



A Open Letter to Vatican

By Joseph Kung

March 28, 2000



This letter has now been answered by virtue of the Pope's letter to the Bishops, Priests, Consecrated Persons and Lay Faithful of the Catholic Church in the People's Republic of China. Please read our Fall 2007 newsletter.

(For a follow-up to this letter, see also our June 2000 Newsletter)



His Eminence Joseph Cardinal Ratzinger

His Eminence Angelo Cardinal Sodano

His Eminence Jozef Cardinal Tomko

His Excellency Most Rev. Stanislaw Dswisz

His Excellency Most Rev. Giovanni Battista Re

Vatican City

Your Eminences and Excellencies:

THIS IS AN OPEN LETTER

We write this letter because we do not understand many actions by the hierarchy of the Roman Catholic Church towards the Chinese Catholic Patriotic Association. These actions appear to have been so one sided in favor of the Catholic Patriotic Association (CPA) that the underground

Roman Catholic Church, which has gone through five decades of severe persecutions in China in defense of the Magisterium, appears to have been greatly neglected by the Vatican. Inasmuch as we and a vast number of concerned Catholics in and out of China do not understand these actions, we present to you the following issues in the hope that you will clarify and explain to the world your position.

This letter is written in the spirit of genuine concern for the Church and in the interest of reconciliation between the Roman Catholic underground Church and the CPA in China. On many occasions, His Holiness Pope John Paul II called for reconciliation and for unification of the Church in China so that it will return to the one fold and one Shepherd. How can the Holy See expect us to carry out this policy of the Holy Father while there is such confusion on the issues cited below?

I. IS THE CHINESE CATHOLIC PATRIOTIC ASSOCIATION A SCHISMATIC CHURCH?

1. Founding: The Chinese government established its own "Catholic Patriotic Association" in 1957 as a substitute for the Roman Catholic Church in order to sever Roman Catholics in China from fidelity to the Successor of Peter and from any teaching of the Roman Catholic Church that the Chinese government considers to be contrary to its own interests. Its basic principle is autonomy from the Pope's administrative, legislative and judicial authority.

2. Pope Pius XII's position – No Longer Catholic: Approximately three years before the establishment of the CPA, Pope Pius XII wrote with great foresight on the subject of autonomy in his encyclical *Ad Sinarum Gentem* in October 1954:

"22. The promoters of such movements (Three Autonomies) with the greatest cunning seek to deceive the simple or the timid, or to draw them away from the right path. For this purpose they falsely affirm that the only true patriots are those who adhere to the church thought up by them, that is, to that which has the "Three Autonomies." But in reality they seek, in a word, to establish finally among you a "national" church, which no longer could be Catholic because it would be the negation of that universality or rather "catholicity" by which the society truly founded by Jesus Christ is above all nations and embraces them one and all."

3. Ordination of CPA Bishops and Pope Pius XII's declaration - Invalid and Illicit: The first CPA bishop was ordained in 1958 without a mandate from the Holy See. On June 29, 1958, after condemning the CPA, Pope Pius XII declared the election of CPA bishops invalid and their consecrations illicit, that is, "criminal and sacrilegious," in his *Ad Apostolorum Principis*:

"41. Acts requiring the power of Holy Orders which are performed by ecclesiastics of this kind ["bishops who have been neither named nor confirmed by the Apostolic See" cf. n. 39] , though they are valid as long as the consecration conferred on them was valid, are yet gravely illicit, that is, criminal and sacrilegious.

47. From what We have said, it follows that no authority whatsoever, save that which is proper to the Supreme Pastor, can render void the canonical appointment granted to any bishop; that no person or group, whether of priests or of laymen, can claim the right of nominating bishops; that no one can lawfully confer episcopal consecration unless he has received the mandate of the Apostolic See.

48. Consequently, if consecration of this kind is being done contrary to all right and law, and by this crime the unity of the Church is being seriously attacked, an excommunication reserved *specialissimo modo* to the Apostolic See has been established which is automatically incurred by the consecrator and by anyone who has received consecration irresponsibly conferred."

4. Pope John XXIII's Confirmation - Condemned Once Again: One year later on June 29, 1959, in his encyclical *Ad Petram Cathedri*, Pope John XXIII recalled and renewed his predecessor's condemnations:

"131. All, therefore, who wish to remain Christians must be aware of their serious obligation to avoid those false principles, which Our predecessors--especially Popes Pius XI and Pius XII-- have condemned in the past, and which We condemn once again."

5. Continuous Ordination of CPA Bishops Without Mandate: To this day, however, the Chinese government continues to carry out its own independent appointment and ordination of bishops for the CPA. In fact, the CPA has ordained approximately 90 bishops in the past 42 years without the mandate from the Holy See.

6. What is Schism?: According to The Code of Canon Law of the Roman Catholic Church, Canon 751 states that schism is *"the refusal of submission to the Roman Pontiff or of communion with the members of the Church subject to him."*

7. Is the CPA Catholic? In September 1988, the Holy See, through the Sacred Congregation for the Evangelization of Peoples, issued a China Advisory (**Prot. 3314/88**) to the world's bishops concerning contacts with the Catholic Church in China. (Hereafter, the **Holy See 1988 directive**). The prologue of this document states:

"As the contacts among members of the Episcopate, priests and faithful, with exponents of the Catholic Church in China are becoming ever more frequent, this Dicastery, in accord with the Council for the Public Affairs of the Church, considers it opportune to give the Episcopal Conferences the following indications:

1. The contacts in question could be a good occasion to reaffirm with clarity the Catholic Doctrine on the communion which must unite the Bishops with the Successor of Peter and, through him, among themselves (Lumen Gentium, 14 and 18). In this regard, one could have recourse to the doctrinal principles of the Vatican Councils I and II."

Pope John Paul II repeated this position in a letter to the Chinese faithful in September 1994:

"I am especially close to those who have remained faithful to Jesus Christ and to His Church in the midst of difficulties of all kinds, and continue to testify, even at the cost of deep and prolonged suffering, that the principle of communion with the Successor of Peter... cannot be renounced by a Catholic who desires to remain such and to be recognized as such."

In January 1995 Pope John Paul II had insisted that:

"A Catholic who wishes to remain such and to be recognized as such cannot reject the principle of communion with the Successor of Peter."

