

Memorandum on the Steffeshausen Foundation

Various people have asked for our advice regarding the foundation of a Dominican house in Belgium this past 13 November 2013. We have decided that it is time for us to write something to inform those who have contacted us.

This document can also be useful for religious communities. Indeed, the presiding principles of this foundation will have consequences for the all the Traditional religious communities.

After having exposed the situation regarding the five religious who are setting up this foundation, we will proceed chronologically, limiting ourselves to principal facts directly pertaining to this foundation, and annexing several documents.

This memorandum has been written to defend the principles of religious life, with no animosity towards anyone. We would have preferred to continue without comment, as we have done until now. But events have forced us to speak, because our continued silence would be considered as tacit approval of a situation that is harmful to the well being of the religious life and, consequentially, to all of Tradition.

1. The Situation of the Five Religious in Question

Father Jean-Dominique Fabre left us on 17 April 1998. For some time, he had already been asking to leave. After having met with Bishop de Galarreta, then Bishop Fellay, he announced to us that he was leaving on 22 April. We asked him to leave five days sooner so as to avoid trouble in the friary. (We can furnish a memorandum detailing the circumstances surrounding his departure, if needed, to rectify the false rumors that have been circulating on this matter.)

We asked Bishop de Galarreta if his departure could be handled in the same manner as that of a father who left us in 1990, whose departure was made without problem thanks to Archbishop Lefebvre's advice.

Bishop de Galarreta did not want to follow this procedure and, instead, he himself granted an exclaustation without any time limit and with permission to continue wearing the habit.

We contest the regularity and validity of this exclaustation on the following grounds:

- It was granted without the agreement of, nor even consultation with Fr. Jean-Dominique's legitimate superiors.
- No notification was sent to the legitimate superiors. They were not even told of the reason for the exclaustation.
- It granted permission to continue to wear the habit, which is contrary to Canon 639 and to our constitutions.
- It granted no time limits, even though exclaustation is a temporary measure (as opposed to secularization) and has, in fact, lasted for more than 15 years.

(See Annex 7.)

Several times we made the offer for Father to return to Avrillé.

For his part, Bishop de Galarreta took a stand on several occasions against making a foundation with Fr. Jean-Dominique.

In September 2006, Father Albert Kallio was sent by his superiors, with Bishop Fellay's consent, to help Fr. Cyprian in New Mexico. After helping Fr. Cyprian for three years, Fr. Albert, under his own initiative, went to help out the SSPX in the United States. We suggested that he return to the friary, without imposing any conditions on him, notably during a visit he made in 2011. Father Prior wrote to him again on 17 August 2012 to ask him to resume contact with the friary. We have not received any response.

In October 2012, Fr. Albert went to stay for a year at the Benedictine monastery of Bellaigue, with the approval of Bishops Fellay and de Galarreta, but without any consultation of the friary at Avrillé.

Fathers Thomas de la Blanchardière and Raymond Verley, as well as Brother François-Dominique Ducharme, left the friary secretly in the middle of the night of April 11-12, 2011, under the pretext that the friary had changed since 2003 with the creation of a secondary school near the friary (St. Thomas Aquinas High School).

Several days later, we learned that all three were being put up at the SSPX District Superior's (Fr. Schmidberger) house in Germany; then they were put up in the old Diestedde school, all without our being informed or consulted.

Since this time, they have ministered in the service of the SSPX (notably, in preaching retreats) even though, according to Canon Law, they should be considered as fugitives and apostates (Canons 644 §§1 & 2, and 2385). Obviously, their situation is illegitimate, not only due to the fact of the manner of their leaving, but also to the fact of their staying outside the obedience due to their superiors.

The irregularity of their situation was finally recognized by Bishop de Galarreta, after more than two years, in a letter dated 12 June 2013, but only with regard to the manner in which they left the friary.

2. Brief Chronology of Recent Events

2006 and 2009: two canonical visits

In the spring of 2006, following complaints from Fathers Albert, Thomas and Raymond about the absence of the election of the prior (in 1999, the community decided unanimously to postpone the elections) and the development of the secondary school (St. Thomas Aquinas High School), Father Prior asked Bishop Fellay to appoint someone to make a canonical visit. It was Fr. Antoine, superior of the Capuchins of Morgon, who was chosen and who made the visit on the first and second of May.

Annex 1 contains the findings of the visit. Notably, they were followed by the composition of additional statutes to our constitutions which were approved by Bishop Fellay.

In July 2009, Fathers Thomas and Raymond asked to leave the community to go found another friary. Father Prior then asked Bishop Fellay for a second canonical visit. It was Fr. Alain-Marc Nély, second general assistant of the SSPX who was appointed.

After having listened to both sides, he concluded that a foundation would not be prudent and that the two fathers could very well continue to lead their Dominican life at Avrillé.

However the two fathers in question did not take any notice of this advice and, during the night of April 11-12, 2011, they secretly left the friary with a brother, Br. François-Dominique.

We learned on November 15 of this year from a trusted source, that *Bishop de Galarreta then counseled these religious to clearly affirm to Bishop Fellay that for them there was no question of returning to Avrillé, or to accept a foundation dependent on Avrillé.*

January-February 2013, the decision to open a new Dominican house subordinate to Avrillé

On 26 January 2013, Bishop Fellay summoned the Father Prior of Avrillé to Suresnes (French District Headquarters). He (the Prior) went there accompanied by the two most senior fathers of the friary. Fr. de Cacqueray (French District Superior) was also present at the meeting and took notes.

Bishop Fellay explained to us that he wanted the five perpetually professed religious from our community who were outside the Avrillé friary to get together in a house. He did not want there to be a "second branch," but he wanted us to open a second house which would be under our jurisdiction, and whose superior we would name. If the religious refused to go there, *Bishop Fellay made the commitment to oblige them to remove their habits, and assured that they would no longer be received as Dominicans in the SSPX houses.*

On 11 February, we wrote to Bishop Fellay that after having assembled the council, then the chapter of our community, we accepted this offer (see annex 2). We talked of opening this house at Steffeshausen, in the German part of Belgium, because the association which takes care of this house had contacted us to propose that we make a foundation there.

During May, Fr. Nély paid us a visit. He had with him the report of the January 26th meeting written by Bishop Fellay. He read several passages to us. *Bishop Fellay's official commitment (to oblige the religious to remove their Dominican habits if they refused the offer) was very clearly indicated in the report.*

June, change of procedure, the house will be under Bishop de Galarreta's jurisdiction

On 12 June 2013, Bishop de Galarreta wrote to the Father Prior of Avrillé, "His Excellency Bishop B. Fellay has asked me to take charge of the case of the three religious who left your friary the 12th of April 2011."

