

DEMONSTRATION

that

POPE FRANCIS

is a

PUBLIC HERETIC AND ANTIPOPE

on the basis of

CANON LAW AND DOGMATIC THEOLOGY

by

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FOR THE GREATER GLORY OF GOD

on the feast of St Raymond of Peñafort
patron of canon law

in the year of grace
2018

*Hâc cathedrâ, Petrus quâ sederat ipse, locatum
Maxima Roma Linum primum considerare iussit.*

*On this chair, where Peter himself had sat,
great Rome first placed Linus and bade him sit.*

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PURPOSE OF THIS BOOKLET

As a Catholic layman who loves the Church, I have been following events since the election of Pope Francis with an increasing sense that something is terribly wrong. At the same time I have been studying Catholic doctrine, theology, and canon law.

When principles from canon law and dogmatic theology are applied to the current situation in the Church, in particular to the heretical public statements of Pope Francis, the conclusion seems to follow logically that Pope Francis is a public heretic — therefore not a member of the Church — and therefore, that he cannot possibly be a valid pope. In light of the obstinacy and publicity of Francis's heresies, the conclusion seems morally certain.

If the conclusion is correct, then Francis is, as a fact, not the pope, and the promises of Our Lord given to His Church and to the Successor of Peter do not apply to him. Therefore it seems to me that, if true, it is important to recognize, accept, and apply the conclusion that Francis is not the pope in order to avoid destroying our virtues of faith, hope, and charity. For we risk emptying the divine promises of meaning, and corroding our devotion to the papacy and the Church, if we insist upon reconciling the office of the papacy to a man who does not hold it.

I have prepared this booklet in order to expound the argument in a clear and dispassionate form. I have endeavoured to intrude my voice as little as possible, and let the sources speak.

The form of the argument is valid. If the conclusion I have drawn is erroneous, I humbly beg my elders in Catholic doctrine and canon law to show me, out of fraternal charity, where the error lies. If the error is in the premises, then I am not equipped to expose or refute it, since all the premises are drawn from others more learned in Catholic doctrine than myself.

If the conclusion I have drawn is correct, I humbly beg my elders to confirm it: *ad laudem et gloriam nominis Sui, ad utilitatem quoque nostram, totiusque Ecclesiae suae sanctae.*

Jason A. Brown

23 January 2018
Winnipeg

SUMMARY

The argument can be expressed in the form of a syllogism with two premises and a conclusion:

Major premise. Public heretics are incapable of holding ecclesiastical office; a validly elected pope who becomes a public heretic automatically loses the office of the papacy.

Explanation: This premise is taken from both dogmatic theology and canon law. All theologians teach, according to Tanquerey, that public heretics are not members of the Church, even if their heresy is only material heresy. Canon law states that a public heretic is removed from all offices in the Church by the law itself; the canon lawyers Wernz and Vidal, in agreement with other canonists and theologians, teach that a pope who becomes a public heretic automatically loses the office of the papacy.

Minor premise. Pope Francis is a public heretic.

This is proven principally by Pope Francis publicly issuing heretical statements in the Apostolic Exhortation *Amoris laetitia*. That these statements merit censure as heretical is proven with reference to the dogmatic teaching of the Church.

The conditions for public heresy which must be proven, namely (1) expression of denial or doubt (2) of a truth which must be believed with divine and catholic faith (3) obstinately and (4) publicly, are all verified on the basis of these documents and other statements of Pope Francis which are matters of public record.

Conclusion. Pope Francis, being a public heretic, is incapable of holding ecclesiastical office; if Jorge Bergoglio (Pope Francis) was a validly elected pope, then, having become a public heretic, he has automatically lost the office of the papacy.

If the premises are true, this conclusion necessarily follows.

The major premise is drawn from the best authorities in canon law and theology and would seem to be theologically certain.

As for the minor premise, the evidence for Francis's public heresy is widespread and he has provided new instances of heretical statements with each passing year; even apart from the demonstration undertaken in this booklet, the premise seems probable. The proof assembled here would seem to make it morally certain.

The syllogism is logically valid. Therefore, the minor premise being morally certain, the conclusion follows with moral certainty.

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PART I: HERESY AND LOSS OF OFFICE IN THE 1983 CODE

Q. 1. What things must be believed with divine and catholic faith?

Canon 750 — “All that is contained in the written word of God or in tradition, that is, in the one deposit of faith entrusted to the Church and also proposed as divinely revealed either by the solemn magisterium of the Church or by its ordinary and universal magisterium, must be believed with divine and catholic faith; it is manifested by the common adherence of the Christian faithful under the leadership of the sacred magisterium; therefore, all are bound to avoid any doctrines which are contrary to these truths.”¹

Commentary: “A truth thus defined is called a ‘Dogma of the Faith’; denial of it is called ‘heresy.’”²

Q. 2. What is heresy?

Canon 751 — “Heresy is the obstinate post-baptismal denial of some truth which must be believed with divine and catholic faith, or it is likewise an obstinate doubt regarding the same; apostasy is the total repudiation of the Christian faith; schism is the refusal of submission to the Roman Pontiff or of communion with the members of the Church subject to him.”³