On December 3, 1996, during a Mass for China marking the feast of St. Francis Xavier, the Pope called on Catholics in China

"All Chinese Catholics are called to remain loyal to the faith received and passed on, and not to yield to models of a Church which do not correspond to the will of the Lord Jesus, to the Catholic faith, or to the feelings and convictions of the great majority of Chinese Catholics."

Pope John Paul II was clearly referring the "models" to the CPA.

In essence, the Pontiff was saying that as long as the CPA denied the supreme administrative, legislative, and judicial authority of the Successor of Peter, it could not be considered as belonging to the Roman Catholic Church. **The CPA is not and cannot be Catholic** because it continues to deny the above-mentioned supreme authority of the Successor of Peter. This is also in line with Pope Pius XII's position as stated in the second paragraph of this section above.

8. Observations by Members of the Roman Catholic Church Hierarchy: Having been notified about the ordination of five bishops by China's CPA on January 6, 2000, Cardinal Ignatius Kung, the exiled Bishop of Shanghai, reacted immediately in the United States: "The Patriotic Association is a schismatic Church."

On Jan. 7, 2000, Cardinal Vincenzo Fagiolo, honorary president of the Pontifical Council for the Interpretation of Legislative Texts, at a conference in Palermo, Italy, described China's move to ordain the five bishops as a "de facto schism."

9. Conclusion: In the light of the overwhelming evidence reflected above, we believe that the CPA is not Catholic and is indeed in schism.

10. Holy See's Position: The Holy See has never formally declared that the CPA is in schism, albeit the CPA has refused for the last 42 years to submit to the Roman Pontiff and has also refused for the last 42 years to be in communion with the members of the Church subject to him.

11. We do not understand your silence on this issue and need your unequivocal answer: Why has the Holy See not declared the CPA to be in schism? Recently, in response to questions about Maryknoll's support of the CPA, Maryknoll Father Leo B. Shea wrote: "Catholics are united. There is no schismatic Church in China." Why are so many Roman Catholic leaders advocating that the CPA and the underground Roman Catholic Church in China are the same Church - and without any explanation from the Holy See to attempt to resolve this apparent contradiction?

II. WHY ARE ROMAN CATHOLIC BISHOPS AND RELIGIOUS ORDERS EDUCATING SEMINARIANS OF THE SCHISMATIC CPA?

1. The Program: In recent years, there have been approximately fifty CPA seminarians and priests studying in Roman Catholic seminaries each year across the United States. This program was organized by the Maryknoll Fathers on behalf of the CPA. The CPA seminarians and priests

were given full scholarships covering tuition, room and board from various dioceses. Upon completion of their studies, the CPA seminarians return to China to be ordained, not by the underground Roman Catholic bishops, but by their schismatic CPA bishops. They will serve under these same bishops who are not in communion with the Holy Father.

Apparently, this practice has been going on for some time. In an article entitled "Quietly, U.S. Seminaries Train Chinese Priests" which appeared May 29, 1994, in Our Sunday Visitor, Jesuit Father Denis Como, at the time heading the Chinese Apostolate of the Archdiocese of Boston, is quoted as saying: "The diocese wouldn't be accepting these students if Rome weren't in favor of this. The Vatican recognizes that we need to be preparing for that day when the situation opens up in China."

2. The Participating Seminaries in the United States According to Maryknoll (may not be all inclusive) are:

- 1) Catholic University of America, Washington, D.C.
- 2) Holy Name College, W. T. U., Silver Springs, Maryland
- 3) Maryknoll Seminary, Maryknoll, New York
- 4) Mundelein Seminary, Chicago, Illinois
- 5) Pontifical College Josephinum, Columbus, Ohio
- 6) Pope John XXIII Seminary, Weston, Massachusetts
- 7) Sacred Heart Seminary, Detroit, Michigan
- 8) Saint Charles Seminary, Philadelphia, Pennsylvania
- 9) Saint John's Seminary, Boston, Massachusetts
- 10) Saint John's Seminary, Collegeville, Minnesota
- 11) Saint John's Seminary, Los Angeles, California
- 12) Saint Joseph's Seminary, Dunwoodie, Yonkers, New York (apparently the program is temporarily suspended there)
- 13) Saint Mary's Seminary, Baltimore, Maryland
- 14) Saint Vincent's Seminary, Latrobe, Pennsylvania
- 15) The Saint Paul Seminary, Saint Thomas University, Saint Paul, Minnesota

3. Cooperating Sponsors in the United States of America According to Maryknoll (may not be all inclusive):

- 1) His Eminence Joseph Cardinal Bernardine, Archbishop of Chicago, IL (Deceased)
- 2) His Eminence Anthony Cardinal Bevilacqua, Archbishop of Philadelphia, PA
- 3) His Eminence James Cardinal Hickey, Archbishop of Washington, DC
- 4) His Eminence William Cardinal Keeler, Archbishop of Baltimore, MD
- 5) His Eminence Bernard Cardinal Law, Archbishop of Boston, MA
- 6) His Eminence Roger Cardinal Mahony, Archbishop of Los Angeles, CA
- 7) His Eminence Adam Cardinal Maida, Archbishop of Detroit, MI
- 8) His Eminence John Cardinal O'Connor, Archbishop of New York, NY
- 9) His Excellency Most Rev. Theodore McCarrick, Archbishop of Newark, NJ
- 10) His Excellency Most Rev. John Roach, Archbishop of Minneapolis, MN
- 11) His Excellency Most Rev. Rembert Weakland, Archbishop of Milwaukee, WI
- 12) Right Rev. Timothy Kelly, Archabbot of St. Vincent's Archabbey, PA
- 13) Right Rev. Matthew Leavy, Abbot of St. Anselm's Abbey, NH

- 14) Right Rev. Augustine Roberts, Abbot of St. Joseph's Abbey, MA
- 15) Right Rev. Douglas Nowicki, Archabbot of St. Vincent's Archabbey, PA
- 16) Rev. Ray Finch, Superior General of Maryknoll, NY
- 17) Msgr. John W. Flesey, Rector of Immaculate Conception Seminary, NJ
- 18) Dr. Marc A. van der Heyden, President of St. Michael's College, VT
- 19) Rev. Howard Bleichner, Rector of Theological College, DC
- 20) Rev. Thomas McCreesh, O.P., President of Dominican House of Studies, DC
- 21) Rectors of all the above listed seminaries
- 22) Bishops of all the dioceses where the above listed seminaries are located

4. Our Understanding: Through Maryknoll's correspondence to our supporters, we have been informed that Vatican officials, in keeping with its policy of reconciliation, have encouraged Maryknoll to get any seminarians out of China and into the United States seminaries. Their purpose was (and is) to provide for them a proper Roman Catholic education, and to expose them to the universal Church.

