

On Ordinations Outside the Catholic Church

By Richard Joseph Michael Ibranyi

The following sacraments can be validly conferred outside the Catholic Church but they are not legally conferred: Baptism, Confirmation, the Holy Eucharist, and Holy Orders. The sacrament of penance cannot be validly conferred because jurisdiction from the Catholic Church is needed to validly confer the sacrament of penance and thus to absolve from sins. This upholds the dogma that there is no remission of sin outside the Catholic Church. Bishops and priests outside the Catholic Church have no jurisdiction from the Catholic Church. Hence none of the sacraments that they can validly confer bestows any grace but incurs the mortal sin of sacrilege for the ministers and recipients.

Regarding Holy Orders, as long as the ordaining bishop is truly a bishop and thus a valid bishop and he uses the proper form, matter, and intention, his ordinations are valid. However, if he ordains outside the Catholic Church, his ordinations are illegal and thus he has no jurisdiction; and he commits a mortal sin of sacrilege for every sacrament he confects or attempts to confer, as he cannot even validly confer the sacrament of penance.

The First Council of Nicea

Canon 8

Canon 8 of the First Council of Nicea decrees that ordinations by the heretical and schismatic Cathars were valid but illegal. When they enter the Catholic Church, they are still bishops but not all of them could function as bishops or only partially function as bishops if another bishop, who never fell away, is already ruling the local church in which they reside:

First Council of Nicea, 325: “Canon 8. Concerning those who have given themselves the name of Cathars, and who from time to time come over publicly to the Catholic and Apostolic Church, this holy and great synod decrees that they may remain among the clergy after receiving an imposition of hands.”

There is no distinction made in this decree between those who were Catholic and then became Cathars and Cathars who were never Catholic. Hence, it includes all of them. If it only meant to include those who were ordained in the Catholic Church, it certainly would have said so as this would have been a very important distinction to make.

To remain in the clergy means that they were clergy before they entered the Catholic Church. Hence the imposition of the hands is what caused them to enter the Catholic Church.

Cont.: “But before all this it is fitting that they give a written undertaking that they will accept and follow the decrees of the Catholic Church; namely that they will be in communion with those who have entered into a second marriage and with those who have lapsed in time of persecution and for whom a period [of penance] has been fixed and an occasion [for reconciliation] allotted, so as in all things to follow the decrees of the Catholic and Apostolic church. Accordingly, where all the ordained in villages or cities have been found to be men of this kind alone, those who are so found will remain in the clergy in the same rank; but when some come over in places where there is a bishop or presbyter belonging to the Catholic Church, it is evident that the bishop of the church will hold the bishop’s dignity, and that the one given the title and name of bishop among the so-called Cathars will have the rank of presbyter, unless the bishop thinks fit to let him share in the honour of the title. But if this does not meet with his approval, the bishop will provide for

him a place as chorepiscopus or presbyter, so as to make his ordinary clerical status evident and so prevent there being two bishops in the city.”

Council's Letter to the Bishops of Egypt, Libya, and Pentapolis in context

One proof that the Council of Nicea's Canon 8 applies also to those ordained outside the Catholic Church is the way the Meletian Schismatic bishops and priests were treated. They were referred to as valid bishops and priests and thus those who entered the Catholic Church did not have to be ordained.

The following letter from the same bishops who approved Canon 8 cannot be teaching the opposite of Canon 8. Hence the letter cannot be teaching that all ordinations outside the Catholic Church are invalid and thus even those in which a valid bishop uses the proper form, matter, and intention when ordaining.

Firstly, the letter is not infallible but Canon 8 is. Secondly, the letter does not teach that the ordinations by the Meletian heretics and schismatics are invalid. It teaches that they are valid but illegal. The confusion centers upon the following words “a more legitimate ordination,” which clarifies itself by the content of the rest of the letter; by a comment on the letter by Socrates Scholasticus, whose history contains the letter; and most importantly, by Canon 8 which was approved of by the same bishops who wrote the letter.

