

Ss. Peter & Paul Roman Catholic Mission

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July 25, 2013

+St. James the Greater

Rev. Msgr. Daniel J. Sullivan
Office for Clergy
Archdiocese of Philadelphia
222 North Seventeenth Street
Philadelphia, PA 19103-1299

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Dear Fr. Sullivan,

I am writing in reply to your July 18, 2013 letter advising me "one last time" to end my "affiliation with Ss. Peter and Paul Roman Catholic Mission in York, Pennsylvania" or suffer the penalty of "excommunication.... declared *latae sententiae*." I thank you for your offer of "adequate time to ponder these serious matters" but that is really not necessary because I have thought of little else for many years. You should also understand that the published "Open Letters" on the Mission web page that address the Mission's doctrinal, liturgical, moral, and canonical positions were reviewed in detail before publication by a committee of traditional minded priests that includes a canon lawyer and a former professor of systematic Thomistic theology and philosophy from a major Catholic university. Also, a former advisor to the Mission was the late Rev. Enrique Rueda who wrote the seminal book, *The Homosexual Network*, published more than thirty years ago. His research using primary sources and insightful analysis should have been a guide for many in the Church. We were privileged to have had his help.

Penalties can be incurred "*latae sententiae*" from the Latin rite code of canon law because a violation of the law in the Latin code presupposes "malice." When malice is denied, as I have done and am doing, it then must be proven in a canonical process before the imposition of penalties. You agree with us that "all Catholics are obliged to inform and obey conscience." I agree with you that a "conscience can become erroneous, albeit sincere," but you failed to add, that until the conscience is shown to be "erroneous," it must nevertheless be followed. My conscience, as with the members of Ss. Peter and Paul Roman Catholic Mission, has been formed based upon the norms of moral theology in accord with the first principles that directly touch upon our faith and worship of God. If you are to "persuade (me) about the errors causing (my) affiliation" with Ss. Peter and Paul Roman Catholic Mission, then you must address these matters of faith and worship that form the very ground for the formation of my conscience which I believe to be true and certain. Your letter does not address this. You have done nothing more than what the past bishops of the Diocese of Harrisburg have done by addressing only "(my) Mission's disciplinary inclinations." That is, you are begging the central and essential question that must necessarily be addressed.

All canon law is hierarchical and cannot compel a conscience that is both true and certain. "The salvation of souls is always the supreme law of the Church" and therefore canon law can never be validly used to the detriment of the Catholic faith, the corruption of worship of God and the loss of souls. The first duty of any canonical process is the discovery of truth. Since the Diocese of Harrisburg has demonstrated over the years no interest in the discovery of truth, Ss. Peter and Paul Roman Catholic Mission has petitioned to the "infallible Chair of Peter" for a definitive answer on those specific matters of faith and the worship of God

that have informed our consciences and have been repeatedly expressed in detail in the "Open Letters" page of the Mission's web site. The principle of "subsidiarity," was followed but proved unsuccessful because, in these matters that directly touch upon the Catholic faith and worship of God, it has been demonstrated repeatedly that they are beyond the competency of the local ordinary. Consequently, we have, as is our right which you have acknowledged, petitioned through the Diocese of Harrisburg and the Archdiocese of Philadelphia to the infallible Chair of Peter for a definitive declaration regarding our questions of faith and worship of God. It may be true that "neither the Diocese of Harrisburg nor the Archdiocese of Philadelphia is obliged to make an appeal for (us)" in a strict legal sense, but if you want to proceed with canonical case and impose penalties, after we have appealed through you to the infallible Chair of Peter, then you are in fact legally "obliged" in the matter. And you most certainly have a moral and pastoral obligation to do so as well. If our questions of faith and worship of God are correct, that is, by believing what the Church has believed and worshiping as the Church has worshiped from immemorial tradition, it behooves you to know that as well because you in authority will have much to answer for.

