis Schuckardt. Pivarunas will do for Fr. Dolan what Arnold Harris Mathew did for Beale and Howarth. The nefarious deed and sacrilegious crime will be repeated at St. Gertrude the Great Church in Sharonville. And with the boldness of an Arnold Harris Mathew who dared to notify Pope St. Pius X of what he did, Pivarunas has sent notices of his crime to be to the remnant of faithful Catholics throughout the country. As St. Pius X said: "We vigorously exhort you to guard zealously against their frauds and snares."

II. THE EPISCOPAL ORDERS OF PIVARUNAS

The Worst Of Two Worlds: A Sect Bishop And A Thuc Bishop

In "Bishop" Mark Pivarunas we have the worst of two worlds. He is a dubious Catholic and a dubious bishop. He is a dubious Catholic because of his association with a schismatic sect. He is a dubious bishop because he is a so-called Thuc bishop. The "Thuc bishops" are clergymen who trace their orders to the late Archbishop NGO-dinh-THUC of South Vietnam. Fr. Cekada exposed and condemned the Thuc bishops in his article "Two Bishops In Every Garage". It appeared in the January, 1983 issue of *The Roman Catholic*. The title stems from the fact that there are so many Thuc bishops in the world. And their number seems ever to increase. Fr. Dolan will soon be added to the long list.

Some Typical Thuc Bishops

In 1983 there were already hundreds of Thuc bishops. Among Thuc bishops are included many apostate Catholics and non-Catholic clergy. They even include, according to Fr. Noel Barbara, a notorious homosexual who was commonly known as such before Thuc consecrated him. The following is a small sample of Thuc bishops.

Clemente Dominguez-Gomez is a Thuc bishop who founded a schismatic church in Spain. He calls himself Pope Gregory XVII. He has created over 90 "cardinals" and has canonized over two-thousand "saints".

Roger Kozik and Michael Fernandez are Thuc bishops who, according to Fr. Noel Barbara, "were charged with racketeering, and ... were prosecuted in the court of appeals for fraud, and were sentenced to eight months in prison with

parole". [Fr. Noel Barbara, WARNING Concerning A Sect Which Is "Made In France", Fortes in Fide, 758 Lemay Ferry Road, St. Louis, Mo. 63125.] **Jean Laborie** is the "beer delivery man" who founded the schismatic Latin Catholic Church of France sometimes referred to as the Latin Church of Toulouse. He was consecrated at least three times. The third time was by Thuc in 1979.

Andre Enos is an apostate Catholic priest, a bishop of the Old Holy Catholic Church and a Thuc bishop.

Other "apostates of the Catholic Church," to use Fr. Barbara's expression, who are Thuc bishops include: Claude Nanta, Pierre Salle, Jean Oliveres de Mamistra, Patrick Broucke de Tralles, Philippe Miguet, Michel Main and P.E.M. de Labat d'Amoux. [Ibid.] Fr. Cekada said that Thuc "also ordained another 'Old Catholic' from Marseilles named Garcia, and a certain ex-convict named Arbinet who went on later to become a Palmar 'bishop'." [Rev. Anthony Cekada, "Two Bishops In Every Garage," *The Roman Catholic*, January, 1983, p. 7.]

Unspeakable Crime

To confer holy orders on such men is an *unspeakable crime*. It is a betrayal of Christ and the Church. It is a profanation of the priesthood and the sacraments. Thuc is rightly regarded as infamous. For he "lost his reputation in the opinion of upright and conscientious Catholics". [John A. Abbo, S.T.L., J.C.D. and Jerome D. Hannan, S.T.D., J.C.D., *The Sacred Canons* (St. Louis: B. Herder Book Co., 1960), vol. II, p. 854.] Thuc is as bad as the very worst of the Novus Ordo bishops. To accept him and his bishops is as reprehensible as being in communion with the most radical modernists of the new church. To suggest that traditional Catholic people should seek sacraments from such a source is a scandal and a betrayal of Catholic Tradition and practice.