“The obstinate (‘pertinax’) denial or doubt which defines heresy implies both the passage of time and a process of challenge or dialogue. It means that the denial or doubt is persistent and tenacious, i.e, held after long consideration and serious attempts to wrestle with the truth.”⁴

Q. 3. Is heresy compatible with holding ecclesiastical office?

Canon 194 — “§1. One is removed from an ecclesiastical office by the law itself: ... (2) who has publicly defected from the Catholic faith or from the communion of the Church.”⁵

This canon states that someone who has “publicly defected from the Catholic faith or from the communion of the Church” is “removed from ecclesiastical office by the law itself.” Defection from the Catholic faith or from the communion of the Church occur through apostasy, heresy, or schism.⁶ This statement of the consequence of public heresy would seem to be grounded in the dogmatic theology of the Church: “All theologians teach that *publicly known heretics*, that is, those who belong to a heterodox sect through

¹ CIC 1983, can. 750.

² Gasparri, part 3, q. 148–9 (p. 103). Cfr. Vatican I, Constitution *Dei Filius*, c. 3.

³ CIC 1983, can. 751.

⁴ Coriden et al., 547–8.

⁵ CIC 1983, can. 194.

⁶ Coriden et al., 112 n61. “In the matter of defection from the Catholic faith or from ecclesiastical communion, cf. c. 1364, §1, which does not require that the apostasy, heresy, or schism be public.”

public profession, or those who refuse the infallible teaching authority of the Church, are excluded from the body of the Church, even if their heresy is *only material* heresy.”⁷

An apostate from the faith, a heretic, or a schismatic also incurs automatic (*latae sententiae*) excommunication.⁸ “Although excommunication does not necessarily involve loss of ecclesiastical office, canon 194, §1, 2^o specifically provides for this as an administrative consequence of abandoning the Catholic communion.”⁹

Q. 4. How does this apply to a pope who commits heresy?

Canon 1404. — “The First See is judged by no one.”¹⁰

“Canon 1404 is not a statement about the personal impeccability or inerrancy of the Holy Father. Should, indeed, the pope fall into heresy, it is understood that he would lose his office. To fall from Peter’s faith is to fall from his chair. The question, however, of who or what body (probably a general council) would determine whether, in fact, the pope had fallen into heresy is unclear historically and obviously not settled by this canon. While not a statement about impeccability or inerrancy, canon 1404 *is* a statement about the judicial immunity of the First See. It says that the Holy Father cannot be tried by a secular or religious court and, perhaps particularly, given the history of the question, by a general council.”¹¹

“Through heresy notoriously and openly expressed, the Roman Pontiff, should he fall into such, is, by that very fact, and before any declaratory sentence of the Church, deprived of his power of jurisdiction. ... For he who is no longer a member of the body of the Church, that is, of the Church as a visible body, cannot be the head of the universal Church. But a pope who falls into public heresy would by that fact cease to be a member of the Church; therefore he would also, upon that fact, cease to be the head of Church. ... In sum, it needs to be said clearly that a [publicly] heretical Roman Pontiff loses his power upon the very fact. Meanwhile a declaratory criminal sentence, although it is merely declaratory, should not be disregarded, for it brings it about, not that a pope is ‘judged’ to be a heretic, but rather, that he is shown to have been found heretical, that is, a general council declares the fact of the crime by which a pope has separated himself from the Church and has lost his rank.”¹²

“In sum, and while additional important points could be offered on this matter, in the view of modern canonists from Wernz to Wrenn, however remote is the possibility of a

⁷ Tanqueray, vol. 1 n. 271 (p. 160).

⁸ CIC 1983, can. 1364. *Canon 1364* — “§1. With due regard for can. 194, §1, n. 2, an apostate from the faith, a heretic or a schismatic incurs automatic (*latae sententiae*) excommunication and if a cleric, he can also be punished by the penalties mentioned in can. 1336, §1, nn. 1, 2 and 3.”

⁹ Coriden et al., 920.

¹⁰ CIC 1983, can. 1404.

¹¹ Coriden et al., 951.

¹² Peters, translating Wernz-Vidal, vol. 2 n. 453.

pope actually falling into heresy and however difficult it might be to determine whether a pope has so fallen, such a catastrophe, *Deus vetet*, would result in the loss of papal office.”¹³

Q. 5. What conditions are normally required for a canonical penalty to apply?

Canon 1321 — “§1. No one is punished unless the external violation of a law or a precept committed by the person is seriously imputable to that person by reason of malice or culpability.

§2. A person who has deliberately violated a law or a precept is bound by the penalty stated in that law or that precept; unless a law or a precept provides otherwise, a person who has violated that law or that precept through lack of necessary diligence is not punished.”¹⁴

“Three elements are implied: (1) an external violation of a law or precept (§1); (2) grave imputability rooted primarily in a deliberate intent to violate the law or precept or secondarily in culpable negligence; and finally (3) a legal determination of a penalty (§2).”¹⁵

Q. 6. Does this mean that the imputability or guilt of heresy must be proven?

Canon 1321 — “§3. Unless it is otherwise evident, imputability is presumed whenever an external violation has occurred.”¹⁶

“If there is an external violation of a law, imputability is presumed (§3). This would seem to involve *dolus*, or malice; yet since *culpa*, or culpability, at times grounds imputability, this would also have to be taken into consideration. ... In brief the law places a certain burden on the alleged offender to demonstrate that imputability, or at least grave imputability, is not verified in the case in question.”¹⁷

Summary.