5. What We Do Not Know: We do not know - and Maryknoll has not divulged the information - the names, occasions and dates of these "Vatican officials" who have encouraged Maryknoll to sponsor "any seminarians" out of China to the United States. We are led to believe that such an action is being undertaken under the direction of certain unnamed Vatican dicasteries. If these Vatican dicasteries are proud of their actions, why the secrecy? If Maryknoll and others are relying on so-called Vatican documents authorizing such actions, where may such documents be found?

6. Accessibility of Underground Seminarians in China: We all know that through careful planning, many underground seminarians and priests are accessible to anyone (especially to religious communities such as Maryknoll) who wishes to contact them. There is no reason for Maryknoll not to include the underground seminarians and priests in its program because of any inaccessibility.

There are approximately 1000 underground seminarians in China. These dedicated young men have chosen to follow the footsteps of the Chinese martyrs, their underground bishops and His Holiness Pope John Paul II to serve the Church during the most difficult years. Pope John Paul II was also an underground seminarian, and is well aware of the hardships to be endured in studying under a tyrannical regime.

7. Only for the CPA Seminarians: All the seminarians sponsored by Maryknoll are CPA seminarians. There are no underground seminarians included in the Maryknoll program. According to item 6 of the Holy See 1988 directive, "fraternal charity" should govern these relations. Should not fraternal charity extend also, if not first, to the Roman Catholic underground Church in China? Should we not be more concerned about bringing into contact with the universal Church those seminarians whose bishops are in communion with, and not in schism from, the Holy Father? The fact that only the CPA seminarians are being provided with these educational opportunities without at least the same opportunities being extended to the underground Roman Catholic seminarians in China is unjust, discriminatory and a violation of the rights of the faithful in China.

8. Item 7 of the Holy See 1988 directive states:

"Care must be taken that those who are responsible for the organization of the visits [between Roman Catholic hierarchy and members of the CPA] be persons of sound doctrine, faithful to the Magisterium of the Church and capable of acting with great prudence."

We must ask whether the Holy See has determined that:

Those who are organizing efforts to bring the CPA seminarians to Roman Catholic seminaries and to educational institutions, and those actually responsible in Roman Catholic seminaries for the education and formation of the CPA seminarians, are presumably persons, *"of sound doctrine, faithful to the Magisterium of the Church, and capable of acting with great prudence."*

9. Underground Seminarians overseas: The Cardinal Kung Foundation, with extremely limited resources, was able to bring out three underground priests a few years ago. In the meantime, there are about 20 underground seminarians and priests scattered around the world with just a bare subsistence. With no official program from the Vatican to assist them, one underground priest is suffering from hepatitis in Europe without proper medical care. In fact, the Cardinal Kung Foundation is supporting these underground religious overseas whenever they are in need and whenever the Foundation has the resources to do so. In fact, it is the Cardinal Kung Foundation who makes sure that all the underground priests overseas have Mass stipends to provide them with some support.

Sad to say, the 20 or so underground seminarians and priests outside of China do not even have a "home" to go to during such traditional holidays as Easter and Christmas, while all the CPA seminarians can always go to Maryknoll's headquarters in Ossining, New York. When the Cardinal Kung Foundation took care of three underground priests for several years, not even one offer came from Catholic dioceses or religious institutions to take care of any of them. They all had to share one small room in my house for a prolonged period to study English before they started studying in a seminary.

10. Misrepresentation: By sponsoring only the CPA seminarians in the United States, Maryknoll, which claims to have encouragement from the Vatican, has the appearance of abandoning the suffering underground Roman Catholic Church in China. This could be easily and conveniently interpreted by the Chinese government that Maryknoll supports the Chinese government's repressive religious policy and condones the government's 50-year persecution of the Roman Catholic Church. Worse, it could also encourage the Chinese government to continue its persecution of the underground Roman Catholic Church without fear of reprisal from the outside world. It is too convenient for the Chinese government to make an excuse for anything detrimental to the underground Church by citing Maryknoll's program. The negative impact and the damage which could have already been done resulting from Maryknoll's program is incalculable.

11. Wounding the Sensibility: According to the fourth item of the Holy See 1998 directive:

"in the course of various encounters, care must be taken to avoid attitudes which could wound the sensibility of the 'silent' majority of those Catholics who have suffered and are suffering for their fidelity to the Holy Father."

A policy or practice by any organization or community within the universal Church that aims at educating only CPA seminarians unquestionably wounds the suffering underground Roman Catholic Church in China - spiritually, psychologically, and financially. Of course, this particular directive is applicable to all the issues covered in this letter.

12. Conclusion: In the light of the overwhelming evidence shown above, we believe that this program is wrong and should be immediately terminated. Instead, the Vatican should have a comprehensive program to educate the underground seminarians both overseas and inside China.

13. Holy See's Position: The Vatican has never explained to the public the merits of this program and its own position.

14. The "Run-Around": We have a supporter who asked Cardinal O'Connor of New York few years ago the rationale of this program. That person was told to write to Cardinal Tomko for an answer. He wrote. In his reply to this person, Cardinal Tomko wrote: "For information on this matter, I suggest that you contact either Cardinal Law or Cardinal O'Connor, both of whom may be able to give you information on this matter"!

15. We do not understand and need your unequivocal answer: We do not understand why the Vatican has so far declined to comment in public on this issue and why is there no program for the underground priests and seminarians to study overseas.

III. WHY ARE ROMAN CATHOLIC BISHOPS IN THE UNITED STATES GRANTING PRIESTLY FACULTIES TO PRIESTS OF THE CPA?

1. Background: In the United States, such as in the New York and San Francisco archdioceses, Ordinaries have granted priestly faculties to priests of the schismatic CPA. These priests were allowed to offer Holy Mass publicly in Roman Catholic Churches and to administer other sacraments openly in parishes. No specific mention was made in parish bulletins that the priest in question belonged to the CPA and no explanation was made about the schismatic nature of the CPA.