If it were true that we "have become indifferent to the fact that Catholics in the Diocese of Harrisburg have formally and consistently been advised not to attend or support (my) Mission," there would not be the publication of "Open Letters" to the Church hierarchy on the Mission web page for more than ten years that demonstrate, if there is anyone being "indifferent," it is the Catholic hierarchy. They are "indifferent" to Catholic faithful in regard to questions of Catholic faith, worship, and moral obligation. They are "indifferent" to sin of calumny by repeatedly making accusations of heresy without producing evidence or a specific charge. They have shown a studied legalist, even Pharisaical, "indifference" to truth and equity and have attempted to use canon law as a tool of political power and blind coercion. They have thus demonstrated a long history of their own "refusal of communion with the members of the Church subject to (the Roman Pontiff)." Our "communion" is publically demonstrated by our prayers for the Roman Pontiff and the local ordinary, our appeal to his authority to engage the infallible Magisterial power of the Church to teach infallibly on questions of Catholic faith and worship of God, and lastly, by our fulfillment of the moral and canonical norms of the Church that justify any specific violation of the letter of the law to obtain the proper resolution in the conflict of rights. The Catholic faith is to be professed and God is to be worship and no just application of law can change this obligation.

I am grateful that you have at least acknowledged that there exists questions of faith and the worship of God that could only be specifically addressed by the infallible Chair of Peter. It is true that we use the immemorial Roman rite for the celebration of Mass at Ss. Peter and Paul Roman Catholic Mission and have refused to offer the "extraordinary form" of the Novus Ordo. Reflect upon the words, "extraordinary form." Is it possible that this novel liturgical expression could be the proper name for the immemorial Roman rite? It is not possible because the immemorial Roman rite could never be reduced to the level of an "indult" or the grant of special legal privilege by positive human law, that is, as a matter of pure discipline subject to the free and independent will of the legislator. That is because:

The Tridentine Profession of Faith of Pope Pius IV, *Iniunctum Nobis*, prescribes adherence to the "received and approved rites of the Catholic Church used in the solemn administration of the sacraments." The "received and approved rites" are the rites established by custom, and hence the Council of Trent refers to them as the "received and approved rites of the Catholic Church customarily used in the solemn administration of the sacraments (Sess. VII, can XIII)¹. Adherence to the customary rites received and approved by the Church is an infallible defined doctrine: The Council of Florence defined that "priests.... must confect the body of the Lord, each one according to the custom of his Church" (*Decretum pro Graecis*), and therefore the Council of Trent solemnly condemned as heresy the proposition that "the received and approved rites of the Catholic Church customarily used in the solemn administration of the sacraments may be changed into other new rites by any ecclesiastical pastor whosoever."

Fr. Paul Kramer, *The Suicide of Altering the Faith in the Liturgy*

Furthermore:

They (the modernists) exercise all their ingenuity in an effort to weaken the force and falsify the character of Tradition, so as to rob it of all its weight and authority. But for Catholics nothing will remove the authority of the second Council of Nicea, where it condemns those "who dare, after the impious fashion of heretics, to deride the ecclesiastical traditions, to invent novelties of some kind... or endeavor by malice or craft to overthrow any one of the legitimate traditions of the Catholic Church"; nor that of the declaration of the fourth Council of Constantinople: "We therefore profess to preserve and guard the rules bequeathed to the Holy Catholic and Apostolic Church, by the Holy and most illustrious Apostles, by the orthodox Councils, both general and local, and by every one of those divine interpreters, the Fathers and Doctors of the Church." Wherefore the Roman Pontiffs, Pius IV and Pius IX, ordered the insertion in the profession of faith of the following declaration: "I most firmly admit and embrace the apostolic and ecclesiastical traditions and other observances and constitutions of the Church."

St. Pius X, *Pascendi Dominid Gregis*, exposing the errors of the Modernist

And as regularly published on Ss. Peter and Paul Roman Catholic Mission web page regarding the immemorial Roman rite of Mass:

....this missal is hereafter to be followed absolutely, without any scruple of conscience or fear of incurring any penalty, judgment or censure, and may freely and lawfully be used... Nor are superiors, administrators, canons, chaplains, and other secular priests, or religious, of whatever title designated, obliged to celebrate the Mass otherwise than as enjoined by Us. ... Accordingly, no one whatsoever is permitted to infringe or rashly contravene this notice of Our permission, statute, ordinance, command, precept, grant, direction, will, decree and prohibition. Should any person venture to do so, let him understand he will incur the wrath of Almighty God and of the Blessed Apostles Peter and Paul.