Heresy is the obstinate post-baptismal denial or doubt of some truth which must be believed with divine and catholic faith. Public heretics are incapable of holding ecclesiastical office, and are removed from ecclesiastical office by the law itself. A validly elected pope who becomes a public heretic automatically loses the office of the papacy. When an external violation of the law has occurred, imputability is presumed unless otherwise evident.

¹³ Peters.

¹⁴ CIC 1983, can. 1321 §1–2.

¹⁵ Coriden et al., 901.

¹⁶ CIC 1983, can. 1321 §3.

¹⁷ Coriden et al., 901.

PART II: APPLICATION TO THE CASE

Q. 7. How is heresy committed?

Heresy is the obstinate post-baptismal denial or doubt of some truth which must be believed with divine and catholic faith.¹⁸

It should be noted that heresy can be committed in two ways:

First, heresy can be committed by denying or doubting a dogma of the faith, i.e. some truth which is part of the deposit of faith entrusted to the Church and proposed as divinely revealed either by the solemn magisterium of the Church or by its ordinary and universal magisterium.¹⁹ According to the great canonist Gasparri, speaking about a truth which must be believed with divine and catholic faith: “those who obstinately *refuse to assent to it or who call it in question* are heretical.”²⁰ Thus heresy can be committed by obstinately denying or calling into question a dogma of the faith.

Second, heresy can be committed by professing a doctrine which has been solemnly condemned as heretical by the magisterium of the Church. Condemnations of heresy pertain to the religious truths which are formally contained in the sources of revelation, and are part of the direct object of the infallibility of the Church.²¹ Professing a condemned heresy is the equivalent to denying those truths of the deposit of faith to which it is opposed. Thus heresy can be committed by professing a doctrine which the magisterium of the Church has solemnly condemned as heresy.

¹⁸ CIC 1983, can. 751.

¹⁹ CIC 1983, can. 750.

²⁰ Gasparri, appendix 7, §. 2 (p. 448–9).

²¹ Tanquerey, vol. 1 n. 250–4 (p. 144–6). “Thesis : *The direct object of the infallibility of the Church includes all the religious truths and each individual truth which are formally contained in the sources of revelation; the indirect object embraces all those things which are required in order that the deposit of faith may be preserved entire.* The first part of this thesis is *de fide*; the second part is certain. ... It is a matter of faith that *the Church is infallible in defining revealed truths.* ... There is a vast distinction between the direct object of infallibility and the indirect object : if a truth formally revealed is defined by an infallible authority, it is the object of *divine and of Catholic faith* because this truth is believed on the authority of God Who is revealing. When infallible power is exercised in respect to truths *connected* with revelation, truths of this kind are the object of *ecclesiastical faith* only. ... The direct object of infallibility. This object is to define what has been revealed, to decide on the words of the definition, to establish the canon of Scripture, to condemn heresy, etc. ... *The Church is infallible when it condemns a certain proposition with some doctrinal censure.* A doctrinal censure is “*a qualification or restriction which indicates that a proposition is opposed, in some way, to faith or morals*”. It is *de fide* that the Church is infallible when she specifies that a doctrine is heretical; it is *certain* that the Church is infallible when she states that a doctrine approaches heresy, or that a doctrine errs in a matter of faith, or that it is false.”

Q. 8. What is required to prove that Pope Francis has committed public heresy?

Commission of public heresy would, according to the principles already set out, result in automatic loss of ecclesiastical office. In order to prove public heresy, it must be proven that Pope Francis has publicly committed acts which fulfill the definition of heresy.

In order to fulfill the definition set out in canon law, it is necessary to prove: (1) that Pope Francis has denied or doubted, i.e. called into question, (2) some truth which must be believed with divine and catholic faith (3) obstinately.²² If this has been done (4) publicly, it results in automatic loss of office.

Q. 9. What is required for 'obstinacy'?

Coriden, in explaining 'obstinacy', says that the denial or doubt is persistent and tenacious, i.e. it implies the passage of time and a process of challenge or dialogue.²³ If an act of heresy were fleeting, momentary, unreflective, or unchallenged, it would not be proven 'obstinate'.

Therefore, it must be proven that the act of heresy was not fleeting, momentary, unreflective, or unchallenged; it must involve some passage of time and a process of challenge or dialogue.

²² We presume that all of Francis's acts as pope are post-baptismal.

²³ Coriden et al., 547–8.

PART III: DEMONSTRATION OF PUBLIC HERESIES OF POPE FRANCIS

All of the statements of Francis cited herein are matters of public record. Most of them were formally promulgated or delivered publicly; some were delivered in private but during interviews whose publication would be expected as a matter of course. The heretical significance of these statements has been widely lamented and brought to the attention of the Catholic world, including through documents addressed to Pope Francis himself, as well as to the Catholic bishops and cardinals whose office permits them to admonish him privately.