2. Responses to our Inquiries: In response to our inquiry about this practice of granting priestly faculties to CPA priests:

Archbishop William Levada of San Francisco, wrote: "I would like to invite the Foundation to be more accurate in its statements concerning the Church in China and in particular concerning the priests from China who have been welcomed by the dioceses of this country. The program of their [CPA priests'] formation and of their apostolic ministry is being carried out according to directives received from the Holy See." The archbishop does not specify to which directives he refers.

Bishop Patrick Sheridan of New York City wrote: "Your letter ...has saddened us to the point of deep personal distress to assume that someone like Cardinal O'Connor or any of his staff would

act in relationship to priests of the so called Patriotic Church without the necessary consultations and guidance from the Holy See, is highly offensive and without any foundation in fact....Am I being overly sensitive perhaps when I wonder what grounds or even what right you have to offer such advice to the Cardinal Archbishop of New York that he step out beyond his own jurisdiction and responsibility of call upon priests of Brooklyn or other Chinese priests in the United States to serve a ministry at Transfiguration in Chinatown which you consider to be flawed?" Bishop Sheridan never offered us a reason for granting priestly faculties to CPA priests.

3. All "Communicatio in Sacris" Is To Be Avoided: According to item five of the Holy See 1988 directive:

"The 'Patriotic' bishops and priests are not to be invited or even allowed to celebrate religious functions in public, either in the churches or in the oratories of the various religious institutes."

We do not understand that, given the above very clear guideline, how this program of giving faculties to CPA priests and allowing them to administer the sacraments in public could be approved by the Ordinaries in the United States.

4. Profession of Faith: We understand that the only requirement for granting the aforementioned faculty to CPA priests in the United States was that each priest had only to recite once and in private the Profession of Faith as proof of his allegiance to the Pope. We have the following observations.

5.1) What is the Difference: In their Masses in China, the CPA priests also profess the same Profession of Faith while they publicly renounce the Holy Father's authority. On the feast of the Epiphany, 2000, as it has been the Pope's custom, the Holy Father consecrated twelve new bishops in St. Peter's Basilica. It was not a mere coincidence that in China on the same day, the government controlled CPA sponsored the consecration of five bishops who had received no papal mandate as required by Canon 1013, in defiance of the Pope's authority. As a further mockery, these five new bishops, together with the consecrating bishop, recited the same Profession of Faith. Does the mere recital of the Profession of faith mean anything when it is accompanied by a spirit of defiance? This reminds us of the words of Our Lord quoting the prophet Isaiah: "This people honors me with their lips, but their heart is far from me. And in vain do they worship me, teaching doctrines and commandments of men." (Matt. 15:8-9)

5.2) Is It a True Profession of Faith: For CPA priests' being granted diocesan faculties after making a "private" Profession of Faith, how do they make reparation for the scandal of public schism? How then, do such priests escape the condemnation of our Lord, when He said: "Whosoever shall confess me before men, him shall the Son of man also confess before the angels of God. But he that shall deny me before men, shall be denied before the angels of God." (Lk. 12:8-9) Considering where they come from and to which they are destined to return to serve a schismatic Church in China, is the mere recital of a private Profession of Faith is sufficient to be a true Profession of Faith?

5.3) Supreme Authority of the Pope: By reciting the Profession of Faith, the CPA priests regard the Holy Father as only the "spiritual leader" of the Church. They do not necessarily recognize that the Pope has supreme legislative, executive, and judicial authority to appoint and govern the Catholic bishops of the whole world, which naturally includes China. They also do

not necessarily recognize the Pope as the supreme pastor of the universal Church, possessing the immediate, full, supreme, universal and ordinary power over all Catholic faithful. In this way, the CPA priests reconcile their recitation of the Profession of Faith with their profession of independence from the Holy Father. So, Should not the Holy See revise the approach to reconciling CPA priests with the Roman Catholic Church?

5.4) Pope's Principle: Reciting the Profession of Faith once by the CPA priests in private without explicitly acknowledging the supreme authority of the Roman Pontiff and in the meantime still reporting to the schismatic CPA bishops can hardly be construed as the faith demanded by the Pope when he said: "unity (which) springs from conversion of the heart and from sincere acceptance of the unchanging principles laid down by Christ for His Church." (Pope's speech in Manila to China on February 14, 1994.)

5. If This Scenario were to happen, would it cause a shock among the faithful in the United States?

5.1) Validly ordained priests belonging to Churches that are in schism from the Roman Catholic Church are not normally allowed priestly faculties in Roman Catholic dioceses. How, therefore, can one justify granting priestly faculties to CPA priests?

5.2) How would the faithful react should the priests from a schismatic Church such as the Society of St. Pius X be given faculties to function as priests in the Roman Catholic Church in the United States?

5.3) In the light of the national and international significance of the Roman Catholic Church in the United States, should not the granting of priestly faculties to CPA priests be accompanied by an explanatory statement from the U.S. Conference of Catholic Bishops? Instead we find an unwillingness to disclose from which alleged Vatican dicasteries this authorization emanates.

6. Wrong Signal: CPA priests functioning in the Roman Catholic Church in the United States at present cause much scandal in the Universal Church and deep pain to the loyal underground Roman Catholic Church in China. It also gives the appearance and consequently the wrong message to the Chinese communist government that the CPA has been accepted by the Universal Church in spite of the government's agenda (independence from the Pope), its policy (continuous persecution of the underground Church) and its programs ("one child, one family" and its forced abortion policy to achieve this program).

7. Violation of Canon Law: Even if these priests have made a truthful Profession of Faith, why is it that these priests have not been required to sever their ties with the CPA in China, and more specifically, with their government-approved bishops in China? Is this not a violation of Canon 265 of the Church, according to which every cleric must be incardinated into some particular church, prelate, institute or society that is in communion with the Bishop of Rome? Is this not also a violation of the living communion of the Body of Christ with the Successor of Peter?

8. We Do Not Understand and Need Your Unequivocal Answer: In the light of all the matters discussed above, we do not understand why the Vatican should approve this program, because no member of the Church hierarchy has offered any reasons for justifying such actions, nor has the Vatican ever explained to the public the rationale and justification of this program.