Several days later, on 28 June, at Écône, Father Prior asked to speak to Bishop de Galarreta to get some explanations. Bishop de Galarreta explained that Bishop Fellay had decided to change the procedure and entrust the affair to him. As Father Prior recalled that Bishop Fellay had made a commitment, Bishop de Galarreta answered that Bishop Fellay *considered himself to be relieved of his commitment* "because of what had happened." Father Prior asked "what happened?" Bishop de Galarreta responded that he did not know, and that he (Fr. Prior) should ask Bishop Fellay. Father Prior said that perhaps he was referring to the affair regarding the supposed telephone calls to Fr. Jahir (see annex 3). Bishop de Galarreta did not respond to this, but explained what he wanted to do. Whenever there was a problem in a congregation, he said, Rome would frequently intervene to open a "second branch." Father Prior asked Bishop de Galarreta to give some examples, but the Bishop could not come up with any.¹

On 2 July at St. Nicolas du Chardonnet church (in Paris), Father Prior met Bishop de Galarreta again and asked him if he had studied the two canonical visits carried out at the request of Bishop Fellay: in 2006 by Fr. Antoine of Morgon, and in 2009 by Fr. Nély. Bishop de Galarreta answered, "No," and that anyway, he did not want to pass judgment on the heart of the matter. It was enough for him to note that there was a disagreement, and that justified making a "second branch."

Bishop de Galarreta having told a father on 22 June 2013 that the school question at Avrillé was a serious point that could justify the reaction of the three religious to leave the friary in 2011, we annex these texts (annex 4) to show that having a school was not a novelty for our Order and that this question had already been reviewed by the canonical visitors who concluded that the schools did not trouble the life of the friary and did not justify their departure.

July to November, despite multiple requests, no explanation is given and the foundation is made

So, the Father Prior of Avrillé wrote to Bishop Fellay to get some explanations. In the first letter, dated 14 July 2013, he recalled the commitment made by Bishop Fellay on 26 January, and stated his surprise at the fact that Bishop Fellay now considered himself to be relieved of his commitment, and that he had taken the initiative for a new procedure without even informing us.

A second letter was written on 28 July 2013, in which the prior returned to the question, sending a copy of a letter from the three religious under Bishop de Galarreta's charge. Father Prior also mentioned what Bishop de Galarreta had said to him, adding that he could not see "how such a procedure could be said to be consistent with Tradition, to canon law concerning religious, and even to natural law."

A third more pressing letter, dated 11 August 2013, was personally delivered to Bishop Fellay on 15 August (see annex 5).

¹ In the history of the Church, Rome has never done such a thing. If religious asked to leave their community after having made a perpetual profession, after consultation with their superiors they would have been relieved of their vows. Then, eventually, they would have been permitted to enter into another community, but obviously not to found a rival community to the one they had left.

As of this writing (25 November 2013), *we have not received any response, nor any explanation from Bishop Fellay.*

A letter written to Bishop de Galarreta on 28 July 2013 (see annex 6) *was met with the same silence.*

A friend of the friary, directly involved in the affair by circumstance, having the occasion to go to Geneva, asked for an interview with Bishop de Galaretta. Through one of the priests from the priory he received the following written response: "I was able to see H.E. Bishop de Galarreta. *However, he flatly refused once he asked me the reason for the interview that you wanted with him; he was a little annoyed and told me that anyway the decision was not up to him.*"

Thus, it was through "public rumor" that we had to progressively learn about what was being planned.

Bishop de Galaretta summoned the five religious in question to Flavigny in July.

At the beginning of August, Fr. Jean Dominique wrote to Fr. de Cacqueray to ask to set up this foundation in France. This project eventually came to naught.

It was finally at Steffeshausen, *the same house that we had offered to them*, where they made the foundation this 13 November 2013. It was *Bishop de Galarreta who named the superior* and the house is under his jurisdiction.

We are profoundly shocked and even scandalized at such an attitude.

Is it lawful for a bishop to make a solemn commitment before four priests, a commitment that he himself recognized taking, and then "renounce his commitment" without even furnishing the least explanation, refusing to respond to any questions made to him on the subject?

Is it lawful, for unknown motives, to smuggle five perpetually professed religious from a community and then permit them to set up a "new branch," without considering the canonical visits which were held to examine the question, without considering the constitutions of our Order, without even informing the superior of the community?

The attitude of these two bishops in this affair is very different from Archbishop Lefebvre's attitude vis-à-vis religious, recalled by Fr. Schmidberger in a letter dated 27 May 1991 addressed to the traditional monasteries and convents, where he recognized that Archbishop Lefebvre "was more of a father, counselor, and friend than an authority in the juridical sense":

The current situation in Rome, which has lasted for twenty years, and the local ordinaries prevent us, as you know, from having recourse to diocesan or Roman ecclesiastical authority for everything concerning religious vows, community life, etc.

This is why these past years many of you have had frequent recourse to Archbishop Lefebvre as a substitute authority. Truth be told, he was more of a father, counselor, and friend than an authority in the juridical sense.

After his death, the General Council of the Society of St. Pius X asked Bishop Fellay to fill this role from now on, according to the intention expressed by our founder during his life.

It is in a spirit of service that Bishop Fellay will exercise this office, not so much as a member of the Society of St. Pius X, but as a Catholic bishop. Each community is absolutely free to speak to him or not. Neither he, nor the Society has the least intention of taking control of the other communities in any way. His action must always be seen as the exercise of an extraordinary jurisdiction, and not ordinary, until the day when, in the Church, things return to normal. Allow me on the occasion of this letter to express our ardent desire of maintaining with you ties of profound friendship that have united us for so many years.

On 29 October 2013, Fr. Albert telephoned the friary. He said to one of the fathers, "The problem is not so much the schools, as it is the fact of recognizing an authority higher than Avrillé." The father then answered, "And the two canonical inquiries, and the solemn commitment of the 'authority' who has already judged in our favor?" Fr. Albert said, "Bishop Fellay can change his mind. He must have his reasons." So, in the last analysis, everything depends on the will of Bishop Fellay, who can go back on his commitments without even having to give his reasons.

3. Analysis of the situation

Are faith and morals at stake?

Religious are bound by a vow of obedience to their superior. Nevertheless, obedience has its limits. When faith or morals are at stake, "it would be better to obey God than man"; one must refuse to obey a superior who would jeopardize our obedience to God.

It is because of this principle that religious have quite legitimately left their communities: Fr. Eugene de Villeurbanne, OFM Cap., Fr. Calmel, OP, Fr. Barrielle, CPCR, Fr. Le Boulch, OSB, Fr. Thomas d'Aquin, OSB, Fr. Bruno, OSB, and others who wanted to escape from the dangers of modernism coming from the conciliar Church.