Furthermore this list does not exhaust the candidates for public heresy. The *Theological Critique* cited herein lists 11 heretical propositions in *Amoris laetitia*, and does not claim to be exhaustive. The *Correctio Filialis* lists 7, and likewise notes that this is not exhaustive. Both of these documents restrict their attention solely to heresies propagated in the Apostolic Exhortation *Amoris laetitia*. Pope Francis has made other public heretical statements apart from these.

1. Denial of dogmas about hell.

Public statement of Pope Francis:

Apostolic Exhortation *Amoris laetitia* 297: “No one can be condemned for ever, because that is not the logic of the Gospel!”²⁴

Interpretation of this statement:

A natural reading of this statement yields the following proposition, or its equivalent:

“No human being can or will be condemned to eternal punishment in hell.”²⁵

The statement does not seem to bear an orthodox reading without being implicitly modified. Furthermore, other statements of Pope Francis before and after the promulgation of *Amoris laetitia* provide evidence that supports this reading of the statement. For example:

In an interview between Pope Francis and Eugenio Scalfari, published March 15th, 2015, the following exchange is reported: “What happens to that lost soul? Will it be punished? And how? The response of Francis is distinct and clear: there is no punishment, but the annihilation of that soul. All the others will participate in the beatitude of living in the presence of the Father. The souls that are annihilated will not take part in that banquet; with the death of the

²⁴ AL 297 (p. 226).

²⁵ Critique, 5.

body their journey is finished."²⁶ Despite a large public outcry, Pope Francis never denied the statement attributed to him and has returned for subsequent interviews with Scalfari.²⁷

The infallible teaching of the Church:

The teaching of the Church about hell, namely that the souls of those who depart this life in actual mortal sin descend after death into hell where they suffer its torments, was taught frequently by Our Lord during His public ministry, is abundantly revealed in the Sacred Scriptures, is certainly taught infallibly by the Church in its ordinary universal magisterium, and furthermore has been defined multiple times by the solemn extraordinary magisterium.²⁸

Two quotations from infallible acts of solemn extraordinary magisterium will suffice:

Benedict XII, Constitution *Benedictus Deus*, 20 June 1336: "By this Constitution, which is to hold good forever, We by Apostolic authority define that, in accordance with the general ordinance of God, ... the souls of those who depart this life in actual mortal sin descend straightway after death into hell where they suffer its torments."²⁹

Council of Florence, Decree *Laetentur caeli*, 6 July 1439: "The souls of such as depart, whether in actual sin or only in original sin, straightway go down to hell, there to be punished with differing degrees of punishment."³⁰

Occasions when Pope Francis has been challenged on his public statement:

The Apostolic Exhortation *Amoris laetitia* was published on March 19th, 2016.

On June 29th, 2016, a petition by 45 Catholic scholars was issued to the cardinals and Eastern patriarchs of the Church, in which eleven propositions from *Amoris laetitia*, including the one cited above, were identified as heresies.³¹ This petition has since been made public.

On July 17th, 2017, a *Correctio Filialis* (filial correction) was sent to Pope Francis signed by dozens of scholars and pastors, which identified seven heretical propositions, including the one cited above, as heretical; and additionally identified subsequent deeds, words, and omissions of Pope Francis which serve to propagate those heresies within the Church. In this letter the signatories "respectfully insist that Your Holiness publicly reject these propositions."³²

²⁶ Scalfari 2015, quoted from Weston. Reported widely elsewhere.

²⁷ Pentin 2015 reports on a subsequent interview between Pope Francis and Scalfari, 1 November 2015.

²⁸ For copious citations see Critique, 5–6.

²⁹ DH 1000–2, quoted from Gasparri, 269–70.

³⁰ DH 1306, quoted from Gasparri, 440.

³¹ Critique, passim.

³² Correctio, 9.

Prior and subsequent affirmations by Pope Francis:

The journalist Sandro Magister has compiled quotations which show Francis casting into doubt or carefully avoiding the dogmatic teaching of the Church on hell:

On 4 June 2017, in the homily for the feast of Pentecost, “Francis argued, as he often does, against “those who judge.” And in citing the words of the risen Jesus to the apostles and implicitly to their successors in the Church (John 20:22-23), he intentionally cut them off halfway through: “Receive the Holy Spirit. Whose sins you forgive, they will be forgiven.” Omitting the following: “Those you do not forgive, they will not be forgiven.” And the fact that the truncation was deliberate is proven by its repetition. Because Francis had made the exact same deletion of the words of Jesus on the previous April 23, at the Regina Coeli of the first Sunday after Easter.

On 23 August 2017, at another general audience, “Francis gave for the end of history an image that is entirely and only comforting: that of “*an immense tent, where God will welcome all mankind so as to dwell with them definitively.*”

On 11 October 2017, “at the general audience in Saint Peter’s Square, Francis said that such a judgment [i.e. the final judgment] is not to be feared, because “*at the end of our history there is the merciful Jesus,*” and therefore “*everything will be saved. Everything.*” In the text distributed to journalists accredited to the Holy See, this last word, ‘everything,’ was emphasized in boldface.”³³

In October 2017, another interview between Pope Francis and Eugenio Scalfari was published, in which Scalfari reported:

“Pope Francis, I repeat, has abolished the places of eternal dwelling in the afterlife of souls. The thesis held by him is that the souls dominated by evil and not repentant cease to exist while those who are redeemed from evil will be assumed into beatitude, contemplating God. This is the thesis of Francis and also of [Archbishop] Paglia.”³⁴

³³ Magister.