The First Council of Nicea's Letter to the Bishops of Egypt, Libya, and Pentapolis, as contained in *The Ecclesiastical History*, by Socrates Scholasticus, ##, Book 1:

The Letter:

“Chapter IX.—*The Letter of the Synod, relative to its Decisions: and the Condemnation of Arius and those who agreed with him.*”

“To the holy, by the grace of God, and great church of the Alexandrians, and to our beloved brethren throughout Egypt, Libya, and Pentapolis, the bishops assembled at Nicæa, constituting the great and holy Synod, send greeting in the Lord. ... There still remained the contumacy of Melitius [to be dealt with] and those who had been ordained by him; and we now state to you, beloved brethren, what resolution the Synod came to on this point. It was decreed, the Synod being moved to great clemency towards Melitius, although strictly speaking he was wholly undeserving of favor, that he remain in his own city but exercise no authority either to ordain or nominate for ordination; and that he appear in no other district or city on this pretense, but simply retain a nominal dignity. That those who had received appointments from him, after having been confirmed by a more legitimate ordination, should be admitted to communion on these conditions: that they should continue to hold their rank and ministry, but regard themselves as inferior in every respect to all those who have been ordained and established in each place and church by our most-honored fellow-minister, Alexander, so that they shall have no authority to propose or nominate whom they please, or to do anything at all without the concurrence of some bishop of the Catholic Church who is one of Alexander's suffragans...”

The words “a more legitimate ordination” implies that there was an ordination but it was not legal and thus it was valid. If it meant to teach that the ordinations were invalid, it should have said something like the following:

“That those who had received appointments from him, after having been ordained,”

The following words from the same letter clearly teach that the ordinations were valid:

The Letter: “[They] should be admitted to communion on these conditions: that they should continue to hold their rank and ministry,”

To continue to hold their rank and ministry means they held it before they entered the Catholic Church. If they did not hold the rank or ministry before they entered the Catholic Church, then it should have said something like the following:

“[They] should be admitted to communion on these conditions: that only after they are ordained can they begin to hold their rank and ministry”

Socrates Scholasticus Comment on the Letter:

Right after the letter, Socrates Scholasticus makes the following comment:

“This epistle of the Synod makes it plain that they not only anathematized Arius and his adherents, but the very expressions of his tenets; and that having agreed among themselves respecting the celebration of Easter, they readmitted the heresiarch Melitius into communion, suffering him to retain his episcopal rank, but divesting him of all authority to act as a bishop. It is for this reason I suppose that even at the present time the Melitians in Egypt are separated from the church, because the Synod deprived Melitius of all power.”

In order for Melitius to retain his episcopal rank, he had to have it before he entered the Catholic Church. But in his case, he was divested of the authority to act as a bishop.

In proving that Ischyras’ was not a priest, a letter of the Council of Egypt says that he was not ordained when he was inside the Catholic Church nor was he ordained in the Meletian Church, which thus refers to ordinations in the Meletian Church as valid:

St. Athanasius, Apology against the Arians, 351: “*Encyclical Letter of the Council of Egypt*: 11. ...Now such a person is the notorious Ischyras, who was never appointed to his office by the Church, and when Alexander admitted the Presbyters that had been ordained by Meletius, he was not even numbered amongst them; and therefore did not receive ordination even from that quarter.”

A History of the Councils of the Church, by apostate Bishop Charles Joseph Hefele, 1894: “The *Prisca* gives a similar translation; and then it may be said that the eighth canon, according to the two authors, would be entirely in accordance with the decision given by the Council of Nicea on the subject of the Meletians. That decision ordered that the Meletian clergy should not indeed be ordained anew by a Catholic bishop, but that they ought nevertheless to receive from him imposition of hands [in order to enter the Catholic Church]. They were treated as those who had received baptism at the hands of heretics.”¹

St. Ambrose

Beware of those who take out of context St. Ambrose’s following teaching:

Bishop Saint Ambrose, Concerning Repentance, Book 2, Chap. 7, par 33 (A.D. 384): “For they [Novatians] have not the succession of Peter, who hold not the chair of Peter, which they rend by wicked schism; and this, too, they do, wickedly denying that sins can be forgiven even in the Church, whereas it was said to Peter: ‘I will give unto thee the keys of the kingdom of heaven. and whatsoever thou shalt bind on earth shall be bound also in heaven, and whatsoever thou shall loose on earth shall be loosed also in heaven.’”

¹ v. 1, c. 2, sec. 42, p. 411.

Bishops outside the Catholic Church (both bishops who left the Catholic Church and bishops ordained outside the Catholic Church) have no succession with Peter because they are not under the pope. This means they have no offices and no jurisdiction. But it does not mean they do not have the rank of bishop. The bishop who was ordained in the Catholic Church is still a bishop and the bishop ordained outside the Catholic Church is a bishop but both are illegal and cannot hold any office and thus do not have the succession of Peter because they are not inside the Catholic Church and thus not under the pope.