But, here, it is clear that neither the faith nor morals are at stake. The motives put forward by those who have left Avrillé to place themselves under the jurisdiction of Bishop Fellay and Bishop de Galaretta are: St. Thomas Aquinas High School, and the question of an authority superior to that of Avrillé.

The first reason has nothing to do with the faith, but is merely a question regarding the apostolate of our community. What's more, the two canonical visits concluded that the school did not disturb the religious life at Avrillé. Finally, there would not have been a school at the new house we offered them.

Nor does the second reason let them escape from their duty of obedience: they made vows in the hands of the superior of the Fraternity of St. Dominic. By putting themselves under the jurisdiction of Bishop de Galaretta, they leave our community and violate their vow of obedience to their

superior. For such a change of jurisdiction, they would first need to be released from their vows, as Archbishop Lefebvre advised a father who left our community in 1990.

Suspicion of Bishop Fellay vis-à-vis Avrillé

However, in a way, one could say that the faith is at stake. If Bishop Fellay wanted the creation of this new community, it is because he does not trust Avrillé in the context of his “reconciliation” with modernist Rome. Here are the proofs:

In the afternoon of 21 June 2012, the Secretary General of the SSPX called the Father Prior of Avrillé. After having reproached him for playing in the refectory a sermon of a prior of the SSPX who was hostile to the agreement with Rome,² he added, “Father, if we sign an agreement with Rome, will you follow us?”

Father Prior, a little surprised, explained to him that if there were an agreement with Rome, it would be on the basis of the Doctrinal Declaration that Bishop Fellay sent to Rome in April and that we had not yet even seen.

“Indeed, you are not familiar with this text, but I cannot tell you about it. It’s a secret. *You must trust us.*”

Father Prior asked him for two days to reflect on the matter, which he obtained with difficulty.

The next day on 22 June at 9:26 am, without waiting for the two days to pass, we received a fax from Bishop Fellay, followed by an e-mail from the Secretary General, informing us of the refusal to ordain to the diaconate the three brothers who were to be ordained at Écône on 29 June. Bishop Fellay wrote in his fax:

[...] *Confidence* in the Superior General of the Society of St. Pius X has been shaken in your friary; therefore, I think it is necessary to postpone the ordination of the candidates you have presented for the ceremony to be held 29 June next, at Écône. [...] We will wait until *confidence* has been restored; this will be better for everyone!

Fr. Thouvenot wrote in his e-mail:

I did my best to relate to Bishop Fellay the conversation we had yesterday, but obviously the simple fact that you had your community listen to Fr. Koller’s crazy sermon, as well as the fact that you needed more than 24 hours to respond to a *simple question of trust in his authority*, are enough to convince him that he needs to postpone the ordinations. This morning he forwarded a fax to you informing you of it. In the hope that you will *fall into*

² In the refectory, thus in private—and how did Fr. Thouvenot know what we listen to in the refectory?—we have listened to diverse sermons and conferences on the subject, including those of Bishop Fellay, Fathers Nicolas Pfulger, Alain-Marc Nély, de Cacqueray, etc., with the aim of being well informed. As for the priest who was the author of the sermon in question, he has not been punished, to our knowledge. Why then punish—and with such extreme severity—those who listened to him? Is it more serious to have listened, in private, to this sermon that had been pronounced in public?

line and reestablish normal relations of harmonious collaboration, I assure you of my religious devotion.

So, we recalled the three brothers to the friary even though they were in the middle of their retreat in preparation for ordination.

Then, on 25 June, Fr. Thouvenot wrote a Circular Letter to the District Superiors, seminaries, and autonomous houses:

Finally, Bishop Fellay has decided to defer the ordinations of the Avrillé Dominican brothers and the Morgon Capuchins, which were scheduled for next 29 June in Écône. This delay in orders has simply been dictated by *concern for a guarantee of the loyalty of these communities*, before imposing hands on their candidates. (cf. 1 Tim. 5:22)

We point out that this distrust of Bishop Fellay towards Avrillé is nothing new. It goes back to at least 1996. On 22 December 1996, Bishop Fellay wrote the following letter to Fr. Jean-Dominique:

Dear Father,

Thank you for your letter of 3 December and for the documents and reports contained therein.

We are attentively following the development of the plans of Fr. Pierre-Marie - and of Fr. Innocent-Marie, I suppose - while admitting that we don't quite know what these plans mean. *However, it is certain that their manner of acting is causing a certain mistrust, and that's a pity!*

May Our Lady protect you this Christmas season.

Best wishes to you and I bless you.

Thus, Fr. Jean-Dominique corresponded with Bishop Fellay (unbeknownst to his superior) and sent him some "documents and reports," the contents of which we still do not know, and "this caused a certain mistrust" with Bishop Fellay, who made it known to Fr. Jean-Dominique, encouraging him to be suspicious of his own superior.

It was not surprising that Fr. Jean-Dominique asked a little later to leave the community.

Bishop Fellay continued to listen to calumnious reports about Avrillé (e.g. that we're sedevacantists), until this year (e.g. the story of the telephone calls to Fr. Jahir already mentioned).

It may be objected that the Dominicans who are making a foundation in Belgium are not any more ready than Avrillé for a deal with conciliar Rome.

To this we respond:

1. In August 2012, one of them expressed his regret that Bishop Fellay had not signed an agreement, because this would have allowed them to make their foundation right away.

2. By making themselves directly subordinate to Bishop de Galarreta and thus to Bishop Fellay, these religious have lost a great part of their liberty.

Who has authority over Avrillé and over Traditional religious?

This question is at the heart of the problem; we will treat it here.

Archbishop Lefebvre always refused to exercise direct authority over us, or over any other of the masculine religious orders in Tradition.

For example, on 27 April 1981 on the occasion of the perpetual profession of the first prior of our community, he solemnly protested that he did not want to be “the Master General” of our Order. He was simply, as a Bishop, a witness that our community belonged to Catholic Tradition.

To a superior of one of these communities asking Archbishop Lefebvre if he would exercise control over his community, Archbishop Lefebvre responded on 19 February 1989:

As for the question of control, allow me to tell you, in all simplicity, that you must trust in yourself³. You have great amount of common sense and a good formation. Without a doubt, for important directions, it is good to seek advice. But you are the prior, by the grace of God, thus you have the grace of state. Ask for advice from the Holy Ghost and make the decision that to you appears the most consistent with the Tradition of your Order and to the good of your brothers.

Finally, in a letter dated 27 May 1991, Fr. Schmidberger, quoted above, recalled that Archbishop Lefebvre, “was more of a father, counselor, and friend than an authority in the juridical sense.”