IV. IS IT TRUE THAT THE VATICAN HAS RECOGNIZED SOME PATRIOTIC BISHOPS?

1. Background: The media and members of the Roman Catholic Church hierarchy have often reported that many CPA bishops have been recognized by the Holy See.

2. Remarks by Members of the Roman Catholic Hierarchy: In 1991, Jesuit Father Guiseppe Pittau, now Archbishop and a member of the Roman Curia, told reporters in Rome that there were 20 CPA bishops who are "in perfect communion with the Pope and are therefore legitimate [Roman Catholic bishops]." In its article on September 12, 1991, South China Morning Post of Hong Kong reported that "there were at least 10 more bishops of the Chinese Patriotic Catholic Association who were recognized by the Vatican privately, in addition to the 20 announced by Father Pittau." Since then, many remarks have been made by various church people that most of the CPA bishops have been accepted by the Holy See and are therefore in communion with the Pope. The latest remark which I am aware of was from Mr. Thomas Quigley, an official of the National Conference of Catholic Bishops of the United States in January, 2000: "It is believed that the vast majority of the bishops associated with the Chinese Catholic Patriotic Association have been secretly reconciled with Rome."

3. Vatican's Non-Confirmation: Shortly after Father Pittau's disclosure that there were 20 CPA bishops in communion with the Pope, Joaquin Navarro-Valls, the spokesman of the Vatican, neither confirmed nor denied father Pittau's statement when he said: "I believe it is opportune to emphasize that the statements by Father Pittau did not represent the Church's." Since then, in the last eight years, even in the face of numerous reports in the media regarding the conversion of the CPA's bishops to the Pope, the Holy See has never issued any statement to confirm or to deny such reports.

4. Our Observation: We know that almost all CPA bishops are on the board of directors - or its equivalent - of the CPA and/or of the China Catholic Bishops College, either at the headquarters or at the local level. As officers, they have the fundamental duty to defend the current constitution of these two organizations. The most important and basic article of these two constitutions that the CPA bishops vigorously defend is the autonomy of the CPA from the Pope. If the claim that most of the CPA bishops have been accepted by the Vatican is true, are they still sitting on the board - or the equivalent thereof - of the CPA and the China Catholic Bishops College and defending their autonomy from the Holy See?

5. Effect of Vatican's Non-Confirmation: The lack of any clarity on this matter on the part of the Holy See has created confusion and, we believe, has adversely affected the morale of the persecuted underground Roman Catholic Church in China. This is contrary to item 8 of the Holy See 1988 directive:

"It will be necessary, therefore, to foresee how to assist the means of social communication, utilizing the orientations mentioned above [the previous seven items of the directive as referred to throughout this Open Letter], which clarify the position of the Church and may foster the comprehension of the diverse and complex problems closely connected with this position."

6. We Do Not Understand and Need Your Unequivocal Answer: This conversion of the CPA bishops is, if true, an extremely important matter. Yet, we are still mystified and uncertain. In view of the above, we need a clarification whether it is true that "the vast majority of the bishops

associated with the Chinese Catholic Patriotic Association have been secretly reconciled with Rome."

V. WHY ARE CATHOLIC OFFICIALS AND ORGANIZATIONS FINANCIALLY SUPPORTING THE CPA AND NOT THE UNDERGROUND ROMAN CATHOLIC CHURCH IN CHINA?

1. Media Report: According to the magazine 30 days, millions have been contributed to the CPA by the universal Church's institutions. In the meantime, the loyal underground Roman Catholic Church, which has demonstrated its allegiance to the Holy Father heroically for the last five decades, was "left with nothing."

Facts: For examples, Aid to the Church in Need alone has given millions to the CPA. Jesuits contributed one-third, or U.S. \$ 400,000, of the total cost of U.S. \$ 1.2 million of a retreat house in Shanghai belonging to the CPA. Even the New York Archdiocese contributed US \$ 5,000 toward the repair of a CPA church. In addition, Father Paul Pang, O.F.M., the Director of the Office for the Promotion of the Overseas Chinese Apostolate of the Sacred Congregation for the Evangelization of Peoples, has publicly approved and in fact urges the faithful to donate money during a collection at Mass in a CPA church!

In addition to cash, there are free services given to the CPA . Scores of religious personnel worked in China for the CPA as teachers and social workers. Moreover, as explained above, dozens of CPA seminarians and nuns are studying free with full tuition, room and board scholarships in United States Catholic seminaries and elsewhere in the West.

3. A nightmare: Is it also true that the Vatican itself, through its own agents such as the Propagation of Faith, Catholic Relief Services, diocesan Ordinaries or even parish pastors, is also donating monies to the CPA?

4. Impact: Because of all this support, it is logical for the CPA bishops and the Chinese government to believe that the position they have taken (independence from the Pope), their policy (continuous persecution of the loyal Church) and programs ("one child, one family" and its forced abortion policy to achieve this program) must have been accepted by the universal Church. Otherwise, why would these CPA projects receive such overwhelming support with millions of dollars in donation from the universal Church?

5. Our Observations: If these millions of dollars donated merely represent charity to other Christian brothers, should there not be significantly more donations to express the Church's love for and solidarity with the persecuted and suffering underground Roman Catholic bishops? We are heart-broken to note that we have not seen these donations to the underground Church. We do not believe that this disparity is within the meaning and intention of the "fraternal charity" emphasized as **item 6** of the **Holy See 1988 directive**.

Many Church leaders in the free world appeared to have been convinced that the kindness and friendship expressed by donating millions to the Communist government-sanctioned CPA would bring about unity between the loyal Church and the CPA, and eventually the freedom of worship in China. It has not and will not work. Almost twenty years of active and open support for the CPA bishops by the universal Church has failed to achieve this "unity." It could only

misguidedly give the CPA bishops and the Communist government an impression that if they wait long enough, the universal Church leaders would accept them under any terms, with or without the principle of Papal primacy.

In the meantime, the recent ordination, on January 6, 2000, of five CPA bishops without the approval of the Pope speaks eloquently that the Chinese government is in defiance of Pope John Paul II's assertion of authority over all Catholics worldwide.