From Thuc Critic To Thuc Apologist

It is hard to believe that a Catholic Archbishop, who was sane and in his right mind, could do such things. It is hard to believe that priests would white-wash the crimes of Thuc by comparing him to Archbishop Lefebvre. This was recently done in the article *The Validity Of The Thuc Consecrations* - an article filled with errors and seriously defective in its application of theological principles as we will show in a comprehensive study of this whole issue that will appear, we hope, in the not too distant future. It said that there were people who regarded Thuc as a valiant hero. And there were those who considered him to be mentally deficient. The article says the truth is in the middle for he was just like Archbishop Lefebvre. It says: "On one hand, while Abp. Thuc did say the traditional Mass, he was hardly another Athanasius. His actions and his statements on the situation in the Church were, like Abp. Lefebvre's, often contradictory and mystifying. ... On the other hand, theological zig-zagging and errors of practical judgment prove only that a given archbishop (take your pick) is human and fallible." [Rev. Anthony Cekada, "The Validity Of The Thuc Consecrations," *SACERDOTIUM*, III PARS VERNA, MCMXCII, pp. 7-8.]

To compare Thuc to Archbishop Lefebvre is like comparing Jack the Ripper to Nicodemus. In 1983 Fr. Cekada, who was ordained by Archbishop Lefebvre, asked this question about Thuc bishops: "Can we really take all this seriously and suppose that the 'bishops' involved in such goings-on are the future of the Church?" His answer:

"Impossible. [Emphasis added.] Even to refer to them as 'traditional Catholic bishops' lends too much respectability to the whole business, which is, in this writer's opinion, very disresponsible indeed." [Cekada, "Two Bishops In Every Garage," *op.cit.*, p. 16.]

Fr. Cekada was quite correct then. He was as correct about his estimation of the Thuc bishops in 1983 as he was in 1980 about the Mount St. Michael sect. In fact he was somewhat prophetic. For he said of the Thuc bishops: "The story will not end here - it is probable that 'instant bishops' will continue to multiply exponentially, as among the 'Old Catholics.'" [Ibid.] Indeed it will not end. For to the list of "instant bishops" will soon be added the name of Fr. Daniel Dolan.

1. THE THUC CONSECRATIONS ARE DOUBTFUL BECAUSE OF A LACK OF PROOF

The Thuc consecrations are doubtful because the proof required by the Church simply does not exist. That the Church requires proof is a fact. She even specifies the kind of proof that is required. In the introduction to his work *Proof Of The Reception Of The Sacraments*, Fr. Sullivan says:

"In addition to a consideration of the different forms of proof, special instances wherein the law requests proof that a sacrament has been received will also be matter for discussion. These cases are pertinent, for sometimes the law giver not only states that proof must be furnished but also determines the type of proof which is required. In these circumstances the subject of the law is granted no freedom of choice. The form of proof which he must present will not be that which is more convenient for him to secure, but the particular one stipulated by official precept." [Rev. Eugene H. Sullivan, *Proof Of The Reception Of The Sacraments*, (The Catholic University Of America Press, Wash. D.C., 1944) p.x.]

Fr. Sullivan says that the Code of Canon Law only provides for documentary proof to establish the fact of the reception of holy orders. "There is no canon," he says, "in the Code which makes provision for substantiating the reception of holy orders in any way other than by the evidence of documents." [Ibid., p. 121.] But if the documents are lost or destroyed theologians say one may prove the reception of holy orders by the testimony of witnesses. This conclusion is based on an analogy of law. Theologians draw an analogy from canons 779 and 800 which provide for proof of the reception of baptism and confirmation by the testimony of witnesses if the records are lost or destroyed.

The testimony that would be required to prove the reception of holy orders would be that of one "qualified witness" or two or three absolutely trustworthy witnesses or more in very serious matters. A "qualified witness" would be one who testifies to things done in his official capacity, such as the ordinary of a diocese who ordains a priest or a pastor of a parish who performs a baptism.

In the case of the Thuc consecrations the available testimony is inadequate. Thuc provided for no assistant priests to be present who could later testify. And the testimony of the two laymen who were there is essentially defective.