But such has no longer been Bishop Fellay’s attitude for some time. In October 2012 at Bellaigue, Bishop de Galarreta said to the Father Prior of Avrillé that he must consider Bishop Fellay as *taking the place of the Master General of the Order*. In the face of the Father Prior’s surprised attitude, Bishop de Galaretta repeated the same thing.

Now, on principle, it is unthinkable that Bishop Fellay would take the role of Master General of the Order concerning us. The Master General has always been a Dominican religious, never a bishop. When a religious becomes a bishop, he must leave the Order.

Our Order, as all the old Orders, is an exempt Order that does not depend on the jurisdiction of bishops. It is governed by its own hierarchy—priors, provincials, Master General—composed of Dominican religious, immediately under the Pope. The Congregation for Religious, charged with helping the Pope with questions related to religious, is made up of religious who know perfectly well the religious life and the constitutions of each Order.

There exists a cardinal protector, but he has no role in the government of the Order.

³ Underlined in the original text. Bishop Fellay requires that we trust in *him*. You can gauge the difference.

Therefore, the superiors of the Order are Dominican religious, perfectly knowledgeable about the legislation of the Order, capable of visiting the friaries, calling chapter meetings, making rulings, etc., all things that cannot be done by Bishop Fellay who is not a religious, who does not know our constitutions, and who cannot preside at chapter meetings, etc.

Doubtless, it is normal for there to be an authority to appeal to in cases of difficulty. So, we have added some annexes to our constitutions due to the present situation, notably:

In exceptional cases, with the agreement of the Superior, it is possible to appeal to a Traditional bishop chosen by the Council of Fathers. These possible actions must always be done in the right order and according to a religious spirit.

This appeal has already taken place on several occasions. For example, we made two appeals (in 2006 and 2009) to Bishop Fellay to send a Visitor to make a canonical visit. However, that was by no means a recognition of Bishop Fellay as having an ordinary authority over us.

The Steffeshausen foundation is putting itself under the immediate jurisdiction of Bishop de Galarreta. He is the one who will name the first superior, evidently an act reserved to a direct superior. Bishop de Galarreta acts in this way as Bishop Fellay's representative. Thus, in the end, it is he who is the true superior of the new community.

This situation does not conform with our order's constitutions, nor, generally speaking, to the laws of the exempt religious orders (Benedictines, Franciscans, Dominicans, etc.).

Conclusion

In light of the events related herein, it appears that subjects are authorized to leave and found a "new branch"—without either the faith or morals being the cause—provided that they are supported by a bishop, with no regard to the obligations of their vows, the constitutions of their congregation, and the canonical visits carried out in their community.

For example, if Brother X (or Sister Y) finds that the community where he/she lives is not contemplative enough, or not active enough, he/she may leave and create a "new branch" that he/she considers more suitable to his/her idea.

A second example: when Archbishop Lefebvre decided to accept that there were schools held by the SSPX, some members of the Society would have had the right to make a "second branch" without schools. Yet this example is not really adequate because the members of the Society are not bound by vows, but only by a promise. Also, in the Society's statutes, there is no mention of schools, whereas the Dominican constitutions explicitly provide for them (Annex 4).

So, it appears that two Traditional bishops consider themselves to have the right and power to directly intervene in the religious life of a community of an exempt Order. They can make subjects leave, give them exclaustations—without bothering with canon law or the constitutions of the institution—or authorize them to live outside the friary and carry on an apostolate, without any control from their legitimate superiors, without even notifying these superiors. They can welcome them into their houses, give them material aide, and finally, authorize them to found a "new

branch," always without worrying about the superiors of these religious, without even informing them. They can also maintain a secret correspondence with religious and encourage them to furnish secret reports and to distrust their legitimate superiors.

This foundation does not respect the constitutions of the Dominican Order and it seriously jeopardizes the rights of exempt religious communities. It is even opposed to simple, unadulterated honesty. We cannot accept it.

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Annexes

1. 2006 Canonical Visit

FINDINGS OF THE CANONICAL VISIT TO THE COUVENT DE LA HAYE-AUX-BONSHOMMES AT AVRILLÉ

According to the protocol of the Canonical Visit, I will open with some words of encouragement: "All I have encountered here are good religious".

An outside view of your community allows me to confirm that it truly is influential.

For example:

--I came from visiting the *Little Sisters of St. Francis* and they are very satisfied with the different ministries you have accomplished with them recently.

--*Sel* Publications, the journal *Sel de la Terre*, and your *Letter to Friends* add to this influence.

What is more, your community is truly edifying by the ordered life of your friary that comes from its faithfulness to the authentic Dominican model.

Surely, you are the only friary where this life is lived to the fullest according to the spirit of your holy Founder.

Besides this, I can only encourage you to abandon yourself to divine Providence and place an unlimited confidence in Him in accordance with the words of St. Theresa of the Child Jesus: "It is what He does that I love."

So, we must love the provisions of Divine Providence most of all.

Accordingly, it is wise to hold elections every six years to name a Prior for your friary. The next elections are planned for 8 May 2006.

Due to the crisis in the Church and following the wise advice of Archbishop Lefebvre, it is advisable that the outgoing superior maintain a passive voice; this in no way reflects negatively on the legitimacy of the current Prior's authority.

Right after your elections would be a good time to establish the governing "statutes" for your community in accordance with your constitutions.

In exceptional cases, with the agreement of the Superior, it would be possible to appeal to a Traditional bishop who would be chosen by the Council of Fathers. But this potential process must always be done in good order and according to the religious spirit. The wise custom of having an extraordinary Confessor come every quarter will be put into effect again.

As far as the schools are concerned, our religious and contemplative orders, as soon as they are well organized, have always favored these ministries. The current crisis, and the hope that good vocations will come from these schools can only serve to encourage us to continue with this work.

However, it is necessary to consider whether such a work be possible for your community *hic et nunc*. It seems that your current project may have been developed a little too much, too fast, but you have already thought of some corrections and have wisely slowed things down; you must put these things into practice.

A little more consultation and charitable communication will effectively help you.

You should, as a matter of principle, avoid not only internal criticism, but also external criticism, by putting into practice the saying: "cover others' faults with mercy." It is a beautiful act of virtue to watch one's tongue during recreation times, even if they should be joyful.

The next time I come, we will review the ways in which the conclusions of this canonical visit are being implemented. Meanwhile, I encourage you to be pious and holy guardians of the Peace!

Fr. Antoine de Fleurance

[Further details sent later in response to a question:] Regarding "internal and external criticism," I wanted to say: do not criticize what is done in the community. The three "defiant" fathers have shown too critical a spirit towards their superior. Do not criticize so easily what is done outside, your colleagues, the other communities . . . various discussions showed that the negative side of situations, circumstances, and acts has been over emphasized above the positive. That is why I added: "Cover others' faults with mercy."