³⁴ Quoted from Hickson. Reported by Magister and many others.

2. Heresy about the moral legitimacy of capital punishment.

Public statement of Pope Francis:

Apostolic Exhortation *Amoris laetitia* 83: “The Church ... firmly rejects the death penalty.”³⁵

Interpretation of this statement:

A natural reading of this statement yields the following proposition, or its equivalent:

“The death penalty is always and everywhere unjust in itself and therefore cannot ever be rightly inflicted by the state.”³⁶

The statement above does not easily bear an orthodox reading without being implicitly modified. Furthermore, other public statements of Pope Francis before and since the promulgation of *Amoris laetitia* confirm the heretical reading. These are laid out below.

The infallible teaching of the Church:

Edward Feser and Joseph Bessette have recently published a book, *By Man Shall His Blood Be Shed: A Catholic Defense of Capital Punishment*, which provides thorough documentation of the Church’s teaching on capital punishment. The bounds of orthodoxy are summed up in a Profession of Faith imposed by Pope Innocent III on the Waldensian heretics, which incorporated this clause: “We declare that the secular power can without mortal sin impose a judgment of blood provided the punishment is carried out not in hatred but with good judgment, not inconsiderately but after mature deliberation.”³⁷ Both the *Catechism of the Council of Trent* and the *Catechism of the Catholic Church* teach that the death penalty is in principle legitimate and admissible.³⁸

On 20 January 2018, Edward Feser published a new article on the subject, whose subtitle reads: “A demonstration that it has been *infallibly* taught by the ordinary magisterium of the Church that the death penalty is not intrinsically wrong.”³⁹ The arguments and quotations adduced therein, in Feser and Bessette’s book, and in the Critique (p. 4) need not be repeated here.

³⁵ AL 83 (p. 65). At this place, AL cites the *Relatio finalis* 2015 n. 64, which reads: “The Church ... firmly rejects the death penalty (cf. CCC, 2258).” The citation to the *Catechism of the Catholic Church* directs the reader to n. 2258: “Human life is sacred ... no one can under any circumstance claim for himself the right directly to destroy an innocent human being.”

³⁶ Critique, 4.

³⁷ DH 795, quoted from Feser-Bessette, 123–4.

³⁸ Pius V, *Catechism of the Council of Trent*, commentary on the 5th commandment; John Paul II, *Catechism of the Catholic Church*, 2267. See Critique, 4, with additional magisterial citations.

³⁹ Feser 2018.

Occasions when Pope Francis has been challenged on his public statement:

The Apostolic Exhortation *Amoris laetitia* was published on March 19th, 2016.

On June 29th, 2016, a petition by 45 Catholic scholars was issued to the cardinals and Eastern patriarchs of the Church, in which eleven propositions from *Amoris laetitia*, including the one cited above, were identified as heresies.⁴⁰ This petition has since been made public.

There has been an ongoing debate about the Church's teaching on capital punishment carried out by prestigious Catholic scholars since the publication of Feser and Bessette's book. In the course of this debate, Francis's teaching has been frequently cited and its contradiction of the Church's magisterium has been indicated.⁴¹ The debate is sufficiently public and noteworthy that one can only assume Pope Francis is aware of it.

Prior and subsequent affirmations by Pope Francis:

In an address to the International Association of Penal Law on October 23rd, 2014, Francis said:

"All Christians and men of good will are thus called today to fight not only for the abolition of the death penalty, whether legal or illegal, and in all its forms, but also in order to improve the prison conditions..."⁴²

In a letter of March 20th, 2015, to the International Commission against the Death Penalty, Pope Francis wrote (emphasis mine):

"The Magisterium of the Church, beginning from Sacred Scripture and from the experience of the People of God for millennia, defends life from conception to natural death, and supports full human dignity as in the image of God ...

States can kill by their action when they apply the death penalty, ...

Life, human life above all, belongs to God alone. Not even a murderer loses his personal dignity, and God himself pledges to guarantee this. ...

Today capital punishment is unacceptable, however serious the condemned's crime may have been. *It is an offense to the inviolability of life and to the dignity of the human person which contradicts God's plan for man and for society and his merciful justice, and it fails to conform to any just purpose of punishment.* It does not render justice to the victims, but rather foments revenge.

For a constitutional state the death penalty represents a failure, because it obliges the State to kill in the name of justice. Dostoyevsky wrote: "To kill a murderer is a

⁴⁰ Critique, passim.

⁴¹ See the citations in Feser 2018.

⁴² Quoted from Feser-Bessette, 183–4.

punishment incomparably worse than the crime itself. Murder by legal sentence is immeasurably more terrible than murder by a criminal". *Justice is never reached by killing a human being. ...*

The death penalty is contrary to the meaning of *humanitas* and to divine mercy, which must be models for human justice. ..."43

Pope Francis's remarks about capital punishment in an Angelus address, February 21st, 2016:

"Tomorrow in Rome begins an international conference entitled "For a World Without the Death Penalty" ...