St. Augustine

Beware of those who say that St. Augustine taught that ordinations outside the Catholic Church are invalid. That is not true. He taught the opposite. He taught the dogma the ordinations outside the Catholic Church are valid but illegal. Either they are taking out of context one of his teachings on this topic or did not read enough of his works on this topic. In the first part of the below quote, he is talking about men who were baptized and men who were ordained inside the Catholic Church and left the Catholic Church. But as you read on, he teaches that they can validly baptize and ordain outside the Catholic Church but do so illegally:

St. Augustine, *Against the Letter of Parmenian*, 400: “28. Some people say: ‘One who withdraws from the Church does not lose the baptism which he received; he loses the right to give what he received.’ But this statement seems insane on many counts. First, because no cause is shown why he who cannot lose that baptism, may lose the right to give it. For each of them is a sacrament, and each is given to a man by some consecration: the one when he is baptized, the other when he is ordained. And so it is not lawful to repeat either of them in the Catholic Church. For if some people come at some time from that faction, even if they were among its leaders, they are received for the good of peace after the error of their schism has been corrected. And if it seems opportune that such people should exercise the same offices which they had before, they are not to be ordained again; like baptism, so ordination remained whole in them. The flaw was in their breaking off, which has been corrected by the unity of peace, and not in the sacraments, which are the same, wherever they are. And even when it seems more expedient to the same Church that their leaders, when they come into Catholic fellowship, ought not to exercise their honours there, yet the sacraments themselves of ordination are not taken away from them, and these remain upon them. And so the hand is not imposed upon them [again], lest injury be done not to the man, but to the sacrament.

Now here is where he teaches that they can validly baptize and ordain outside the Catholic Church, in their non-Catholic sects, but they do so illegally and thus to their harm:

Cont: “Just as in baptism there is that which may be given by them, so also in ordination there is that which may be given by them, but each to their own harm. But not to have is one thing, to have harmfully is another, and to have healthfully is yet another thing... 30. Concerning those who are separated from the unity of the Church, there is no question that they have and can give; but they have harmfully and give harmfully because they are outside the bond of peace. To neither sacrament is injury to be done. The one who withdraws from unity does not have it rightly, and yet he has it, and so it is not given again to him when he returns. In the same way, one who withdraws from unity does not give it rightly, and yet he gives it, and so it is not repeated for one who, having received it from him, now comes to unity.”²

And he teaches the same in his following works:

² b. 2, c. 13.

St. Augustine, *On Baptism, Against the Donatists*, 400: “It is one thing not to have something, another thing to be in possession of it without right, or to usurp it unlawfully. Therefore, it is not the case that they are not the sacraments of Christ and the Church, merely because not only the heretics but also all impious persons use them unlawfully. Their users ought to be corrected and punished, but the sacraments are to be acknowledged and revered.”³

St. Augustine, *Sermo ad Caesariensis Ecclesiae Plebem*, c. 418: “No man can find salvation except in the Catholic Church. Outside the Catholic Church one can have everything except salvation. One can have honor, one can have the sacraments, one can sing alleluia, one can answer amen, one can have faith in the name of the Father and of the Son and of the Holy Spirit, and preach it too, but never can one find salvation except in the Catholic Church.”

Every source I read agrees that St. Augustine teaches that ordinations outside the Catholic Church are valid but illegal. For example, the following is from H. E. J. Cowdrey article *The Dissemination of St. Augustine’s Doctrine of Holy Orders during the Later Patristic Age*, contained in *The Journal of Theological Studies*, NEW SERIES, Vol. 20, No. 2 (OCTOBER 1969), pp. 448-481 (34 pages) Published By: Oxford University Press:

THE DISSEMINATION OF ST. AUGUSTINE’S DOCTRINE OF HOLY ORDERS DURING THE LATER PATRISTIC AGE

IN his anti-Donatist writings, Augustine argued with force and clarity against the contention that, whereas a baptism which was duly conferred outside the Church held good if the recipient were reconciled to it, an ordination which was so conferred was null and void, and must be repeated before a clerk might administer the sacraments in the Church. Augustine insisted that, in the case of holy orders no less than of baptism, the unworthiness of the minister in no way detracted from the validity of the sacraments. It made no difference to this validity whether the unworthiness were that of a sinful minister who acted within the Church, or that of a schismatic who was separated from it. The sacraments were the same, wherever they were. As Augustine himself made these points,

¹ *Contra epistolam Parmeniani*, ii. 13. 28, ed. M. Petschenig, *Corpus scriptorum ecclesiasticorum Latinorum* (= C.S.E.L.), li. 79.

³ b. 3, c. 10, n. 13.