2. Request for intervention

On 11 February 2013, we wrote to Bishop Fellay to accept his proposition to open a new house. In the letter accompanying the "request for intervention," we wrote:

"We will follow your counsel to choose one of them (if they themselves want it) as the first superior. . . We recently received a telephone call from Mr. Louis Richter who contacted us regarding Steffeshausen, the former parish of Fr. Paul Schoonbroodt. . . That could perhaps serve our purposes, but we are waiting for more information."

**Request for intervention addressed to His Excellency Bishop Bernard Fellay by
the Dominicans of the Couvent de la Haye-aux-Bonshommes**

Avrillé, 8 February 2013

Your Excellency,

Following our meeting on 26 January last at Suresnes, we have the honor of requesting an intervention from you concerning four priests and a brother who belong to, or have belonged to, our community.

Fr. Jean-Dominique Fabre left us in April 1998, receiving an exclaustation granted by Bishop de Galaretta. To our knowledge, he is still living under the terms of this exclaustation.

Several times we have proposed to Fr. Jean-Dominique, either directly (e.g., through a letter by Fr. Marie-Dominique at the beginning of 2010), or through Bishop de Galaretta as an intermediary (e.g., Fr. Pierre-Marie, orally, in December 2008 at La Reja), to reestablish contact with us with the idea of returning to the friary. There was never any follow up.

We sent Fr. Albert Kallio, with your consent, to help Fr. Cyprian in New Mexico, in September 2006. After helping Fr. Cyprian for three years, Fr. Albert, acting on his own, put himself at the service of the SSPX in the United States. We had asked him to return to the friary, without imposing any conditions on him, notably during a visit he made to us in March 2011. Father Prior wrote him again on 17 August 2012 to ask him to resume contact with us (copy attached, Document 1). We have had no response.

Fathers Thomas de la Blanchardière and Raymond Verley, as well as Brother François-Dominique Ducharme, left the friary during the night of 11-12 April 2011, leaving us a letter, a copy of which we have attached (Document 2). We later learned that all three of them were lodged at the house of the District Superior of the Society in Germany, and then in the former [Society] school at Diestedde.

After a meeting in Menzingen on 18 May 2011, we wrote to them on several occasions, notably on 29 September 2011 and 17 August 2012 (copies attached as Documents 3 & 4) suggesting that they return or at least that they resume contact with us. We are attaching their last response.

From a canonical point of view, the situation of these three religious is that referred to in Canons 644 §§1&2, and 2385 of the Code of Canon Law (1917).

During our meeting on 26 January last, you suggested that we open a house to accommodate these religious. This house would be under our jurisdiction. You said that you were ready to use your authority to demand that they enter this house, telling them that if they refuse, they could no longer be considered as Dominicans by the Society houses.

After reflecting, praying and holding a meeting of the friary council, then holding a conventual Chapter, we have decided to accept this proposition, calling for your intervention under the following conditions:

--The new house will be under the jurisdiction of the Avrillé Prior. It will be an affiliated house and not a friary, as long as it does not have the number of religious prescribed by the Constitutions (no. 258-262). The Avrillé Prior will have that authority over it prescribed by the constitutions for a vicar of the Congregation (no. 453), notably to set the limits and conditions of the apostolate exercised by this house.

--The Avrillé Prior will have that authority over the house that is prescribed by our constitutions for a provincial, notably to set the limits and conditions of the apostolate exercised by this house.

--One of them will be named as superior (or local vicar) by the Avrillé Prior for a period of three years (no.445).

--The new house will not have a novitiate. If candidates for the religious life present themselves there, they will be sent to Avrillé.

Fr. Pierre-Marie de Kergorlay O.P., Prior

Fr. Philippe Jourdheuil O.P., Sub-Prior

Fr. Innocent-Marie Chassagne O.P., member of the conventual council

Fr. Marie-Dominique Roulon O.P., member of the conventual council

3. The telephone calls to Fr. Jahir

We are bringing up this event because it seems to be one of the reasons for Bishop Fellay's change of attitude towards us.

In March 2013, Bishop Fellay complained to Father Prior of Avrillé that "Fr. Jahir of Brazil has taken position against the SSPX following some regular, almost daily phone calls from Fr. Innocent-Marie."

Fr. Innocent-Marie wrote to Bishop Fellay on 19 March to ask him from where this information came.

Bishop Fellay answered on 2 May, "To be able to answer Fr. Innocent-Marie, I needed some time to verify my sources. They confirmed what I said and that which is denied by Fr. Innocent-Marie."

On 6 May, Father Innocent-Marie wrote to Bishop Fellay denying the deed and proposing a face to face meeting with Bishop Fellay's informers.

When he was in Zaitzkoffen on 30 June, Bishop Fellay again complained about our community. He returned to talking about Fr. Jahir. Putting his hand on his chest, he stated, "It was Fr. Jahir who told me this."

On 4 July, Fr. Jahir had Fr. Joachim send a formal refutation to Father Prior of Avrillé. "Fr. Jahir has not had any telephone communication with Fr. Innocent-Marie OP for a long time (about ten years). He does not know how Bishop Fellay got that idea, since there had been no communication between him and Fr. Jahir."

This refutation was sent to Bishop Fellay on 14 July. He then wrote to Fr. Innocent-Marie on 19 July, "Do you know that it was Fr. Jahir himself who affirmed having had daily contact with you?" Then in a postscript of the same letter he wrote, "I received the message from Fr. Pierre-Marie. Bishop de Galaretta told me he had received [these facts] from Fr. Thomas Aquinas' brother who had heard the words from Fr. Jahir's mouth."

So, on 2 May, Bishop Fellay maintained his accusation after having verified his sources, on 30 June, he affirmed receiving the information on Fr. Jahir in person, on 19 July he corrected that version in saying that he received it from Bishop de Galaretta, who received it from

On 2 July, upon the occasion a meeting of the religious communities at St. Nicolas du Chardonnet [Church in Paris], Bishop Fellay and Bishop de Galaretta carefully avoided bringing up this affair about the telephone calls with Father Prior and Fr. Innocent-Marie who were present at this meeting.

As of this date (29 October 2013) we do not yet know what Bishop Fellay thinks: does he prefer to believe in "his sources" (which ones?) or the formal refutations of Fr. Jahir and Fr. Innocent-Marie? In any case, why did he not agree to a face to face meeting with "the informers"?

Fr. Jahir's refutation was also sent to Bishop de Galaretta, but we have not had any response from him either.