I hope that this conference might give new strength to efforts to abolish the death penalty. A spreading opposition to the death penalty, even as an instrument of legitimate social defence, has developed in public opinion, and this is a sign of hope. ... The issue lies in the context of a perspective on a criminal justice system that is *ever more conformed to the dignity of man and God's design for man and for society*. And also a criminal justice system open to the hope of reintegration in society. The *commandment "thou shalt not kill"* has absolute value and pertains to the innocent *as well as to the guilty*. ...

Even a criminal has the inviolable right to life, as a gift of God."44

Pope Francis has reiterated his condemnation of the death penalty since the publication of *Amoris laetitia* and the censure of AL 83 as heretical in the Critique (issued June 29th, 2016). Pope Francis gave an address on October 11th, 2017, in which, Feser reports (my emphasis):

"He says that capital punishment "*is per se contrary to the Gospel.*" ... "No one ought to be deprived... of life," that "no matter how serious the crime that has been committed, the death penalty is inadmissible because it is *an attack on the inviolability and the dignity of the person,*" and that traditional arguments in defense of capital punishment "now appear clearly contrary to the new understanding of Christian truth." ...

The Pope also indicates that "a more adequate and coherent treatment" of the death penalty would take a more negative attitude toward it than even the Catechism issued by John Paul II did. Now, the Catechism already includes a prudential judgment to the effect that under contemporary circumstances capital punishment should be "very rare, if not practically nonexistent." If Pope Francis thinks that even this does not convey a sufficiently negative view of capital punishment, then it is not clear what he thinks should be added unless he advocates a complete condemnation of the death penalty even in principle."45

⁴³ Quoted from Feser-Bessette, 186–8.

⁴⁴ Quoted from Feser-Bessette, 192.

⁴⁵ Feser 2017.

3. Heresies about obedience to God's commandments, the moral law, and mortal sin.

Public statements of Pope Francis:

Apostolic Exhortation *Amoris laetitia*, ch. 8, sec. "on mitigating factors in pastoral discernment":

AL 301: "It is [*sic*] can no longer simply be said that all those in any "irregular" situation are living in a state of mortal sin and are deprived of sanctifying grace. More is involved here than mere ignorance of the rule. A subject may know full well the rule, yet have great difficulty in understanding "its inherent values", or be in a concrete situation which does not allow him or her to act differently and decide otherwise without further sin."⁴⁶

AL 303: "Conscience can do more than recognize that a given situation does not correspond objectively to the overall demands of the Gospel. It can also recognize with sincerity and honesty what for now is the most generous response which can be given to God, and come to see with a certain moral security that it is what God himself is asking amid the concrete complexity of one's limits, while yet not fully the objective ideal."⁴⁷

Interpretation of these statements:

The statements quoted either bear a meaningful reading or they are nonsense and strictly meaningless. In the context of speaking about "irregular" situations,⁴⁸ i.e. the baptized who are divorced and civilly remarried,⁴⁹ the only meaningful readings which the statements seem to bear resolve into heretical propositions. E.g.,

"That a Catholic believer can have full knowledge of a divine law and voluntarily choose to break it in a serious matter, but not be in a state of mortal sin as a result of this action."⁵⁰

"That a person with full knowledge of a divine law can sin by choosing to obey that law."⁵¹

"That conscience can truly judge that actions condemned by the Gospel, and in particular, sexual acts between Catholics who have civilly remarried following divorce, can sometimes be morally right or requested or commanded by God."⁵²

⁴⁶ AL 301 (p. 232).

⁴⁷ AL 303 (p. 234–5).

⁴⁸ AL 301 (p. 232).

⁴⁹ AL 299 (p. 229).

⁵⁰ Critique, 6.

⁵¹ Critique, 7.

⁵² Critique, 7.

Since Pope Francis has never given any reason to suppose that he considers these statements meaningless,⁵³ and on the contrary he has continued to urge their incorporation into the teaching and practice of the Church (as documented below), the reasonable conclusion is that they bear a meaningful reading; and the readings which they bear resolve into heretical propositions. Thus Charles Robertson writes: “[AL 301] seems to me not only to destroy the entire moral doctrine of the Church, but faith itself.”⁵⁴ We conclude that these are heretical statements.

The infallible teaching of the Church:

The statements, as resolved into the propositions quoted above, are subject to some or all of the following condemnations of heresy:

Council of Trent, session 6, canon 18: “If anyone says that the commandments of God are impossible to observe even for a man who is justified and established in grace, let him be anathema.”⁵⁵

Council of Trent, session 6, canon 20: “If anyone says that a justified man, however perfect he may be, is not bound to observe the commandments of God and of the Church but is bound only to believe, as if the Gospel were merely an absolute promise of eternal life without the condition that the commandments be observed, let him be anathema.”⁵⁶

Council of Trent, session 6, canon 21: “If anyone says that Jesus Christ was given by God to men as a redeemer in whom they are to trust but not also as a lawgiver whom they are bound to obey, let him be anathema.”⁵⁷

Council of Trent, session 24, canon 7: “If anyone says that the Church is in error for having taught and for still teaching that in accordance with the evangelical and apostolic doctrine, the marriage bond cannot be dissolved because of adultery on the part of one of the spouses and that neither of the two, not even the innocent one who has given no cause for infidelity, can contract another marriage during the lifetime of the other, and that the husband who dismisses an adulterous wife and marries again and the wife who dismisses an adulterous husband and married again are both guilty of adultery, let him be anathema.”⁵⁸

⁵³ AL 311 (p. 241). “The teaching of moral theology should not fail to incorporate these considerations.”