Pope St. Gregory I

Pope St. Gregory, I, Epistle *Quia charitati* to the bishops of Spain, about June 22, 601: “From the ancient institution of the Fathers we have learned that those who are baptized in the name of the Trinity, although amid heresy, whenever they return to the holy Church, may be recalled to the bosom of their mother the Church either with the anointing of chrism, or the imposition of hands, or with a profession of faith alone . . . , because the holy baptism, which they received among the heretics, at that time restores the power of cleansing in them when they have been united to the holy faith and the heart of the universal Church... Therefore ... without any hesitation your holiness may receive in your assembly all whoever return from the perverse error of Nestorius, their own orders preserved for them so that, while ... through gentleness you make no opposition or difficulty in regard to their own orders, you may snatch them from the mouth of the ancient enemy.” (D. 249)

When he says “make no opposition or difficulty in regard to their own orders,” he is referring to those ordained outside the Catholic Church because there can be no argument about the orders of those ordained inside the Catholic Church. And, again, as in Canon 8 of Nicea, there is no distinction between those ordained in the Catholic Church and those ordained outside the Catholic Church.

Fourth Council of Constantinople, 869-879

Beware of those who take out of context the following Canon 25 from the Fourth Council of Constantinople. To be “suspended from all sacerdotal functions” means they have no right to perform sacerdotal functions; and thus, if they do, they are illegal and hence commit mortal sin. But it does not mean that all that of sacerdotal functions they illegally perform are invalid:

Fourth Council of Constantinople, 869-870: “Canon 25: The holy synod has duly decided that the bishops, priests, deacons and subdeacons of the great church [of Constantinople], who received their consecration from Methodius and Ignatius, the most holy patriarchs, and became hard of heart like the arrogant and unfeeling heart of Pharaoh, and even now are in complete disagreement with this holy and universal synod and, while rejecting harmony with us in the word of truth, have wholeheartedly supported the cause of the usurper Photius, must be deposed and suspended from all sacerdotal functions, just as the most blessed pope Nicholas decreed not long ago. On no account are such men to be readmitted into the ranks of the clergy, even if they wish in future to change their ways. An exception will be made in regard to receiving the means of holiness, and it is only our mercy which makes us think that they are worthy of this. They do not deserve to have the opportunity of being restored by their repentance to their former status, as is illustrated by the case of the odious Esau, though he begged in tears for that favour.”

Even Catholic bishops and Catholic priests can be suspended from sacerdotal functions, but that does not mean they cannot validly perform certain functions but only that they cannot legally do so.

Council of Guastalla, 1106

Even though the local Council of Guastalla in 1106 was not infallible, it enforces the dogma the ordinations outside the Catholic Church are valid:

“For many years now the broad extent of the Teutonic kingdom has been separated from the unity of the Apostolic See. In this schism indeed so great a danger has arisen that—and we say this with sorrow—only a few priests or Catholic clergy are found in such a broad extent of territory. Therefore, with so many sons living in this condition, the necessity of Christian peace demands that regarding this (group) the maternal womb of the Church be open. Therefore instructed by the examples and writings of our Fathers, who in different times received into their ranks the Novatians, the Donatists, and other heretics, we are receiving in the episcopal office the bishops of the above-mentioned region who have been ordained in schism, unless they are proven usurpers, simoniacs, or criminals. We decree the same concerning the clergy of any rank whom way of life together with knowledge commends.” (D. 358)

Invalid First Council of Lyons, 1245

Invalid First Council of Lyons, 1245: “19. In addition to this we wish and we expressly command that the Greek bishops in the future confer the seven orders according to the custom of the Roman Church, since they are said to have neglected or to have hitherto omitted three of the minor ones with respect to those to be ordained. But let those who already have been so ordained by them, because of their exceedingly great number, be kept in the orders thus received.” (D. 454)

Apostate Antipope Clement VIII, 1592-1605

Apostate Antipope Clement VIII, from the Instruction concerning the rites of the Italo-Greeks, August 30, 1595: “(4) Those ordained by schismatic bishops, who have been otherwise duly ordained, the due form having been observed, receive, indeed, ordination, but not jurisdiction.” (D. 1087)

Miscellaneous

The Communication of Catholics with Schismatics, by apostate Rev. Ignatius J. Szal, A.B., J.C.L. Imprimatur: + D Cardinal Dougherty, Phil., April 2, 1948, Catholic University of America Canon Law Studies No. 264. The Catholic University of America Press.