4. The Issue of the Schools

According to Bishop de Galaretta, our having a school at Avrillé could justify the desire of certain fathers to leave and found a new branch. It is necessary therefore to give a few explanations about this subject.

Our constitutions explicitly provide for having "apostolic schools" which are dependent on a friary (see texts below). These schools have existed in our Order from the beginning. It was normal for an apostolic school to be found in each province of our Order (in 1920, 18 provinces out of 21 in Europe had an apostolic school).

Some details about St. Thomas Aquinas High School. It only involves a part of the fathers in the friary. Its classrooms are located in the "Priory", a building located on a neighboring property situated some three hundred meters from the friary. It has its own chapel. The dormitories are also situated several hundred meters from the friary. Only the cafeteria is located in the friary's guest house, near to, but outside the friary.

Because of our type of apostolate, most Dominican friaries are situated in towns. Did the brothers of the friary of St. Jacques in Paris, founded during St. Dominic's lifetime, complain of being situated in the middle of the University and its many colleges? It was impossible for them to leave the friary without running into crowds of students. And let's remember that at that time, one normally entered the University at 14 years of age. It seems that that did not bother St. Albert the Great, nor St. Thomas Aquinas, nor the other eminent religious.

Just because we have a school at Avrillé, that does not mean that we believe there should be one in every friary. It is obvious that there would not have been one in the foundation that we wanted to make at Steffeshausen.

Moreover, despite the absence of the fathers who have left us, we are continuing the preaching activities that we were doing before St. Thomas Aquinas High School ever existed. They consist of, in their various forms: retreats (we have even added retreats for couples), the Third Order (five fraternities are being developed in France as well as in foreign countries), doctrinal sessions (for example, the "Jean Vaquié Days"), the journal *Sel de la Terre*, conferences (we have begun a new cycle of conferences on apologetics), pilgrimages, preaching in various priories, etc. One need only read the "chronicle" section in the *Letter of the Dominicans of Avrillé*, which is published quarterly, to get an idea of the extent of our apostolate.

In conclusion, we can say that as much as the presence of a school or college is *provided for* in our constitutions, so also is the direct dependence of a friary vis-à-vis a bishop *foreign* to our constitutions and to their spirit.

Texts from the constitutions on the subject of schools.

Apostolic schools [Dominican Constitutions, no. 630 and 637 (extracts)]

No one is to be admitted to philosophical studies in the Order if he does not have the sufficient knowledge of general culture required by no.76 §1.

Wherever it is appropriate, the provinces will take care to have an apostolic school for the education of the younger candidates, and all the brothers, especially confessors and missionaries, will make sure that the young men who show signs of a religious vocation are sent there.

[Number 632 and 633 speak of methods of establishing the schools that directly depend on the provincial.]

§1. May careful attention be given to the religious and moral education of the young men, and, for this reason, "religious discipline takes first place, which will be accommodated to the temperament and age of the individuals and pursued most diligently". (Canon 1364 §1)⁴

§2. May the director of the apostolic school instruct the students on Dominican life and on the supernatural motives for a vocation, and carefully examine if they are led by the desire of some

⁴ *The 1917 Pio-Benedictine Code of Canon Law in English Translation*, Dr. Edward N. Peters, Curator, Ignatius Press: San Francisco, CA, 2001. p. 459.

temporal advantage more than by a love for this life, so that later one cannot say they were "born" in the Order rather than "called" to the Order.

§3. May this institution transmit through the various disciplines all the things that belong to general culture, as mentioned in no. 76; whence it follows that the studies must not be inferior to those which take place in the seminaries and educational establishments in the same region.

During his annual visit, may the Provincial, himself or by a substitute, make an effort to acquire a more perfect knowledge of the character, piety, vocation and progress of the students.

The local Ordinary, himself or by a substitute, can visit the schools established in our houses, on matters concerning religious and moral instruction, except in what concerns our internal schools for our professed religious (C. 1382).

The students who die while enrolled in our schools participate in all the benefits of the Order.

Other Secondary Schools [Dominican Constitutions, no. 726-729]

As long as the principal purpose of our vocation is safeguarded, it is not foreign to our Order that our Brothers establish Catholic institutions and secondary schools for the education of the young, wherever necessity or a great usefulness exists. This is why the Brothers who, according to the arrangement of the Superiors, work with religious zeal in these schools, exercise a very excellent apostolic ministry.

Colleges for the education of secular youth are founded with the special permission of the Master of the Order and the local Ordinary, at the request of the provincial chapter or the Provincial with the consent of his council.

Paramount in these schools is the religious and moral education of the students.

So that our regular life does not suffer any damage, special norms regarding either the Brothers' way of life or the general discipline are to be established by the Provincial with his council under the approbation of the Master of the Order, and, once approved, they are to be faithfully observed.

Extract of an article on apostolic schools

Extract from Candido Aniz Iriarte, O.P., "Apostolic Schools in Spain" in *Schools and Colleges*, vol. 3 (September 1993), Paris, Cerf Publishing, p. 111-127.

The first beginnings of future apostolic schools had already appeared during the first decades of Dominican history. Two paragraphs from the *Expositio Regulae Sancti Augustini* by Humbert de Romans, give eloquent testimony:

Note that if there is no candidate for the Order who is truly educated enough, it is sometimes useful to receive young people who we hope will make great progress if they are instructed. We must take great care for their studies, so that the Order may obtain for itself the worthy candidates that the world ceases to provide.

From all this, therefore, it appears certain that the Order would do well sometimes, in some areas, to teach young people who are able to receive an education, especially when we're able to test their abilities, and have a well-founded hope that [their studies] will bear fruit. For the more pure are their hearts, the more easily they will progress, like the three children spoken of in the book of Daniel.

This text allows us to affirm that, since the 13th century the Order of Friars Preachers has had, in its manner, apostolic schools in the provinces or in the friaries. They were welcoming centers and, when they were good, they provided a cultural education to various groups of young candidates. [...]

The Dominicans have been, at least in part, the perpetuators of a monastic, medieval, educative tradition: we find an eminent example in the person of St. Thomas Aquinas, who attended a school of this type during his childhood. Often, Dominicans have maintained some specialized classes consecrated to the basic education of children and youth (next to the friaries, or even inside them), open to all, but which particularly welcomed children of modest condition. *All through the history of the Order*, numerous vocations have come from these classes, so that we may affirm that this educational style has contributed to the creation of a particular mode of community life. [...]

In 1924, 18 out of 21 European Provinces had apostolic schools: Spain, Lombardy, Rome, Naples, Austro-Hungary, Germany, England, Aragon, Bohemia, Sicily, Belgium, Holland, Ireland, Portugal, Philippines, Piedmont, Poland, and Florence.