With all this evidence, one might come to the conclusion that the Vatican is playing into the hands of the Chinese government. On the one hand, the Communists' CPA receives millions from the West. On the other hand, the Chinese government continues and intensifies the persecutions against the underground Roman Catholic Church, and the CPA continues its schism and its total independence from the Pope.

6. Cardinal Kung's Homily: In his homily televised nationally on June 29, 1994, the feast day of Saints Peter and Paul, Cardinal Ignatius Kung said:

"...Many Catholic Church leaders in the Free world extended hospitality and donated large sums of money to bishops of the Communist's Patriotic Association. The Chinese government regards these friendships and cooperation with the Patriotic Association as an endorsement of its current policy on religion. With this license, they continue their persecution of the loyal Roman Catholic Church without any fear of reprisal. Unfortunately, these misguided friendships and acts of charity on behalf of the Patriotic Association have only prolonged the sufferings of the loyal Church...This is a disservice to the Chinese. This is a ridicule to the continued sacrifices and sufferings of the loyal "underground" Roman Catholic communities. It is a mockery to the blood of the thousands of Chinese martyrs."

7. We Do Not Understand and Need Your Unequivocal Answer: We need your clear explanations why the Catholic hierarchy should give millions to a schismatic CPA without giving any meaningful amount to the underground Church. We know that it is much more difficult to clandestinely give money to the underground Church; but this certainly cannot justify giving money one-sidedly to the CPA.

VI. CATHOLIC VISITORS IN CHINA ATTENDING RELIGIOUS SERVICES IN OR BY THE CPA CHURCH

1. Background: A large number of Roman Catholics visit China every day. Many of them stay over the weekend or over a holy day of obligation. Because of the inaccessibility of the underground Roman Catholic Church in China, these visitors fulfill their Sunday or holy day of obligation by attending Mass at a CPA church.

2. Issue: In view of the Chinese government's hostility toward and persecution of the underground Roman Catholic Church in China, must these visitors attend Mass on Sunday or on a holy day of obligation while they travel in China? Should they attend Mass in a CPA church?

3. No Official Guidance: The Holy See 1988 directive does not provide any direct reference to guide the faithful whether they should attend Mass in a CPA church when they are in China. However, Father Paul Pang, O.F.M., the Director of Office for the Promotion of the Overseas

Chinese Apostolate of the Sacred Congregation for the Evangelization of Peoples, advised that, as long as there is no apparent "evil example," it is all right for the faithful to attend Mass in the CPA church. Father Pang defined the "evil example" as the "condition, established by the Patriotic Association religious," that would "sever the relationships with the overseas faithful and the Magisterium by attending the Mass in the Patriotic Association Church." Father Pang said that this "evil example" is in general almost non-existent.

4. Our Observations:

4.1) Compromise of the Church's Magisterium: The CPA and its clergy have publicly compromised and diluted the Roman Catholic Church's Magisterium and do not honor the supreme administrative, legislative and judicial authority of the Successor of Peter. Therefore, they are not in communion with the Pope. Communion with the Pope is a basic Catholic doctrine, not merely a discipline. Therefore, the CPA is not Roman Catholic.

4.2) The CPA is in Schism from the Roman Catholic Church: Please read the section above, "Is The Chinese Catholic Patriotic Association a Schismatic Church?"

4.3) Uncertainty about Validity of Ordinations: According to the Code of Canon Law of the Roman Catholic Church, section 844, item 2 states:

"Whenever necessity requires or genuine spiritual advantage suggests, and provided that the danger of error or indifferentism is avoided, it is lawful for the faithful for whom it is physically or morally impossible to approach a Catholic minister, to receive the sacraments of penance, Eucharist and anointing of the sick from non-Catholic ministers in whose churches these sacraments are valid."

This Canon does indeed apply consistently, for example, to the Greek Orthodox Church, all of whose bishops and priests are validly ordained. However, this Canon cannot consistently apply to the CPA.

The vast majority of CPA bishops and priests are validly ordained. However, that even a small minority of them are not makes it impossible for Catholics visiting China to be ALWAYS certain about the validity either of the ordinations of individual CPA bishops or priests, or of the Sacraments that these individual bishops or priests administer. We have no written official guarantee from the Holy See that ALL of the CPA's bishops and priests are validly ordained.

4.4) Sunday Obligation is not Binding in a Hostile Country: According to Canon 1248 of the Roman Catholic Church, "the precept of participating in the Mass is satisfied by assistance at Mass which is celebrated anywhere in a Catholic rite...." and is obligatory unless it is made impossible either by a "lack of a sacred minister" or some "other grave cause."

In the light of the past five decades of severe persecution of Roman Catholics in China and its recent intensification, it is clear that China is hostile to the Roman Catholic Church and can be characterized as a "hostile country."

Moreover, it is almost impossible for a foreign visitor to attend the Sunday Mass celebrated by an underground Roman Catholic priest. If they attend such an underground Mass, the visitors as well as the Chinese underground Catholics are subject to arrest and detention.

Considering the past and current persecutions of religious believers and considering the aforementioned danger in attending the underground Mass, the atmosphere and the environment in attending the underground Catholic religious service are definitely hostile and it is tantamount to a "grave cause" as described in the Canon. As confirmed by the Canon 1248, a Roman Catholic visiting China is, therefore, not obliged to fulfill the Sunday obligation unless he or she is able to do so without danger.

4.5) Danger of "Wounding the Sensibility" of Catholics Suffering in China: Item 4 of the Holy See 1988 directive states that "[i]n the course of various encounters, care must be taken to avoid attitudes which could wound the sensibility of the 'silent' majority of those Catholics who have suffered and are suffering for their fidelity to the Holy Father." This China Advisory has not been rescinded.

By attending the CPA's religious services, as stated in the next paragraph "Danger of Misrepresentation," the underground Church's sensibility is certainly torturously wounded.

4.6) Danger of Misrepresentation: Even if unwittingly, by their presence in the CPA church, Roman Catholics would encourage the Chinese government to continue its persecution of the Roman Catholic Church without fear of reprisal from the outside world, and would give the false impression that they support the Chinese government's repressive religious policy and condone the government's 50-year persecution of the Roman Catholic Church.