“[p. 103] Clement VIII in his Instruction *Sanctissimus* of August 31, 1595,⁴ stated that those who had received ordination at the hands of schismatic bishops who apart from their schismatic status were properly consecrated—the necessary form having been observed—did indeed receive orders [valid], but not the right to exercise them [but illegal]. In this he repeated the doctrine of the glossators.⁵

“Benedict XIV in the Constitution *Etsi pastoralis* of May 26, 1742,⁶ confirmed this doctrine of Clement VIII. ...Not only was the recognized validity of schismatic orders established, but further points were clarified. Schismatic bishops were not to be admitted for the conferring of orders or for the administration of any of the other sacraments. Persons ordained by schismatic bishops were, upon a proper rectification or amendment in their status, to be reconciled and absolved. An appropriate penance was to be imposed on them. If they had embraced any errors,

⁴ [169] *Fontes*, n. 179.

⁵ [170] Ad c. 1, X, *de schismaticis et ordinatis ab eis*, V, 8.

⁶ [171] §VII, n. XIII—*Fontes*, n. 328.

they had previously to abjure them; if they had not embraced any errors, they had nevertheless to renounce the schism of their ordaining prelate. The abjuration was to be made either publicly or secretly, as the facts in the case directed. Before the ordained persons could exercise their Orders, it was necessary for them to receive from the Holy See a dispensation from the irregularity which they had incurred.^{7,8}

A Practical Commentary on the Code of Canon Law, apostate by Rev. Stanislaus Woywod, O.F.M., LL.B. Revised by Rev. Callistus Smith, O.F.M., J.C.L. *Nihil Obstat*: Fr. Felician Berkery, O.F.M. *Imprimi Potest*: Fr. Thomas Plassmann, O.F.M., Minister Provincialis. *Nihil Obstat*: John Goodwine, J.C.D., *Censor Librorum*. Imprimatur: + Francis Cardinal Spellman, D.D., Archbishop of New York, Nov. 14, 1957. Published: Joseph F. Wagner, Inc., New York, 1957; B. Herder, London.

“[v. 1, commentary on Canon 951, p. 558] A validly consecrated bishop can validly confer all orders from the minor orders to the episcopate inclusively, though he be a heretic, schismatic, or deposed and degraded from the episcopal dignity, for he nevertheless retains the episcopal character in virtue of which he can validly ordain, provided he observes the essentials of the form of ordination and has the intention to do what the Church does in performing the sacred ordination rites. For this reason the ordinations performed by the schismatic (*Orthodox*) bishops of the Greek Church, by the Jansenists bishops in Holland, and by the Old Catholics in Germany and Switzerland are considered valid.”

Common Sense

If the ordinations of non-Catholic bishops are invalid, then a secret heretical non-Catholic bishop who pretends to be Catholic or thinks he is Catholic can invalidate whole lines of bishops and priests within the Catholic Church without anyone ever knowing. Hence the wise teaching of the Catholic Church that the faith of the one who administers certain sacraments does not matter in regards to validity, as long as the minister is capable of effecting the sacrament and uses the proper form, matter, and intention.

Take the example of a so-called Catholic bishop who is actually a secret formal heretic and thus is not actually inside the Catholic Church. If his ordinations are invalid, then every priest and bishop he makes are not priests and bishops. And every priest and bishop ordained by the so-called bishops he ordained are not priests and bishops, down until year after year. And there would be no way of knowing that these now hundreds or priest and bishops are not priests or bishop because they trace their line back to nominal Catholic bishop who was a secret formal heretic because there is no evidence that he was a non-Catholic bishop. And that would also mean these hundreds of nominal priests who are Catholic do confect the Holy Eucharist. Now, can you see the wisdom in the law that certain sacraments can be validly confected by non-Catholic clerics! Now, in the case of this nominal Catholic bishop, even though the confecting of the Holy Eucharist and giving of Holy Order is valid for the unsuspecting faithful, they are illegal for him and thus he commits the mortal sin of sacrilege. But for the unsuspecting faithful, the sacraments they receive from him are valid and legal. They get the full benefit of the sacrament. This is similar to the dogma regarding the minister sacramental intention in which he only needs to exteriorly intend to confect the sacrament. The heresy that he needs to interiorly intend to confect the sacraments is a disaster and chaos. For example, no one can be sure if he received a sacrament. (See my book *The Minister's Sacramental Intention*.)

⁷ [172] *Ibid.*, nn. XI, XIV, XV—*Fontes* n. 328.

⁸ CCS, p. 103.

For the glory of God; in honor of the Blessed Virgin Mary, St. Michael, St. Joseph, Ss. Joachim and Anne, St. John the Baptist, the other angels and saints; and for the salvation of men

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