No Assistant Priests

It is quite revealing that there were no assistant priests present at the consecrations in question. For it manifests the recklessness and gross disregard for Catholic practice and Tradition that is so characteristic of the Thuc consecrations and of Thuc himself. The Church requires two co-consecrating bishops at an episcopal consecration. Fr. Clancy says that when the Supreme Pontiff grants a dispensation from the requirement of co-consecrating bishops, he "always commands that the consecrator be assisted by two or three priests of some special dignity." [Rev. Walter B. Clancy, *The Rites And*

Ceremonies Of Sacred Ordination, (Wash., D.C.: The Catholic University Press, 1962), p. 74.] The conspicuous absence of assistant priests is also significant. This is so because assistant priests are required not only to lend solemnity but to insure that the consecration is done correctly and hence validly. Assistant priests, because of their function, would therefore be in a position to testify to the validity of a clandestine consecration. But there were none present at the clandestine Thuc consecrations.

The Two Laymen

There were two laymen present at the consecrations in question. Fr. Jenkins, Fr. Sanborn and I went to Germany to question these men. We discovered that they could not testify to the validity of the sacrament conferred. Neither could they testify that the correct matter and form were used. The matter is the laying-on of hands. The form is made up of sixteen words. One did not have the faintest idea what the form of the sacrament was. Nor did he know if Thuc used one hand or two hands. The other angrily refused to answer any such questions. He insisted that he could not be expected to remember such details after so long. The testimony of the two laymen was therefore seriously defective and essentially insufficient. This is not to fault them. They were not there as witnesses as one of them testified under oath. After our meeting with the two laymen, Fr. Sanborn said quite definitively that the Thuc consecrations could not be proved in the external forum. He also said that even if they could be proved we could have nothing to do with them because they were too sordid.

Extremely Significant

It is very significant that the laymen who were present could not testify that the sacrament was validly conferred. It is extremely significant in spite of the fact that the defenders of the Thuc consecrations make light of it. They ridicule those who say the Thuc consecrations must be regarded as doubtful because of the insufficiency of testimonial evidence. Nothing more is needed, they say, than to establish that a ceremony took place. Establish that and validity must be presumed regardless of the circumstances. Is this true?

To answer this question it is necessary to recall that the Code of Canon Law provides only for documentary proof to substantiate the reception of holy orders. Testimonial evidence is admitted by an analogy of law to the laws that govern baptism and confirmation. By way of this same analogy of law we can determine the function of witnesses at a private episcopal consecration by determining their function at a private baptism.

Private Consecration - Private Baptism

The responsibility of witnesses at a private baptism is spelled out by Fr. Heribert Jone in his work *Moral Theology*. This is a standard handbook of Moral Theology. Fr. Jone says:

"If possible, two or at least one witness should be present in private Baptism, so that the administration of Baptism can be attested to (C. 742). Witnesses should observe everything closely that they may testify to the validity [emphasis added] of the Sacrament conferred." [Rev. Heribert Jone, O.F.M. Cap., J.C.D. *Moral Theology* (Westminster, Maryland: The Newman Press, 1962), p. 327.]

The witnesses are to "testify to the validity of the Sacrament conferred." They are to "observe everything closely that they may testify to the validity" He does not say they are to testify that a baptismal ceremony took place. He says they are to "testify to the validity of the Sacrament conferred." This refutes the contention that the witnesses need only to testify that a ceremony took place.

2. THE INCORRECT AND CORRECT PRESUMPTION

The defenders of the Thuc consecration insist that we must presume validity if a ceremony of episcopal consecration took place regardless of the circumstances and the lack of proof required by the Church. They are completely wrong. In the first place proof is necessary to establish a clandestine episcopal consecration. In the second place, Fr. Charles Augustine, the famous canonist, says:

"The general rule is that if the matter and form required for these sacraments [i.e., "Baptism, Confirmation, and Holy Orders"] have been properly applied by the respective minister, they are supposed and presumed to have been conferred validly." [Rev. P. Chas. Augustine, O.S.B., D.D., Professor of Canon Law, *A Commentary On The New Code Of Canon Law*, (St. Louis: B. Herder Book Co., 1925), vol. 4, p. 23.]

Fr. Augustine does not say: if a ceremony took place the sacraments are "supposed and presumed to have been conferred validly." He says: "if the *matter* and *form* required ... have been properly applied by the respective minister, they are supposed and presumed to have been conferred validly." This refutes the notion that if a ceremony took place one must presume validity regardless of the circumstances.

