

A HERETIC BISHOP HAS NO EPISCOPAL POWER

Pope Leo XIV is head of the Catholic Church but he is not above the Church, nor is he above the Church's law. While no one may judge the Holy See - *Prima Sedes a nemine iudicatur*. (CIC can. 1404), and the Church does not judge the internal state of souls or pass judgment on their thoughts, motives, or state of conscience - *De interniis Ecclesia non iudicat* - neither of these principles disentitles one from judging the objective effect of a prelate's words and actions. The following arguments do not regard the Pope's position as successor of St Peter. It respects, only, the objective effect of his words and actions.

1. The declaration of excommunications of Pope Leo XIV made via his creature, Cardinal Fernández, on July 2nd, 2026 is null and of no effect because—

- Pope Leo's actions reveal him as a public heretic (see Appendix for details).
- By virtue of canon 1364 § 1, 1983 CIC, a public heretic is excommunicated *latae sententiae*.
- Ergo Pope Leo is a bishop excommunicate.
- An excommunicated bishop is *ipso facto* outside the Church.
- A bishop who is outside the Church is incapable of exercising his episcopal power, including the power of excommunication.
- Therefore, his declaration of July 2nd, 2026, issued via Cardinal Fernández, which purports to confirm the excommunication of Bishops de Galarreta, Fellay, Schreiber, Goldade, Poinssinet de Sivry and Hanappier, for alleged schism is null and of no effect.

Appendix

Heretical statements of Pope Leo XIV

Anyone investigating the number and variety of heretical statements of the reigning Pontiff is spoiled for choice. Hardly a week has gone by since his elevation in May 2025 when Pope Leo has not uttered some statement which is either explicitly heretical, or is so impliedly. Let the following suffice.

On May 10th, 2025, Pope Leo endorsed the flawed “apostolic exhortation”, *Evangelii Gaudium*, of Pope Francis as “a pastoral program for the Church of our time”. This document includes this statement, “[n]on-Christians, by remaining faithful to their own conscience, may attain the grace of God”, which expression, denying the Church's doctrine *extra ecclesiam nulla salus*, repeats the heretical content of the 1962-65 Vatican synod's documents *Gaudium et Spes* n. 16, and *Dignitatis Humanae* n. 3.

On May 13th, 2025, the Pope addressed Lutherans with these comments: “One must not persuade dissenters to our faith. Proselytism is the strongest poison on the path of ecumenism”. This statement contradicted the express words of Our Lord and Saviour, Jesus Christ, when He addressed the Apostles with the words: “Going therefore, teach all nations; baptizing them in the name of the Father, and of the Son, and of the Holy Ghost”. (*Matthew* 28: 19)

On August 4th, 2025, in the official publication *L'Osservatore Romano*, the Pope proclaimed the need for a “synodal redefinition of the Petrine office”, declaring that “the new

code of law must correspond to the synodal future of the Church, in which all religions are equal". This statement expressly contradicted the words of Our Lord: "I am the way, and the truth, and the life. No man cometh to the Father, but by me" (*John* 14: 6); and the teaching of St Peter in *Acts* 4: 10-12, "Be it known to you all, and all the people of Israel, that by the name of our Lord Jesus Christ of Nazareth, whom you crucified, whom God hath raised from the dead, even by him this man stands here before you whole. This is the stone rejected by you the builders, which is become the head of the corner. Neither is there salvation in any other. For there is no other name under heaven given to men, whereby we must be saved."

On October 23rd, 2025, the Pope welcomed into the Vatican the Protestant heretics, Charles III, King of England, and his consort and participated in a televised joint prayer service with the King in the Sistine Chapel, breaching in this the Church's perennial rule against *communicatio in sacris*, confirming in this the error endorsed by the Vatican synod in its document on 'ecumenism', *Unitatis Redintegration* nn. 8 and 15, and thereby betraying by his conduct the sacrifice of innumerable Catholics martyred by Protestant heretics.

On November 28th, 2025, in the course of an 'ecumenical' service with Eastern Orthodox and other 'Christian' leaders in Iznik, Turkey, the Pope omitted, in his rendering of the Creed, the term *filioque*, thereby contradicting the Church's ruling in the *Third Council of Toledo* (589) elaborating her beliefs (consistently with the true mode of development of doctrine) by adding this essential term. The omission confirmed what the Pope had said five days earlier in his 'apostolic letter' *In Unitate Fidei*: "We must... leave behind theological controversies that have lost their *raison d'être* in order to develop a common understanding and even more, a common prayer to the Holy Spirit, so that he may gather us all together in one faith and one love... [This] is an ecumenism that looks to the future, that seeks reconciliation through dialogue as we share our gifts and spiritual heritage. The restoration of unity among Christians does not make us poorer; on the contrary, it enriches us." This was an appeal to the false understanding of the term 'ecumenism' adopted (from the Protestants) by modernists early in the twentieth century which the vapid synod had endorsed. Its expansion, in *Lumen Gentium* n. 8, of what is meant by Christ's Church, "that it subsists in" the Catholic Church (which error was repeated in *Unitatis Redintegratio* n. 4), allowed a parallel expansion in the meaning of "the Church's household" to permit an enlarging of the meaning of 'ecumenism' to whatever attracted the modernist mind.

2. The declaration is of no effect, moreover, because of the lack of a proper cause. St Thomas Aquinas argues to the point in the following answer to Question 21, article 4 in the Supplement to his *Summa Theologiae*.

Whether an excommunication unjustly pronounced has any effect?

"I answer that - An excommunication may be unjust for two reasons. First, on the part of its author, as when anyone excommunicates through hatred or anger, and then, nevertheless, the excommunication takes effect, though its author sins, because while the one who is excommunicated suffers justly, the author acts wrongly in excommunicating him.

Secondly, on the part of the excommunication [itself], *through there being no proper cause*, or through the sentence being passed without the forms of law being observed. In this

case, if the error, on the part of the sentence be such as to render the sentence void, it has no effect, for there is no excommunication; but if the error does not annul the sentence, it takes effect, and the person excommunicated should humbly submit (which will be credited to him as a merit), and either seek absolution from the person who has excommunicated him, or appeal to a higher judge. If, however, he were to condemn the sentence, he would “ipso facto” sin mortally.

“But sometimes it happens that there is sufficient cause on the part of the excommunicator, but not on the part of the excommunicated, as when a man is excommunicated for a crime which he has not committed, but which has been proved against him: in this case, if he submit humbly, the merit of his humility will compensate him for the harm of excommunication.” [emphasis added]

The Pope’s refusal to grant the request for a mandate from the *Society of St Pius X* to permit the consecration of four bishops to assist, and eventually replace, the *Society’s* two aging bishops, assumed there was no necessity. This refusal was grounded in the Pope’s identification of the modernist *Church of Vatican II*, its principles and protocols, with the Catholic Church, it being understood that, ever since the Vatican synod 1962-1965 (tagged a ‘Second Vatican Council’), the Catholic Church has been subject to the modernist principles and protocols proclaimed there.

Confirmation of the Pope’s confusion of the two entities appears in the conditions laid down by his agent, Cardinal Fernández, to be observed by any person so “excommunicated” who would seek “to return to the Church”. These conditions require submission not only to the Creed of the Catholic Church, but also to the protocols taught at the Vatican synod and to the determinations, grounded in that synod’s flawed protocols, of the popes who followed Paul VI. “The Church” to which these “excommunicated” persons were invited to return, then, is not the Catholic Church, but the modernist *Church of Vatican II*.

Accordingly, since the declaration of excommunication lacked a proper cause, it was of no effect.

Michael Baker

July 25th, 2026—*St James Apostle*