⁵⁴ Robertson.

⁵⁵ DH 1568, quoted from Critique, 5.

⁵⁶ DH 1570, quoted from Critique, 6–7.

⁵⁷ DH 1571, quoted from Critique, 7.

⁵⁸ DH 1807, quoted from Critique, 8.

Copious additional citations to magisterial documents are provided in the Critique, 6–8.

Occasions when Pope Francis has been challenged on these statements:

The Apostolic Exhortation *Amoris laetitia* was published on March 19th, 2016.

On June 29th, 2016, a petition by 45 Catholic scholars was issued to the cardinals and Eastern patriarchs of the Church, in which eleven propositions from *Amoris laetitia*, including those cited above, were identified as heresies.⁵⁹ This petition has since been made public.

On Sept 19th, 2016, Cardinals Burke, Caffarra, Brandmüller, and Meisner submitted a set of *dubia* to Pope Francis requesting that he confirm that *Amoris laetitia* does not abolish five teachings of the Catholic faith, including teachings which contradict AL 301 and 303.⁶⁰ The *dubia* have since been made public.

On May 6th, 2017, Pope Francis received a letter from Cardinal Carlo Caffarra on behalf of the other *dubia* cardinals, requesting an audience with Pope Francis to discuss the *dubia*, to which no answer had been made.⁶¹ This letter has since been made public; as of June 20th, 2017 it had not been answered, nor has it been (as far as the writer is aware) answered as of January 23rd, 2018.

On July 17th, 2017, a *Correctio Filialis* (filial correction) was sent to Pope Francis signed by dozens of scholars and pastors, which identified seven heretical propositions, including those cited above, as heretical; and additionally identified subsequent deeds, words, and omissions of Pope Francis which serve to propagate those heresies within the Church. In this letter the signatories “respectfully insist that Your Holiness publicly reject these propositions.”⁶²

Subsequent reaffirmations by Pope Francis:

On Sept 5th, 2016:

“The bishops of the Buenos Aires region issued a statement on the application of *Amoris laetitia*. In it they stated: ... If it comes to be recognized that, in a specific case, there are limitations that mitigate responsibility and culpability (cf. [AL] 301–302), especially when a person believes they would incur a subsequent wrong by harming the children of the new union, *Amoris laetitia* offers the possibility of access to the sacraments of Reconciliation and the Eucharist (cf. footnotes 336 and 351).”⁶³

⁵⁹ Critique, passim.

⁶⁰ Pentin 2016. See *dubia* 3, 4, and 5, which cite AL 301 and 303.

⁶¹ Agasso.

⁶² *Correctio*, 9.

⁶³ Quoted in *Correctio*, 6–7.

Pope Francis “wrote an official letter dated the same day to Bishop Sergio Alfredo Fenoy of San Miguel, a delegate of the Argentina bishops’ Buenos Aires Region, stating that the bishops of the Buenos Aires region had given the only possible interpretation of *Amoris laetitia*: ... [Pope Francis wrote:] “The document is very good and completely explains the meaning of chapter VIII of *Amoris laetitia*. There are no other interpretations.””⁶⁴

In December 2017, Pope Francis’s reply to Bishop Sergio Alfredo Fenoy of San Miguel, approving the Argentine bishops’ implementation of *Amoris laetitia*, was published in the issue of *Acta Apostolicae Sedis* for October 2016, together with the original letter from the Argentine bishops and a rescript by Pietro Cardinal Parolin, Secretary of State, dated June 5th, 2017, decreeing that the the two documents be promulgated as acts of authentic magisterium.

Summary.

It has been demonstrated that Pope Francis has publicly, in the Apostolic Exhortation *Amoris laetitia*, denied or called into question dogmas of the faith and professed heretical doctrines.

Prior and subsequent public statements by Pope Francis have been quoted which confirm the heretical significance of the quotations from *Amoris laetitia*. Francis has been addressed and challenged over these statements multiple times, and he has stood by them, not withdrawn them, and has reaffirmed them or repeated the same doctrine in different words and venues.

This section has proven: (1) that Pope Francis has denied or doubted, i.e. called into question, (2) some truths which must be believed with divine and catholic faith (3) obstinately, and (4) publicly.

⁶⁴ Quoted in *Correctio*, 7.

