

Two points stood out in my mind besides the substance of the technical canonical arguments.

1.) Even Fr. Farragher (canonist) and Cardinal Mayer believed the SSPX confessions were valid. I had not known this and thought previously that only SSPX clerics held this view.

"To answer this objection, it is useful to consider opinions of knowledgeable persons not affiliated with the SSPX. Fr. Joseph J. Farragher was one such person. Fr. Farragher was a Jesuit, a canon lawyer, a moral theologian, a holder of a Doctorate in Sacred Theology (STD) from Gregorian University in Rome, and a former president of Alma College.[14] In the October 1983 issue of the "Homiletic & Pastoral Review", Fr. Joseph J. Farragher, SJ, wrote the following:

"As for Archbishop Lefebvre's priests, see my answer in the Aug.- Sept.1982 issue of Homiletic and Pastoral Review where I stated that, although his priests are illicitly ordained, they are validly ordained and have the radical power to absolve sacramentally. And, although ordinarily priests require "faculties" or jurisdiction to absolve validly and the Archbishop's priests do not have valid faculties, nevertheless when they enter a confessional in what appears to be a Catholic church, the supreme authority of the Church in Canon Law supplies jurisdiction to them just so that the faithful who approach them in good faith for Confession will not suffer lack of valid absolution.[15]"

In the February 1985 issue of Homiletic and Pastoral Review, Fr. Farragher again spoke to the question of confessing to Society priests: "The Masses said, the absolution given, and the marriages witnessed by them are all most probably valid, the latter two categories at least by 'common error'."[16]

However, if the opinion of Fr. Farragher isn't convincing enough, consider the opinion of Paul Augustin Cardinal Mayer. In 1989, as President of the Pontifical Commission "Ecclesia Dei," Cardinal Mayer responded to a letter written by a Catholic from California asking about the validity of Society sacraments. The Cardinal wrote, "The principle of "common error", whether on the part of only one faithful or on the part of the community, can be applied in this case, and such acts are thereby valid (cf. canons 144, 976, 1331, 1333, 1335)"[17]

Furthermore, on November 22, 2012 the website for the German District of the SSPX reported that well known canonist Dr. Georg May, made Apostolic Protonotary by Benedict XVI in January 2012,[18] affirmed that the Church supplied jurisdiction in the case of SSPX confessions and that they are, therefore, valid.[19]"

2.) The New Code of Canon Law considers the schismatic Orthodox confessions to be valid. Not only that, in some cases the Code states it is even licit to go to confession with a non-Catholic priest....

Canon 844, section 2 states:

"Whenever necessity requires it or true spiritual advantage suggests it, and provided that danger of error or of indifferentism is avoided, the Christian faithful for whom it is physically or morally impossible

to approach a Catholic minister are permitted to receive the sacraments of penance, Eucharist, and anointing of the sick from non-Catholic ministers in whose Churches these sacraments are valid."

Thus, if the Church allows a Catholic to avail themselves of even a schismatic or non-Catholic priest for the sacrament of penance under these circumstances, how in the world can they refuse to allow a Catholic to avail themselves of a Society priest for confession under the same circumstances?

That otherwise conservative/ traditional people like Fr. Z can interpret the Code to allow valid confessions to schismatic priests but not to Society priests floors me.

In my opinion, there is no way for the liberalized '83 Code, where the intent was to reduce censures and open up the sacraments, can claim to both allow schismatic absolutions and deny the validity of Catholic absolutions, even if the priests are "irregular."

Even beyond the Code itself, we have a very recent admission from Bishop Juan Ignacio Arrieta, secretary of the Pontifical Council for Legislative Texts, as to the mind of the 1983 Code's drafters. A May 17 news article from CNS states:

The current code was drafted in the 1970s, Bishop Arrieta said, "a period that was a bit naive" in regard to the need for a detailed description of offenses, procedures for investigating them and penalties to impose on the guilty. It reflected a feeling that "we are all good," he said, and that "penalties should be applied rarely." [9]