



天主教中美交流中心

United States Catholic China Bureau

An In-depth Look into China and the Church Relations

The illegitimate ordinations that have taken place recently, have worsened relations with the Vatican.

A temporary break in the recent convulsions in the relationship between the Catholic Church and China gives us a moment to compare the different actions taken by the Vatican in response to the recent illegitimate episcopal ordinations celebrated in China. We may well find that, as a basic approach, the specific content and practical implications of these actions are not completely comparable.

On one hand, the response of the Congregation for the Evangelization of Peoples (CEP) has been given. The Vatican department responsible for the Chinese Dioceses has entrusted them with a detailed **vademecum**, published by Fides News Agency last July 12. The response ventures into canonical interpretation (an area for which the Vatican has a specific department - the **Pontifical Council for Legislative Texts**).

The question and answer text produced by CEP aims to give a detailed outline of the consequences **omitted** from the communication issued by the Holy See on July 4 after the illicit episcopal ordination of Joseph Lei Shiyin.

Among the specific items addressed, the text issued by the Vatican CEP reiterates that the illegitimate bishop **"has incurred excommunication latae sententiae (V. Can. 1382), which has also been publicly 'declared' by the Holy See."** It also specifies that as canonical punishment **"he is forbidden to celebrate Holy Mass, administer or receive the sacraments, or assume any ecclesiastical office," because "although he was ordained bishop, he does not have the power to govern the diocese."**

As for the bishops who took part in the ceremony as consecrators, the **"vademecum"** of CEP categorizes **all of them** as suspects in a state of

"presumed imputability" in which **"they are presumed to be subject to excommunication."** All prohibitions that derive from this state are described in detail. Through a series of theoretical steps, without any reference to factual conditions under which the rite of ordination took place, the text concluded that **"until is 'presumed imputability' is withdrawn, the bishop in question must abstain from all public ministry. Meanwhile, he is obligated to contact the Holy See."** In the meantime, **"priests and the faithful must avoid receiving the holy sacraments from him."** This is not because they "are in a position to judge the conscience of the bishop in question, but because his 'presumed imputability' is not yet withdrawn."

Thus, according to CEP, if Rome does not free the consecrating bishop from his state of **"presumed imputability,"** any pastoral explanation directly from the bishop to his flock on any coercion that led him to take part in the illegitimate consecration is null and void. The CEP blog cites canon 1331 of the Code of Canon Law, which **was not mentioned** in the official Vatican declaration.

It is clear that the two declarations issued by the Holy See (and published by the Vatican Press Office and L'Osservatore Romano, unlike the clarification of CEP) after the two illegitimate ordinations of June 29 and July 14 both make a clear distinction between the illegitimately consecrated bishops and the consecrating bishops. In the Holy See's communication published on July 4, we read only that they **"are exposed to serious canonical sanctions under Church law."** In the second communication, published on July 16 following the illegitimate ordination in Guangdong, the Holy See refers to the specific condition of coercion under which episcopal consecration was performed, and, with regard to the consecrating bishops, says they are **"aware that some bishops, contacted by civil authorities, had expressed their wish not to participate in an illegitimate ordination, including acts of resistance,"** and that **"despite this the prelate had been forced to take part."**

In a measured and **deliberate final passage**, the Holy See's communiqué reveals that such an act of resistance "*remains meritorious before God and appreciated by the entire Church,*" and that "*equal appreciation also goes to those priests, consecrated persons, and faithful who have defended their own pastors, accompanying them in this difficult time with prayer and sharing in their intimate suffering.*"

In these two declarations, the Holy See clearly intends to identify the weaknesses and individual responsibilities of the illegitimately consecrated bishops, without extending the shadow of suspicion and distrust to the entire ecclesial area submitted to the diktat of government religious policy.

It's not the first time in the Chinese dossier, marked by so many complications and ambiguities, that the Vatican Palaces have noticed **non-conforming attitudes** and tendencies.

During the Dengist period of "reopening," which followed the terrible years of the Cultural Revolution, the "**placet**" sent from Rome at the end of 1981 helped develop the "**clandestine**" **web of bishops unrecognized by the government**, as well as **many illegitimate bishops consecrated under the political control** of the Patriotic Catholic Association. Starting from the end of the fifties they also experienced the way of the "**canonical sanatio**" to reaffirm their communion with the Pope, **kept hidden because of outside conditions**, but never denied in the intimacy of their hearts. **Even the Holy See survived pockets of distrust for long periods of time, which were also overcome by a growing pastoral discernment marked by important stages.**

One of these was the study started in 1983 by the Congregation for the Doctrine of the Faith and headed by Joseph Ratzinger, on the illegitimate episcopal ordination of Chinese bishops, which in 1985 came to confirm **the full validity of the illegitimate bishops** (and consequently that of the sacraments administered by them). Yet even in 1988, the CEP issued orders to reiterate that "*every communicatio in sacris with bishops and ecclesiastics taking part in the Patriotic Catholic Association*" was to be avoided.