PART IV: SOME OBJECTIONS CONSIDERED

We shall pause here to note an objection frequently raised by commentators in connection with these statements. Feser notes (emphasis his):

“The pope’s remarks about capital punishment are part of a larger pattern of statements, on a variety of subjects, that are ambiguous, exaggerated, and doctrinally imprecise. ... The pope has also often refused to clarify his more problematic statements even when such clarification has been formally requested by eminent theologians and members of the hierarchy. *In general, then, the pope does not appear to be interested in making clear doctrinal statements one way or the other.*”

The proper response to this highly unusual situation is surely one of *great caution*. While it is true that Pope Francis has not clearly reaffirmed traditional teaching on capital punishment, it cannot be said that he has clearly rejected it either.”⁶⁵

It is, however, not necessary to clearly reject a dogma of the faith in order to commit heresy. It is sufficient to obstinately doubt it; Gasparri teaches that it is heresy to call it into question.⁶⁶

In the paragraph which follows, Feser says (emphasis mine):

“Finally, even if Pope Francis had clearly and unambiguously taught that capital punishment is intrinsically evil, that would not justify rejecting past papal teaching. For as we have seen, that past teaching is irreformable. If Pope Francis or any other pope were to contradict it, he would simply be guilty of a *doctrinal error*.”⁶⁷

Since the teachings under discussion are all objects of universal ordinary or solemn extraordinary magisterium, contradiction of them is not doctrinal error but heresy. Hence the statement must be rewritten: “If Pope Francis or any other pope were to contradict it, he would simply be guilty of *heresy*.” The consequences of public heresy would follow, namely loss of ecclesiastical office including the papacy.

Continuing with Feser (emphasis mine):

“Accordingly, defending Pope Francis by *calling into question* the clear and consistent teaching of two millennia is (to borrow a notorious expression from the Vietnam War era) like destroying a village in order to save it. It undermines the credibility of all popes, including Pope Francis himself. It’s that simple, and that serious.”⁶⁸

⁶⁵ Feser 2018.

⁶⁶ Gasparri, appendix 7, §. 2 (p. 448–9).

⁶⁷ Feser 2018.

⁶⁸ Feser 2018.

In fact this understates the seriousness of the matter. It is *more serious* than that. If these teachings are truths which must be believed with divine and catholic faith, and they are, then, those who obstinately refuse to assent to them *or who call them in question* are heretical.⁶⁹

Pope Pius IX, in his infallible definition of the Immaculate Conception, stated:

“If anyone should presume to think in their hearts otherwise than as it has been defined by Us, which God avert, let them know and understand that they are condemned by their own judgment; that they have suffered shipwreck in regard to faith, and have revolted from the unity of the Church; and what is more, that by their own act they subject themselves to the penalties established by law, if, what they think in their heart, they should dare to signify by word or writing or any other external means.”⁷⁰

Hence we must say, rather, that defending Francis *by calling into question* the clear and consistent teaching of two millennia is *a public act of heresy*. If the defense of Francis’s remarks requires calling into question the infallible teaching of the Church, then that is further evidence that Francis’s remarks themselves *call into question* these infallible teachings.

⁶⁹ Gasparri, appendix 7, §. 2 (p. 448–9).

⁷⁰ Pius IX, Bull *Ineffabilis Deus*, 8 December 1854, DH 2803, quoted from Denzinger, *The Sources of Catholic Dogma*, trans. Deferrari (1957), n. 1641 (p. 413–414).

CONCLUSION

In Part III it was demonstrated that Pope Francis (1) has denied or doubted (i.e. called into question), in statements made in the Apostolic Exhortation *Amoris laetitia*, (2) some truths which must be believed with divine and catholic faith, namely by denying dogmatic teachings on hell, the moral legitimacy of the death penalty, obedience to God's commandments, the moral law, and mortal sin.

Part III also demonstrated both the passage of time and the process of challenge or dialogue implied in (3) 'obstinacy'. Since the publication of *Amoris laetitia*, Pope Francis has been confronted with the heretical significance of his statements multiple times, and he has stood by the teachings expressed therein and repeatedly affirmed them, without withdrawing their heretical readings.

Therefore Pope Francis has fulfilled the definition of a heretic, and this has been done publicly. The conclusion follows: Pope Francis, if he was a validly elected pope, has by his public heresy automatically lost the papal office.

If it is true that Pope Francis is a public heretic, then both canon law and the principles of Catholic theology require this conclusion. And it is true that Francis is a public heretic.

We conclude, with, I believe, moral certainty, that Pope Francis is a heretical antipope who does not bear the papal office or jurisdiction, and enjoys neither apostolic authority nor the protection of the Holy Ghost promised to the successor of Peter.

But though we, or an angel from heaven, preach a gospel to you besides that which we have preached to you, let him be anathema. As we said before, so now I say again: If any one preach to you a gospel, besides that which you have received, let him be anathema.

Galatians 1:8–9

A man that is a heretic, after the first and second admonition, avoid: Knowing that he, that is such an one, is subverted, and sinneth, being condemned by his own judgment.

Titus 3:10–11

Therefore, brethren, stand fast; and hold the traditions which you have learned, whether by word, or by our epistle. Now our Lord Jesus Christ himself, and God and our Father, who hath loved us, and hath given us everlasting consolation, and good hope in grace, exhort your hearts, and confirm you in every good work and word.

2 Thessalonians 2:14–16

FOR THE PRAISE AND GLORY OF GOD'S NAME
FOR OUR BENEFIT
AND THAT OF ALL HIS HOLY CHURCH
AND
FOR THE HONOUR OF THE CHAIR OF ST PETER