The conclusion is inescapable: *the Thuc consecrations are and must be regarded as doubtful because of insufficient documentary and testimonial proof*. We have no choice in the matter. Private opinions, subjective beliefs and personal realizations are not the objective norm of morality for Catholics. They are the things liberal Protestants and modernists appeal to in order to justify whatever it is they want to do.

3. THE THUC CONSECRATIONS ARE DOUBTFUL BECAUSE OF THE MENTAL STATE OF THUC

The documentary or testimonial evidence needed to prove the clandestine Thuc consecrations does not exist. If it does would someone please produce it! The consecrations are therefore doubtful. But they are also doubtful because of serious questions about the mental state of Archbishop Thuc. He was known to go in and out of lucidity. Both Fr. Sanborn and Fr. Barbara raised questions about Thuc's mental stability. This is serious and significant even though Fr. Sanborn would no doubt like to retreat from this position as Fr. Barbara probably would. It is serious and significant because one must be in "full command of reason" to validly administer the sacraments. The Rt. Rev. Msgr. Joseph Pohle, Ph.D., D.D., puts it this way:

"The combination of matter and form into a sacramental sign (*confectio*), and its application to the individual recipient (*administratio*), -- two factors which, with the sole exception of the Holy Eucharist, invariably coincide, -- **require a minister who has the full command of reason. Hence lunatics, children, and others who have not the full use of reason are incapable of administering a Sacrament.**" (Emphasis added.) [Joseph Pohle, Ph.D., D.D., *The Sacraments A Dogmatic Treatise* (St. Louis: B. Herder Book Co., 1944), p. 162.]

Fr. Sanborn actually suggested that insanity was a possible explanation for Thuc's bizarre behavior. Fr. Barbara wondered if he was responsible for his actions. He spoke about Thuc's mental state and the effect it might have on the validity of his episcopal consecrations. He said of Thuc:

"The relapse into profanation of the sacrament of order (the latest consecration conferred in a sect was on 24 Sep 1982) and the lack of firmness in his promise not to lapse again make it permissible to ask an essential question. Was this old man, over 85 years of age, in possession of his faculties, did he realize what he was doing in imposing his hands so easily on no matter whom? Was he truly responsible for his acts?"

"We do not know with certainty. Perhaps he was in possession of his faculties, and perhaps he was not. That would leave a *doubt* hovering over the censures incurred, but also *over the validity of all these ordinations*." (Emphasis added.) [Father Barbara, "WHAT ARE WE TO THINK OF THE BISHOPS CONSECRATED BY NGO DINH THUC, CARMONA, VEZELIS, MUSEY ETC.?"]

4. AN IMPLICIT ADMISSION OF DOUBT AND A DECIDED LACK OF OBJECTIVITY

The doubts that exist about the Thuc consecrations are objective, prudent and positive. They are based on the Code of Canon Law and principles of Moral Theology. They are based on the glaring lack of proof and serious questions about the mental state of Thuc. Yet in spite of this there are certain priests who simply refuse to accept the reality of the situation. They are determined to find some way to justify approaching a Thuc bishop for episcopal consecration. This is their hidden agenda, all the claims to the contrary and to complete objectivity notwithstanding.

It may be a misdirected zeal that drives them or a lack of confidence in Divine Providence. And sad to say there are certainly those who are just "being carried away," as St. Pius X put it, "by the fire of ambition." They claim that their research and writings are objective. They attack those who oppose association with the Thuc bishops as not being objective. But such claims and attacks often mask a profound lack of objectivity. They may even be at times symptomatic of self-deception especially in the case of very intelligent persons.