China's state-backed Patriotic Catholic Association

This gave weight to the arguments of those who continued to **deny the validity of the liturgies and sacraments celebrated in the "opened" churches**, while in reality, for millions of Catholics who had suffered the most bloodthirsty persecution, it became easier to pray, attend Mass, and receive the sacraments.

At that time, the most circumspect functionaries of the Holy See continued to collect information that confirmed in ever greater detail the faithfulness of the **depositum fidei** of so many **bishops recognized by the government**. Many of them, for instance the great **Bishop of Xian, Antonio Li Duan**, after years of prison and re-education camps, showed courage in reaffirming their faithfulness to the successor of Peter, even within the para-ecclesiastical bodies controlled by the regime.

Already in those years, many scholars and visitors to China opposed the recently-returned way of speaking and reasoning, saying that **it was not right** to identify the Patriotic Association of Chinese Catholic, a political body controlled by the regime, with **the part of the Church in China that accepted and supported such control**. Even back then, many specialists on the Chinese Church question judged the name "**Patriotic Church**" (never used in the official pronouncements of the Holy See) to be unjust, given that bishops, priests, and the faithful,

Though "registered" at the Patriotic Association, were and professed themselves to be faithful to the Catholic faith and felt themselves to be in full communion with the Pope. But little by little, in the Vatican offices there were those who were **worried about a total alignment of Catholics and the local Church with the religious policy of the Party**. They took a harder line, which called upon the bishops to "demonstrate" their faithfulness to the Pope by **breaking all ties with the Patriotic Association**.

An important stage in this progressive clarification of ideas was a meeting held by the Holy See in September 1993, in which the Vatican leaders of the Secretary of State and CEP, worried about issues with China, delineated clear directions both for the "clandestine" community and the "open" community. At that summit, **it was established that from that moment on every episcopal election, to be considered legitimate, would have to receive prior permission from the Apostolic See**.

Among the protagonists of this shared and gradual acknowledgment of the real dynamics of Chinese Catholicism (which reached its height in the letter of Benedict XVI to the Chinese Catholics in June 2007), there was also **Monsignor Fernando Filoni**, current prefect of CEP and at that time head of the Center for Holy See Studies in Hong Kong - a kind of unofficial apostolic delegation which the Vatican still maintains in the former British colony. "*Faith in China*," wrote Filoni to the leadership of CEP in March 1994, "*is the same as the Universal Church, even if currently its manifestation has various levels of expression, and there are doubts on the validity of the sacraments... In the effort to reconstruct step-by-step the relations between the Chinese Church and the Universal Church, we need to perform more gestures of welcoming than of separation.*"

Following this road, which is dotted by many serious incidents (such as the 5 illegitimate ordinations ordered by the Chinese regime on 6 January 2000, which were imposed by the conservative wing of the Chinese leadership in order to sabotage a positive phase of Chinese-Vatican negotiations), **a provisional solution was reached only in 2004**. This was an **experimental series of episcopal ordinations taking place with parallel consent**, which was

made known to the faithful of the dioceses, of the Holy See and the Chinese civil authorities. With this system, important episcopal appointments were carried out between 2005 to 2010, like that of Beijing and the young auxiliary of Shanghai, Joseph Xing Wenzhi.

Among the many factors that mark and determine the current harsh change of scenario, there is one that inspires **the resurgent mistrust that seems to inform some Vatican representatives** in dealing with bishops who obey the regime's orders in the religious field.

In the last few years, while the heroic bishop-witnesses such as Antonio Li Duan and Mattia Duan Yinmin (for whom the faithfulness to priestly ordination also meant persecution and privation) were disappearing, with government approval, a new generation of priests and bishops – **both in the "official" area and the so-called "clandestine" area** – has displayed episodes of **paradoxical careerism**, with young priests spending their time networking and seeking out ecclesiastical and political alliances in order to become bishops.

In this regard, the Chinese situation cannot be separated from the general obfuscation regarding the real nature of the episcopal ordination, apostolic succession, and the ties of communion that bind the pastors of local Churches to the bishop of Rome. In the everyday practice of the Church, and certainly not only in China, the appointments of bishops and their movements from one location to another end up often being perceived as prizes and awards granted by **officials of a universal bureaucracy notable for their positions** and their ability to cultivate relationships of power.

On several occasions, Benedict XVI has invited everyone to reflect on the reasons for and effects of these depressing results. Perhaps also the recent, painful Chinese events – where the interference of the regime has focused attention on the theme of the episcopal appointments, to the point of paroxysm - can help such reflection.

[Vatican Insider, 07/19/2011]