5. Letter to Bishop Fellay

11 August 2013 (personally delivered to the Bishop on 15 August)

Excellency,

It is with a heavy heart that I write these lines to you and send them to you through Fr. de Cacqueray.

I believe it my duty to write to you, through the fraternal charity I owe to a former seminary colleague, to a priest and bishop ordained by Archbishop Lefebvre.

Bishop de Galarreta told me during a meeting at Écône on 28 June last, that you considered yourself to be released from your 26 January commitment at Suresnes because "of what happened" since that date, but he did not specify what it was about and suggested I ask you directly.

The only thing we can think of is what you were told about telephone calls between Fr. Jahir and Fr. Innocent Marie.

If this is the case, allow me, Excellency, to remind you of what you said while laying your hand over your heart to Fr. Marie-Dominique in Zaitzkoffen at the end of June: "It was to me that Fr. Jahir said that Fr. Innocent Marie telephoned him daily."

You then denied this statement a little later in writing to Fr. Innocent Marie on 19 July: "I received the note from Fr. Pierre-Marie. Bishop de Galarreta told me that he got [this information] from Fr. Thomas Aquinas' brother, who had heard it directly from the lips of Fr. Jahir,"

You now know that this report is false. You have received Fr. Jahir's formal refutation. Therefore, you cannot rely on this false report to free yourself from the promise you gave on 26 January at Suresnes in the presence of four priests.

In your 19 July letter to Fr. Innocent Marie, you said you had heard "rumors from absolutely trustworthy people accusing not only Fr. Innocent Marie, but also Avrillé as a whole." You know, Excellency, that you have received false reports about us several times (that we're sedevacantists, [...]), the latest being what you have said about these so-called telephone calls between Fr. Innocent Marie and Fr. Jahir.

Of course, we are disposed to listen to these accusations made against us and, if the accusations prove to be true, to correct what should be corrected. When Fr. Nély came at the beginning of last May, it was called to our attention that a brother had been at fault, without the superiors' knowledge. The brother was immediately corrected and things returned to normal.

We learned three days ago from Fr. de Cacqueray that Bishop de Galarreta is ready to authorize a Dominican foundation in the south of France with the five religious brothers who left our friary at different times. This foundation would be set up under the jurisdiction of Bishop de Galarreta.

I do not believe that Bishop de Galarreta would do this without informing you.

Now, this is a grave injustice being committed against our community and against religious life in general.

These religious are perpetually professed brothers of our community. For years now they have been welcomed into the Society's houses and you have allowed them to be given ministries without consulting their superiors. All this has been done against canon law and the laws concerning religious.

The last exit made by the three religious was so scandalous that Bishop de Galarreta ended up—more than two years later—asking them to present their excuses. That did not stop Fr. Schmidberger and other superiors from entrusting them with ministries during those two years.

Already in 1996-1998, Bishop de Galarreta intervened, as did you yourself, Excellency, in a "strange" manner in the internal affairs of our community. That led to Fr. Jean-Dominique's departure with an irregular "exclaustration" granted without our being notified, without our knowing the motive, with permission to continue to wear the habit (which is against Canon 639 and our constitutions) and without a time limit (exclaustration is a temporary measure—unlike secularization—and this one has actually lasted for more than 15 years).

Excellency, I beg you on my knees to stop these grave injustices. Until now we have suffered in silence and in prayer. But if this foundation is to be done, we can no longer keep silent. Think of the scandal for the faithful, the priests, and the religious when they come to know the truth about what has happened.

We are ready to appeal to a legitimate jurisdiction [i.e. court], if it is possible to establish one. Evidently it is required that it be composed of competent persons (i.e. religious from exempt communities, who are the first ones concerned in this affair) and not relying on incriminated persons (in this instance, that principally refers to you and Bishop de Galarreta).

I entrust this serious matter to the Immaculate Heart of Mary, which we will be celebrating in several days.

Fr. Pierre Marie +

This letter remains without a response, like the two previous ones from the 14 and 28 of July.

6. Letter to Bishop de Galarreta dated 28 July 2013

Excellency,

As you undoubtedly know, Fathers Thomas and Raymond and Brother François Dominique have written me a letter (of which I am sending you a copy).

I have answered them to the effect that it is impossible for me to accept their excuses regarding a point of detail, whereas the key issue is left aside: the violation of their vows of obedience towards their legitimate superior.

A solution was proposed to them by Bishop Fellay several months ago, to return to a regular situation: to live in a house separate from Avrillé, while maintaining their dependent relationship towards their legitimate superior.

If they refuse this solution, they must ask to be relieved of their vows. I cannot see any other solution that conforms to canon law concerning religious. See, for example, J. Creusen SJ, *Religieux et Religieuses d'après le Droit ecclésiastique*, Paris, DDB, 1950, third part : « La sortie de religion » [Leaving the religious life], p.244-256.

Concerning other matters, Bishop Fellay recently wrote to Fr. Innocent Marie, “Do you know that it was Fr. Jahir himself who affirmed that he had made daily contacts with you? . . . Bishop de Galarreta told me he heard this from Fr. Thomas Aquinas’ brother who had heard these words from Fr. Jahir.”

Allow me to inform you that this information is false. You will find Fr. Jahir’s formal refutation below.

Finally, during our conversation at Écône on 28 June, you told me that we chased Fr. Jean Dominique from the friary. I am enclosing copies of several letters from before Fr. Jean Dominique's departure. They show that his departure was planned in agreement with you. The only point on which we have not been able to agree is that of wearing the habit. Our constitutions and Canon Law being definite on this point, we cannot go along with your point of view.

With my religious respect towards your Excellency, in Jesus and Mary,

Fr. Pierre Marie +

There has been no response to this letter.

7. Note of 4 December 2007 to the attention of Bishop Fellay, on the subject of Fr. Jean-Dominique

Regarding the case of Fr. Jean Dominique (religious professed of perpetual vows, who left the friary at his own request in 1998):

1. – This case cannot be considered simply a question of his living for more than six months outside his institution⁵.
2. –Nor can he be considered to be in the situation of a *religious dispersed by an unjust law*,⁶ as would be the case here if he had had to leave due to reasons of dispossession, or for reasons regarding the faith (i.e., the New Mass, changing the constitutions, etc.).
3. – We must then consider that he freely left the friary, by means of an *exclaustration indult*. (This was also the understanding in March 1998 with Bishop de Galarreta and Bishop Fellay.)
4. – After nine years, *can we really speak in terms of an exclaustration?*
 --Even if the duration of his exclaustration has not been determined, exclaustration is, by nature, *temporary*. (Canon 638)⁷
 --Can we say that Fr. Jean Dominique “keeps all the obligations of the rule compatible with his situation” (Creusen, no. 334)? Especially with regards to *obedience*, which is the definitive

⁵ See Creusen, *Religieux et religieuses d'après le droit ecclésiastique*, 8th ed., 1960, no. 333, p. 264: “You must distinguish between the exclaustration indult and a simple permission to live more than six months outside the Institution. The effects are very different. You cannot deny that exclaustration in a certain way breaks the bonds that link a religious to his Institution.”