Fr. Sanborn is a very intelligent priest, even a brilliant priest in some ways. He has done a great deal of good for the traditional cause. He is now, unfortunately, one of the most important defenders of the Thuc consecrations. He claims to be completely objective. He insists that he has no vested interest in justifying the Thuc bishops. But his unguarded words tell a different story. They tell of a priest who is desperate to find some justification - any justification - short of what is intrinsically evil in order to justify getting consecrated by a Thuc bishop. In his mind any circumstantial evil not only may be tolerated but *must* be tolerated in order to get consecrated in these times. If this sounds like an exaggeration then listen to what he himself had to say. Here is what he wrote to an interested party. I have a copy of what he wrote in my possession. And I quote:

"Bp. Guerard des Lauriers went to Abp. Thuc in order to obtain episcopal consecration, in order, in turn, that the Mass and priesthood be carried on in this crisis of the Church. Despite all the imprudence and scandals of Thuc, the necessity to have priests far outweighs any bad ramifications of receiving orders from Abp. Thuc. As a matter of fact, I would say that nothing short of an intrinsically evil act would be able to constitute a sufficient reason to avoid the reception of a traditional episcopal consecration in these times." (Emphasis in original.)

Fr. Sanborn's words bespeak a certain desperation to somehow justify the Thuc bishops:

"We priests are getting older, and our unity is quickly fading due to lack of authority. There is a very grave need to find a bishop, train priests, and give direction to the faithful. This need is so great that *any circumstantial evil may be and must be tolerated* in order to achieve this end." (Emphasis added.)

These are not the words of reason and objectivity. They are words of desperation and determination to find some justification for getting consecrated by a Thuc bishop. They are dangerous words. They are words that must be taken into account when reading his defense of the Thuc consecrations. They are more than the grain of salt with which his claims to "complete objectivity" must be taken. And these very non-objective sentiments of Fr. Sanborn were written long before the "exhaustive inquiries" were completed. In fact they directed much of that research. The same is true for Fr. Cekada who uses what is little more than pure subjectivism to justify the Thuc consecrations - as we shall see.

The point I would make is this: the very determination of such priests to vindicate the Thuc consecrations and the tremendous effort in behalf of this cause is an implicit admission that the doubts about the Thuc consecrations are objective, prudent and positive. If they were not, such a massive effort to overcome them would not be required. Fr. Sanborn, himself, said that "PAINSTAKING AND ASSIDUOUS hours of research, many hundreds of them, by many priests both in the United States and Europe" were expended. [Rev. Donald Sanborn, "PREFACE," *SACERDOTIUM*, III PARS VERA, MCMXCII, p. 2.] He acknowledged that: "Ordinarily episcopal consecrations do not require such exhaustive inquiries." [*Ibid.*]

He is right. They only involve such "exhaustive inquiries" when the doubts are very real indeed and based on objective facts. It simply does "not require such exhaustive inquiries" to overcome doubts that are subjective, imprudent and negative. Hundreds of hours of "painstaking and assiduous" research on two continents would not be necessary in such a case.

What The "Exhaustive Inquiries" Produced

The great effort expended to overcome the doubts testifies to the objective character of the doubts. The doubts are manifestly positive. They are based on a lack of proof and the mental state of Thuc. But what, may we ask, did the hundreds of "painstaking and assiduous hours of research" produce? The defenders of the Thuc consecrations say the effort produced significant results. The non-existent doubts have been overcome, they say. And how do they accomplish this? They accomplish it by *moral certitude* and a document of Pope Benedict XIV. The "moral certitude" solution is Fr. Cekada's contribution. To Fr. Sanborn goes the credit for the document.

Fr. Cekada's "Moral Certitude" Solution

Fr. Cekada inadvertently admits and quickly forgets that the way to establish an episcopal consecration is by documentary proof. In the absence of such proof, "you took another route," he says. "You brought the evidence to someone with authority -- a diocesan bishop or a judge in a Vatican tribunal, say. The official examined the evidence and issued a decree stating that so-and-so had received a sacrament. These officials enjoyed ... *the power to establish in the eyes of church law the fact that a given sacramental act took place*." (Emphasis added.) [Rev. Anthony Cekada, "The Validity Of The Thuc Consecrations," *op.cit.*, pp. 12-13.] This is actually a fatal admission. For it shows that it would take the power of the Church "to establish in the eyes of church law the fact that a given sacramental act took place." It would take the power of the Church to prove the Thuc consecrations "in the eyes of church law".