5. We Do Not Understand and Need Your Unequivocal Answer: In view of our observations, we do not understand why the Holy See, through the representation from Father Paul Pang, should encourage the Roman Catholic visitors to China to attend Mass at a CPA church.

VII. OTHER ITEMS OF CONCERN

1. Pastoral Letter of the CPA Bishops' Conference: In September 1995, the CPA Bishops' Conference issued a pastoral letter calling for all Chinese Catholics to support China's "Platform for the Development of Women." We all know well that this Platform includes birth control, sterilization, and the one family-one child policy whereby women who are pregnant after having one child are forced by the Chinese government to abort their unborn babies.

While we are aware of the possibility that the above pastoral letter may have been written under the pressure and instruction of the Chinese government to whom the CPA bishops' conference reports, we are also mindful of the following words by the Pope in his message to China on December 3, 1996:

"The Bishop must be the first witness of the faith which he professes and preaches, to the point of 'shedding his blood' as the apostles did and as so many other Pastors have done down the centuries, in many nations and also in China".

We do not understand how the Holy See can remain so silent about this obviously very wrong "pastoral letter" without uttering a word in public in fidelity to the Gospel of Life and for the sake of the dignity of human life in China.

2. Approval from The Ordinary: In the universal Church, according to Canon 678 of the Roman Catholic Church, all religious organizations working in a diocese must receive the approval from the Ordinary of that diocese. However, many missionaries, in recent years, returned to China and started various charitable projects. These foreign missionaries did not seek permission for their projects from the underground loyal bishops who were appointed by the Holy Father. They do not work with the loyal Church. Instead, they work with the Communist's CPA.

A most recent example is the opening of a new retreat center in Shanghai by the CPA on April 15, 1999. This center has three stories with 51 rooms accommodating 102 persons. It costs U.S. \$ 1.2 million. In accordance with Canon 678, the Jesuits and other foreign missionaries should seek permission to build this retreat house from Cardinal Ignatius Kung, who is the only legitimate Bishop of Shanghai, but they did not. Instead, they supported the CPA's Bishop of Shanghai, Bishop Jin Luxian, S.J. who opened this new retreat center. This project must have been viewed by the CPA as another sign of approval of the CPA from the free world.

This misguided enthusiasm to work in a diocese without proper authorization, in violation of Canon 678, cannot possibly be a form of ecumenism, because ecumenism can never be done at the expense of Canon Law or at the expense of the fundamental Catholic dogma of being "in communion with the Pope."

In view of the above, it is very sad to note that the Roman Catholic missionaries of the free world ignore their own brother bishops. We cannot imagine a religious order carrying out an unauthorized project in a diocese of the Free World. If this unauthorized ministry could not happen in the Free World, why should it occur in China? Why the double standards?

We do not understand why the aforementioned irregularity happened without appropriate public explanations and comments from the Vatican. We need your help to understand this matter.

3. Appealing to Chinese Authorities for the Imprisoned Faithful in China: Since the beginning of religious persecutions in China fifty years ago, hundreds, maybe even thousands, of lay Catholics, priests, nuns, seminarians, and bishops are still in jail or labor camps because they continue to refuse to renounce our Holy Father.

These imprisoned faithful are the soldiers of the Church. These imprisoned bishops are the citizens of the Vatican. Any country defends its citizens. Therefore, we expect that whenever a bishop or any of the faithful is unjustifiably jailed and/or tortured by another country, Vatican officials will come to their aid and negotiate with the country to secure their release.

For example, Bishop Su Zhimin, the underground Bishop of Baoding in Hebei Province, and his auxiliary Bishop An Shuxin were arrested by the Chinese government without trial or sentence about three years ago. They were simply taken away by the police. There were many other bishops and priests arrested by the Chinese authorities in the recent years. We thought that the

Vatican would "fight" on behalf of these bishops and priests vigorously for their release from China's prisons.

However, about Bishop Su Zhimin and Bishop An Shuxin, Holy See press office director Joaquin Navarro-Valls made a startling and unbelievable declaration on March 22, 1999 that *"The Secretariat of State up until now has taken no step concerning the liberation of the two bishops of Baoding."*

Frankly, we were shocked. We expected that the Vatican would have taken steps to liberate these two heroic and good bishops from the first day of their arrest. The same would be true for any other bishops and priests. Has the Vatican now taken steps to negotiate with the Chinese government for the release of these two bishops? For this matter, has the Vatican taken steps to liberate any other bishops, priests, and other faithful currently in jail in China?

Another example: The government of the Peoples Republic of China confiscated the passport of His Eminence, Ignatius Cardinal Kung two years ago in March 1998, effectively making him stateless. The worldwide media reported the news of this confiscation. No one in the Holy See or in the local Bishop's office indicated any concern about the Cardinal's problem and no one offered any help to him!

4. Why is the Holy See's 1988 Directive Largely Ignored and Violated even by members of the hierarchy?

As noted in many of the questions above, this directive has been ignored. Have other directives been issued by the Holy See that render this particular directive obsolete? If so, the faithful, especially those in China, have the right to know. If this particular directive has not been rescinded, why has the Holy See not enforced it among members of the hierarchy?

Of the eight directives presented by The Holy See in 1988, the first, fourth, fifth, sixth, seventh, and eighth are directly and concretely appealed to in the questions above (The application of the second and third directives are complicated by the schismatic nature of the CPA as well as by the Chinese government's continued persecution of the Roman Catholic underground Church.)

5. Anuario Pontificio: This is an official Vatican directory of all world's bishops appointed by and recognized by the Holy See. Yet, with the exception of His Eminence Cardinal Kung, none of the bishops of the underground Church is recognized in this directory.

For many years, the activities of most of the loyal bishops were truly underground. To protect their identity, Vatican had good reasons in the past not to disclose their names. Situations have now changed. Most underground bishops have willingly taken the risk of coming out into the open. The government knows their whereabouts better than anyone. The reasons for not giving them your recognition in the Anuario Pontificio due to identity protection no longer exist. The fact that you do not publicly list the Chinese loyal bishops in the Anuario Pontificio is being misinterpreted by people of all ranks as your reluctance to support your loyal bishops. Moreover, the Chinese government regards this situation, not as a friendly concession of the Holy See, but rather as a lack of support for these loyal bishops from the universal Church. It also causes great confusion in many dioceses of China about the true identities of Vatican appointed Ordinaries and bishops.