⁶ Ibid., no. 333, p. 264-265: “On 10 July 1955, the Sacred Congregation for Religious declared that religious dispersed by unjust laws to which they are submissive and forced to live outside a religious house, are not considered to be exclaustrated religious, but as those legitimately living outside their house. Due to their particular situation, the Holy See submits them to the Ordinary of the diocese of their domicile. The Sacred Congregation exhorts them to remain in contact with their religious Superior as much as possible. They keep all the rights and obligations compatible with their situation.”

⁷ “Exclaustration is essentially a temporary situation. After several months or years, either the religious in question will reenter the convent so as to once again become fully religious, or else he will end up in a complete rupture through secularization.” (R. Naz, *Dictionnaire de Droit canonique*, Paris, Letouzey, 1953, col. 609.)

element of the religious state? Even in admitting that Bishop de Galarreta takes the place of the Ordinary and thus, for him, replaces his superiors (cf. Canon 639), it must be said: 1) that he does not reside in the same location [as Bishop de Galarreta] (is religious obedience possible under these conditions?) and that, 2) this situation cannot not be considered definitive according to Canon Law.

5. --In addition, Fr. Jean Dominique does not appear *to be ready to return* to the community:
 -- Father Prior and the community, on principle, place no obstacle to his return as long as the demands of justice and charity are safeguarded (it cannot be denied that he has gravely harmed the reputation of the community), but he himself seems to be formally opposed.

-- The attempts at reconciliation have been unsuccessful: Fr. Marie Dominique (the best choice to do so) wrote to Fr. Jean Dominique to invite him to return; Fr. Jean Dominique has not answered.

6. -- For these reasons, it thus seems that we must consider a *secularization indult* which is, according to the law, the authorization to definitively leave his institution.

We think there are serious and legitimate reasons to ask for this.

a) Fr. Jean Dominique has been living *totally separated from the community* for more than nine years, never having resumed contact, no longer exercising any rights or duties, no longer considering himself as one of its members. Precisely, "the secularization indult effects an entire separation from the Institution, from which the religious keeps no rights, nor any obligation." (Creusen, no. 336, p. 267)

b) Fr. Jean Dominique's current situation is *abnormal*: objectively, it is even a "scandal." Although totally separate and independent, he continues to wear the habit and to pass for a religious (he poses as one, preaches, publishes, continues his apostolate, says the Dominican Mass, etc.).

--Several people are confused and troubled (we have received frequent testimony); they even reproach *us* for this state of affairs.

--His situation leads people to think that, in the litigation between him and the friary and his legitimate superiors, he was within his rights.

--Fr. Jean Dominique's apostolate is more and more public (Lent at St. Nicolas du Chardonnet in 2007, articles in *le Chardonnet*, special edition of *Marchons Droit* on the religious life, publication of a philosophy book with publicity on Radio-Courtoisie, etc.)

--For some time there has even been the question of a "foundation" to be made by Fr. Jean Dominique (Bishop de Galarreta formally told us that there would never be such a thing.⁸)

⁸ In itself, it is evident that the prospect of a Dominican foundation should only please us, but here it is not a question of a normal foundation.

c) This situation is *detrimental to the religious state* and to the brothers who are faithful to their state in life: it appears to legitimize and favor inconstancy and the leaving of an institution to which one has made vows.

Commenting on the exclusions given by Canon 642 regarding secularized professed religious,⁹ Creusen justly stated, “The Holy See does not want that the hope of a position or honorable employment in the secular clergy would bring forth the temptation to inconstancy; it does not want young clerics, religious men or women to be endangered by seeing, as tacit approval of his conduct, a former religious in a trusted position. The severity of the exclusions stated in Canon 642 clearly shows the Holy See’s disfavor towards the abandonment of obligations assumed through religious vows” (no.337, p.269)

d) This situation sustains the climate of *unease and mistrust* in the MJCF, where Fr. Jean Dominique has responsibilities. Yet, the community has long since abandoned any pretense regarding the MJCF; we have accepted our fate and the (unjust) reputation we have among their members. Despite that, the “warnings” continue (even to the point of turning away vocations).

e) This situation is very difficult for many of our secular tertiaries who are often confronted by the problem (Fr. Jean Dominique’s departure provoked a division in the Third Order and several tertiaries have left us: the support of an ambiguous situation is prejudicial to the return of a true peace).

f) This situation also maintains the sense of unease with the *Sisters of Brignoles*, whom we are actually very fond of, and encourage as much as we can: the community fathers are practically interdicted from staying in the Brignoles houses (which however does not prevent good individual relationships with several sisters).

7. – Consequently, it is necessary for Fr. Jean Dominique to *remove the habit of the Order* (Canon 640).

By giving him an exclaustation indult, Bishop de Galarreta had hoped, for particular reasons, that Fr. Jean Dominique would finally be authorized to retain the habit. The reasons behind this authorization no long appear to be justified today; letting him wear the habit beyond the normal delays, would be tantamount to legitimizing the irregularity of his actual situation.

8. – This petition does not proceed from *any animosity* toward Fr. Jean Dominique. To the contrary, it is so our relations can return to normal, even be fraternal, that we believe that this secularization is necessary. Fr. Jean Dominique has many great qualities and abilities. He can accomplish much good and he has demonstrated that. But as long as this false situation lasts, this

⁹ Canon 642, §1: “Any professed having returned to the world is still able according to the norm of Canon 641 to exercise sacred orders, but they are nevertheless prohibited without a new and special indult of the Holy See [from having]: 1.º Any benefice in a major or minor basilica and in a cathedral church; 2.º Any teaching [post] and office in a major or minor Seminary or college in which clerics are educated and likewise in Universities and Institutes that enjoy the conferral of academic degrees by apostolic privilege; 3.º Any office or duty in an episcopal Curia and in religious houses of men or women even if it concerns a diocesan Congregation.” (1917 Pio Benedictine Code, p.345)

good will be hindered and it will not be possible for our relationship to return to normal. It is a question of justice and, even more, of truth towards the holy state in which the Church has placed us.

Finally, regarding Fr. Jean Dominique himself, resolving the ambiguity of his situation, which is detrimental to his soul, would be an act of charity towards him.

4 December 2007