But what happens if you do not have the documentary proof and you can't appeal the case to the Vatican tribunal? Then the consecration is in a "Legal Limbo." To get it out of this limbo of doubt Fr. Cekada uses "*moral certitude*". He substitutes his notion of moral certitude for the authority of the Sacred Congregation of the Sacraments and the Holy Office. He says: "The means we use is *moral certitude*, a simple concept we'll apply to the Thuc consecrations, just as we do to any other sacrament." [*Ibid.*, p. 13.]

In the first place "moral certitude" is not a substitute for the authority of the Holy See and the Vatican tribunals. Rather a decision of the competent tribunal in the case of a doubtful ordination is what gives us moral certitude. In the second place Fr. Cekada's concept of "moral certitude" has nothing to do with Catholic Moral Theology. It is in fact little more than Protestant subjectivism. It is the production of moral truth by subjective realization. He says: "moral certitude occurs when we realize it's impossible for us to be wrong about a particular fact, since the opposite of that fact is so unlikely that we know it would be imprudent to believe it." [*Ibid.*, p.16.]. And this subjectivism is endorsed by Fr. Sanborn. For it is the foundation upon which Fr. Cekada builds his whole case for the Thuc consecrations. And Fr. Sanborn endorses that case.

Fr. Cekada "realizes" that the Thuc consecrations are certainly valid. He "realizes" that it's impossible for him to be wrong about this because he "realizes" it would be imprudent to believe the opposite of that fact. Therefore they are certainly valid because he realizes it.

Such a notion of moral certitude could conceivably be used to justify anything. All you would have to do is "realize" that you are right because "the opposite of that fact is so unlikely that we know it would be imprudent to believe it." Morality in such a system is the conformity of personal behavior to a subjective realization rather than the conformity of our behavior to an objective law. And this is the means by which Fr. Cekada has established the validity of the Thuc consecrations. It is his justification for imposing the manifestly doubtful Thuc bishops and priests on the unsuspecting faithful.

Fr. Sanborn's "Important Find"

As for Fr. Sanborn's document of Benedict XIV, it also turns out to be a non-proof. Touted as an "important find" it is supposed to demonstrate "that even consecrations at which there were *no assistant priests, even illegally*, had to be **deemed valid**." (Rev. Donald Sanborn, "PREFACE", *op.cit.*, p.3.) But the document says no such thing. Fr. Sanborn completely misrepresents it, unintentionally I am sure. I have a copy of the document. Fr. Jenkins has a copy as well. It does not say what Fr. Sanborn says it says. The expression "**deemed valid**" does not even appear in the document. As Fr. Jenkins recently wrote to Fr. Sanborn:

"Furthermore, upon closer examination I find that your reference to Benedict XIV and Alexander VII does not say what you claim it says. It merely makes the point that the absence of assistant priests does not render a consecration invalid. No one ever claimed the contrary. The words 'must be deemed valid' are not in the reference, and constitute a misleading invention on your part. Surely you recognize the difference between what the Church says is required for the validity of a sacrament in itself and what proofs she requires that a sacrament has actually been administered and administered properly so that it can be publicly accepted! In misappropriating and misrepresenting the aforesaid words of Pope Benedict XIV you have not only ignored this most basic distinction; you have outright concealed it."

Fr. Cekada's "*moral certitude*" solution and Fr. Sanborn's "*important find*" solution prove nothing except that the doubts they have

tried so hard to overcome are in fact as big and real as the Rock of Gibraltar. That is why they never really deal with the doubts. They never really confront the issues. They never really address the question of proof or the mental state of Thuc with regard to what the Code of Canon Law and Moral Theology have to say about such things. They simply go around the doubts the way a ship captain would go around the Rock of Gibraltar - and understandably so. For as the Rock would sink the ship so the doubts sink their position on the Thuc bishops.

The Ordinations Of Fr. Greenwell And Fr. Baumberger

There is one final point that needs to be addressed before we get to the practical consequences. In another desperate attempt to justify the Thuc bishops certain priests have tried to equate the clandestine Thuc consecrations with the ordinations of Fr. Joseph Greenwell and Fr. Paul Baumberger. But the fact of the matter is that these ordinations are the exact non-equivalent of the Thuc consecrations. Archbishop Thuc kept no records. He issued no documents. The consecrations were clandestine. There were no assistant priests present. The laymen present were not present as witnesses. They could not testify to the fact that the correct matter and form were used.