We beg you to give your loyal bishops the mandate needed to guide your flock of almost ten million. Please consider publishing in the *Annuario Pontificio* the names of those bishops who are known to have come out into the open. Those underground bishops, if any, who have chosen to remain hidden should remain anonymous until the appropriate time.

6. Chinese National Conference of Roman Catholic bishops: About eleven years ago in 1989, realizing the importance of a central strategic organization, the underground bishops established "The Chinese National Conference of Roman Catholic (underground) Bishops."

As expected, the government retaliated. On the way back to their dioceses, all attendees of the Conference were arrested by the Chinese authority. Eventually, four bishops died in jail. Many were injured and became sick.

The Chinese National Conference of Roman Catholic Bishops was established according to the regulations of the Church. They drafted and passed the constitution of the Conference, elected officials, and completed all the required formalities for the approval of the Conference by the Holy See. We understand that all documents were submitted to the Holy See in 1989.

The underground bishops in China have lived under the Communist rules for almost half a century, and have survived many turbulent periods. Regardless of this most difficult situation, they have succeeded in increasing the Catholic population from three million to almost ten million. They are also experienced in Communist tactics and psychology. They are prepared to pay for their fidelity and faith with their life and blood as they are taught by the history of the Church.

We are convinced that in the long run, the recognition of the loyal Bishops Conference by the Holy See can only further energize the steady growth of the underground Church and will eventually force the Chinese Communist government to give the Roman Catholic Church legal status.

Eleven years have passed. The conference has stood the test of time. The imprisonment and the death of a few bishops did not result in the demise of the Conference. Now, what we urgently need is the Holy See's public approval and acceptance of the underground Bishops Conference.

We beg the Holy See to consider granting official status to the Chinese National Conference of Roman Catholic Bishops as soon as possible. Please do not base your decision on the fear of the reprisal from the Chinese government. These short term harassments and persecutions will be there for some time to come, with or without any special action from Rome. These same persecutions always strengthen the faith of the clergy and faithful. History has proven that the Roman Catholic Church in China will never be destroyed by persecutions, but will be severely weakened by the misconception that the Holy See has abandoned the loyal Church.

CONCLUSION

1. DE FACTO IRRELEVANCE OF THE HOLY SEE 1988 DIRECTIVE: According to item 8 of the Holy See 1988 directive:

"It will be necessary to assist the means of social communication (to) clarify the position of the Church and may foster the comprehension of the diverse and complex problems"

This item of the 1988 directive calls for the utilization of the means of social communication for the clarification of the position of the Roman Catholic Church on the question of the CPA of China. However, this open letter to the Holy See, and each of the questions raised in it, are testimony to the fact that Holy See's position on the CPA of China is far from being clear. This letter seeks to gain such clarity for the sake of the universal Church on all of the issues discussed above.

2. CONTINUED HOSTILITIES – SECRET DOCUMENTS: The Chinese government has been and continues to be hostile to the loyal Roman Catholics in China who, despite increased and intensified persecutions, remain faithful to the Pope. Recent examples of these hostilities include the November 1996 Chinese government's secret plan "to legally implement the eradication of illegal activities of the underground Catholic Church;" and the August 17, 1999 secret document stating that the underground Roman Catholic Church "must be eliminated."

3. ENCOURAGING THE CHINESE GOVERNMENT: Even if unwittingly, bishops and/or the religious superiors in the United States or in any other free countries - who allow the education of CPA seminarians in their own seminaries with full tuition, room and board scholarships, grant priestly faculties to CPA priests, donate millions to the CPA, work with the CPA on various projects without asking permission from the underground Ordinaries - in fact are encouraging the Chinese government to continue its persecution of the Roman Catholic Church without fear of reprisal from the outside world. They thereby give the false impression that they support the Chinese government's repressive religious policy and condone that government's 50-year persecution of the Roman Catholic Church.

4. NO SUPPORT: Should not those Roman Catholic bishops and religious superiors friendly to the CPA bishops show some support and unity to the underground bishops by suspending these donations and projects to the CPA until the persecutions to the underground Roman Catholic Church stop? They have not done so.

5. OCEAN OF AGONY: Like so many tributary rivers ultimately pouring themselves together, each of the issues discussed above has been a source of tribulation for the underground Roman Catholic Church in China; and together, they have formed a veritable "ocean of agony" for faithful Catholics in China. This seems so terribly wrong and so grossly unfair.

6. PERSECUTIONS BY OUR OWN CHURCH: It is therefore no wonder that the 9-10 million loyal Catholics in China are very heart-broken and confused. In their hearts, they know that Papal primacy is one of the basics of being a Catholic. In their hearts, they know that Holy Father is firmly behind them. In their hearts, they know that Holy Father will never abandon them. However, facing all these confusing and contradictory events, the loyal Catholics are experiencing, as one of the underground bishops has confided to us, neglect and abandonment by our own Church. This experience causes far more painful suffering than does incarceration in a Chinese Communist prison.

7. PAPAL AUTHORITY BECOMING IRRELEVANT: The Communist government did not succeed in eliminating the three million Catholics by coercion and persecution in the 1950s. Now

the government is hoping to defeat the Roman Catholic Church from within its own Church through misinformation, deceit, and confusion over and in addition to the intensified persecutions! The Chinese government is trying very hard to erode the respect, confidence, obedience and loyalty of the "underground" Church to the Holy Father to the extent that when the chips are down, the issue of the Papal authority in the Catholic Church in China would become irrelevant.

8. NOT SPEAKING OUT: Needless to say, the CPA is in a state of schism. Its bishops have publicly demonstrated their aberration from the Magisterium of the Roman Catholic Church. The Chinese government has intensified its persecution of Roman Catholics who remain faithful to the Pope. How in conscience can bishops in the United States continue their practices as outlined above, and how can the Holy See not speak out forcibly and act on these matters in no uncertain terms?

9. NEED OFFICIAL AND UNAMBIGUOUS RESPONSE: For many, it appears that the Holy See itself struggles internally between the attraction to political expediency and fidelity to the divinely established communion with the Successor of Peter. This is why we think that it is both important and urgent that our questions receive an official and unambiguous response.

Yours sincerely in Christ,

Joseph Kung
President
Cardinal Kung Foundation