Pope St. Pius V, Papal Bull, *QUO PRIMUM*,

The Tridentine Codification of the traditional Roman Rite of the Mass

We deny that any authority in the Church can deny any Catholic the immemorial rite of Mass. We deny that the liturgy is a matter of simple discipline of the Church subject to free and arbitrary will of any legislator or the proper subject matter for the bureaucratic "liturgical committees." If we are in error then we appeal to Pope Francis to declare otherwise and bind as a dogma of faith the Catholic conscience. Our confidence is not in the personal integrity of the "authentic magisterium" of Pope Francis but in the infallible promise of God Who has endowed His Church with the attribute of infallibility to protect His Church from error in the exercise of its extraordinary or ordinary and universal Magisterial power to teach the truth without the possibility of error.

The same applies to the novel "doctrinal" teachings of Vatican II, a pastoral council which as Pope Benedict said:

The Second Vatican Council has not been treated as a part of the entire living Tradition of the Church, but as an end of Tradition, a new start from zero. **The truth is that this particular Council defined no dogma at all, and deliberately chose to remain on a modest level, as a merely pastoral council;** and yet many treat it as though it had made itself into a sort of superdogma which takes away the importance of all the rest.

Pope Benedict XVI (Cardinal Ratzinger) addressing the Bishops of Chile

We have a right as faithful Catholics to expect a detailed definitive declaration from the infallible Chair of Peter on these novel teachings of Vatican II with a condemnation of the errors that constitute the "hermeneutic of rupture." For any Catholic to accept and embrace novel doctrines that are believed to contradict the faith, even if only in appearance, would be an act of betrayal. God forbid that we should be so frivolous with regard to His revealed truth.

We are sending you from the publisher a copy of Kenneth Jones' book *Index of Leading Catholic Indicators*. This book documents the statistical decline in the Catholic Church of faith and worship since the end of Vatican II, a decline of which the scope, rapidity, and universal character has no historical precedent. This book has been sent to the last three bishops of Harrisburg because they will have in part to answer for this desolation. It requires no special competency in statistical analysis to see where the Church will be in another generation unless corrective action is taken. And if it is not already apparent, it soon will be, that the much ballyhooed "New Evangelization," that relies upon new "ecclesial realities" like the Legion of Christ, Neo-Catechumenal Way, Focolare, and the Charismatic Movement, is nothing more than another application of the same solutions that have caused the problems in the first place.

Much of this desolation you have experienced firsthand in the Archdiocese of Philadelphia with the scandalous sexual molestation of Catholic adolescents by homosexual priests and the subsequent cover-ups. I am not aware of any of these priests being excommunicated at all, much less *latae sententiae*, where they would be hard pressed to argue any absence of "malice." We at Ss. Peter and Paul Roman Catholic Mission are doing our best to take corrective action because every Catholic has a strict obligation to profess the Catholic faith and worship God in the public forum according to the immemorial traditions of our Church. If the Archdiocese proceeds against me with what will be nothing but a unjust imposition of canon law divorced from any interest in truth or equity, it will speak volumes about the real concerns of the "Office for Clergy."

Sincerely in Christ,



Rev. Samuel M. Waters
Ss. Peter & Paul Roman Catholic Mission

ⁱ If anyone says that the received and approved rites of the Catholic Church, accustomed to be used in the administration of the sacraments, may be despised or omitted by the ministers without sin and at their pleasure, or may be changed by any pastor of the churches, whomsoever, to other new ones, let him be anathema.
Council of Trent, Session VII, On the Sacraments, Canon 13

cc.: Very Reverend Robert M. Gillelan, Jr.
Vicar General and Moderator of the Curia
Diocese of Harrisburg

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