In the case of the ordinations of Fr. Greenwell and Fr. Baumberger there were about forty lay people present including the families of the two young men at the insistence of the ordaining bishop. There were five traditional priests present. There were priests on either side of the ordaining bishop. They followed word for word as the bishop pronounced the form of the sacrament as it is contained in the Roman Pontifical, and as it is set apart from the text as Pius XII ordered. They saw and know that the bishop laid both hands on the heads of these young men. They can go before the Blessed Sacrament and swear under oath that the correct matter and form were used. There is no confusion in this matter. Furthermore, the ordaining bishop issued multiple ordination documents with his signature and his seal.

The ordinations of Fr. Greenwell and Fr. Baumberger have everything the Thuc consecrations lack. They have sufficient and abundant documentary and testimonial proof.

III. PRACTICAL CONSEQUENCES And FINAL CONSIDERATIONS

1. A Dubious Bishop Is No Bishop

The Thuc consecrations are doubtful. The Thuc bishops therefore are dubious bishops. "Bishop" Pivarunas is a Thuc bishop. He is a dubious bishop. Fr. Dolan will be a dubious bishop. In the practical order what does this mean? In the practical order it means that a doubtful bishop is "no" bishop because a doubtfully consecrated bishop is forbidden to exercise his doubtful orders. In the first place it is a sacrilege to administer doubtful sacraments. In the second place the priests ordained by a doubtful bishop are also doubtful priests. The Masses they say are doubtful Masses. The absolutions they pronounce in the confessional are doubtful absolutions. The Last Rites they administer to the dying are doubtful Last Rites. In other words the Masses they say, the absolutions they pronounce, and the last sacraments they administer may all be completely invalid. Instead of giving the Body and Blood of Christ in Holy Communion, they may be giving only a piece of bread. It may be only bread that they give to the dying as viaticum. The host in the monstrance for benediction may be nothing more than mere bread. The oil they use to administer the Sacrament of Extreme Unction may be just plain olive oil and nothing more because it was consecrated by a doubtful bishop. And on and on it goes.

2. The Safer Course Must Be Followed

The teaching of the Catholic Church that applies in the practical order is that we must follow the safer course. This must be done because the Church teaches it. And it must be done for the sake of charity, justice and reverence for the sacraments. Fr. Jones says:

"In administering the Sacraments one must, out of reverence due to the sacrament, and often out of justice and charity, decide in favor of the opinion that safeguards the validity of the Sacrament." [Jones, *op. cit.*, p. 43.]

Fr. Henry Davis says: "In conferring the Sacraments ... it is never allowed to adopt a probable course of action as to validity and to abandon the safer course." [Henry Davis, S.J., *Moral and Pastoral Theology*, (London: Sheed and Ward, 1938), "SACRAMENTS", vol. III, p. 27.] It is a mortal sin of sacrilege to abandon the safer course and administer doubtful sacraments. In the case of the necessary sacraments it is a triple mortal sin: a mortal sin of sacrilege, a mortal sin against charity and a mortal sin against justice. Again to quote Fr. Davis:

"To do so [i.e., to abandon the safer course] would be a grievous sin against religion, namely, an act of irreverence towards what Christ our Lord has instituted; it would be a grievous sin against charity, as the recipient would probably be deprived of the graces and effect of the Sacrament; it would be a grievous sin against justice, as the recipient has a right to valid Sacraments whenever the minister, whether ex officio or not, undertakes to confer a Sacrament. In the necessary Sacraments, there is no doubt about the triple sin; in the Sacraments that are not necessary, there will always be the grave sacrilege against religion." [Ibid., p. 27.]

Mark Pivarunas is a dubious bishop. He is even a doubtful priest; he may be just a layman. Therefore his attempt to consecrate Fr. Dolan will be a sacrilege. On November 30, 1993 he will commit sacrilege. Fr. Dolan will commit sacrilege. And the people in the pews - who participate and give their approval - will share in the crime. They will share in this tragedy and travesty of Catholic Tradition and practice. And as a result there will commence the beginning of an almost endless chain of grave offences against the laws of God and the sanctity and integrity of the sacraments. Unnumbered will be the mortal sins against justice and charity. And travesty of travesties, this will all be done in the name of defending Catholic Tradition!

3. How Could It Happen?

How could it happen that priests who worked so hard for so long for the preservation of Catholic Tradition could end up advocating the cause of a sect and entering into an alliance with its clergy? How could they willingly associate with dubious Catholics and dubious bishops? How could such a tragedy and travesty occur?

We have already noted that some may be impatient with Divine Providence. Others are ruled by a misdirected zeal. And alas we have to say that there are even those driven by "the fire of ambition," as St. Pius X said of the "pseudo-bishops" of his day. Wiser and better men have fallen from grace. Wiser and better men have abandoned the way of truth. It happened to David. And it happened to Solomon.

Solomon ascended the throne at eighteen. He reigned forty years. He was the favorite of his father David. He built the Temple. He found favor with God. He was renowned for his wisdom and knowledge. Indeed he was the wisest of men. He was a philosopher and a poet. He spoke 3,000 proverbs and composed 1005 songs. He was a writer of sacred scripture. In his youth he asked for wisdom. And in his

old age "his heart was turned away ... to follow strange gods" He who built the Temple to the true God in the end "worshipped Astarthe the goddess of the Sidonians, and Moloch the idol of the Ammonites." (3 Kings 11: 4,5) To Moloch the pagans sacrificed their first born sons by fire. Yet Solomon worshipped this demon god of the pagans. He built temples to false gods even in Jerusalem itself. God warned him. God commanded him not to do these wicked things. But Solomon ignored the warnings. He persevered in his wickedness. For the wisest of men became the blindest of men.

"And the Lord was angry with Solomon, because his mind was turned away from the Lord the God of Israel, who had appeared to him twice, and had commanded him concerning this thing, that he should not follow strange gods: but he kept not the things which the Lord commanded him." (3 Kings 11: 9-10)

If something like that could happen to a Solomon, then to lesser men it could happen, too.

4. The Church Will Prevail

For our part we must not lose Faith. We must not be impatient with Divine Providence. The Church will prevail. The Catholic Church is the Mystical Body of Christ. Our Lord Jesus Christ is the Invisible Head of the Church. The Holy Ghost is the soul of the Church. "The intrinsic reason for the indefectibility of the Church of Christ lies in her inner relation with Christ, who is the Foundation of the Church (1 Cor. 3,11) and with the Holy Ghost, who indwells in her as essence and life-principle." [Dr. Ludwig Ott, *Fundamentals Of Catholic Dogma* (St. Louis: B. Herder Book Company, 1954), p. 297] "Let the one proposition suffice: Christ is the Head of the Church, the Holy Ghost her soul." [Leo XIII, Encyclical "Divinum illud"]

When will the Catholic Church falter? "The Church will totter," said, St. Augustine, "when her foundation totters. But how shall Christ totter? ... as long as Christ does not totter, neither shall the Church totter in eternity." [Quoted in *Ibid.*, p. 297.] For the Catholic Church is invincible and indestructible. She withstands all the errors and assaults of the Devil.

The Son of God does not need our feeble efforts to save His Church. If He uses us to assist His cause, it is a great privilege for us. But He does not need us. He does not need us and He certainly does not need the novel inventions of men who would impose very natural and very faulty solutions on essentially supernatural problems. If God wants us to have bishops, then bishops we shall have. Nor will there be any doubt that they are both Catholic and valid. We do not need to enter into an alliance with dubious Catholics and dubious bishops. This will not solve our problems or win God's favor. It will bring down His wrath upon the remnant of faithful Catholics. The Catholic Church is, as the first Vatican Council put it, "an unconquered stability." She is "built on a rock". And she "will continue to stand until the end of time." For, as Leo XIII, put it: "*The Church of Christ is one and everlasting.*" [Quoted in *Ibid.*, p. 296.] We wait. And we trust. Our Lord will not abandon us. And Our Lady will not leave our side if we stand fast and hold the traditions. "Therefore, brethren, stand fast; and hold the traditions which you have learned, whether by word, or by epistle." (2 Thessalonians 2:14)

Due to the urgent nature of the present BULLETIN the third part on Patriotism and America will appear in the November issue. We apologize for this but feel that it is necessary.