

## **The future of the Sino-Vatican dialogue from an ecclesiological point of view**

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Since my last article on *The Communion of the Church in China with the Universal Church*, which was published in the Hong Kong diocesan weeklies in August 2016, there have been many positive responses. I thank God and those who have commented on it. This inspired me to seek opinions from experts, who have concern for the Church in China, from both here and abroad, to further my theological discussion. After months of prayer and reflection, I now offer my view on several important issues related to the Sino-Vatican dialogue from an ecclesiological perspective. Please continue to pray for the Sino-Vatican dialogue.

### **The Core problem: Appointment of bishops**

Over the past year, there have been frequent contacts between the representatives of China and the Holy See. A working group has been set up, through which both sides tried to resolve the accumulated problems. The core problem to be resolved is the appointment of bishops. After several rounds of dialogue, a preliminary consensus has reportedly been reached, and that will lead to an agreement over the appointment of bishops. According to Catholic doctrine, the pope remains the last and highest authority in appointing a bishop.

If the pope has the final word about the worthiness and suitability of an episcopal candidate, the *elections* of local Churches and the *recommendations* of the Bishops' Conference of the Catholic Church in China will simply be a way to *express recommendations*.

It is said that the main concern of the government is whether the candidates are *patriotic* and not whether they *love and are loyal to the Church*. Therefore, it would be appropriate to say that the agreement will not exceed the present effective practice.

### **Follow-up matters**

The Sino-Vatican Agreement on the matter of appointing bishops will be the crux of the problem and a milestone in the process of normalising the relationship between the two parties. However, it is by no means the end of the issue. Both parties will still need to continue the dialogue on the basis of the mutual trust developed, to resolve other problems one by one with patience and confidence. These problems have accumulated for decades. It would be unrealistic, if not impossible, to expect them to be cleared up overnight. The following are some of the problems that remain unresolved. The first is how to tackle the issue of the *Chinese Catholic Patriotic Association* (CCPA). The second is how to deal with the seven illegal *self-nominated and self-ordained* bishops who have violated Canon Law.

The third is how to handle the issue of the more than 30 bishops from the unofficial community who are not recognised by the government. China and the Holy See have different interests. The Chinese government is concerned with problems on the political level, while for the Holy See, the problems are on the religious and pastoral levels.

Therefore, China and the Holy See will treat these differently in terms of their urgency. It can be said that in order to solve those three issues in good faith, it must be done without compromising our own principles and sincerity.

### **The future of the Chinese Catholic Patriotic Association**

Many people who are concerned with relations between China and the Holy See think that the problem of the CCPA is like a mountain between them that is impossible to move.

Also, there are Church people who have repeatedly expressed concern that the issue of the CCPA was not mentioned in the Sino-Vatican dialogue and even think that Rome has renounced her doctrine of faith. Their reasoning is based on the principle of an "independent, autonomous and self-run Church" of the CCPA,<sup>1</sup> and the implementation of the principle—

the “self-nomination and self-ordination” of bishops.<sup>2</sup> Thus, Pope Benedict XVI stated in his Letter to the Catholics in China that the CCPA is a government agency and such an entity is incompatible with Catholic doctrine.<sup>3</sup>

It may be said that the relationship between the CCPA concept of an “independent, autonomous and self-run Church” and the “self-nomination and self-ordination” of bishops is a relationship between theory and practice. Both of them are in fact the product of a distinctive political environment and pressure. They do not go to the intrinsic qualities of the Church of China, nor to her inner pursuit. Both the unofficial and the official communities of the Church in China are actively seeking and expressing complete communion and unity with the universal Church. Thus, even though some bishops who have been ordained without the permission of the pope, they still make every effort to explain to the pope afterwards and ask for his understanding and acceptance. Of course, if all the requirements are fulfilled, they will be absolved, accepted and probably be entrusted with the power to govern dioceses. The dialogue between China and the Holy See implies that changes have already taken place in Beijing’s policy on the Catholic Church. It will now let the pope play a role in the nomination and ordination of Chinese bishops. Beijing will also recognise the pope’s right of veto and that the pope is the highest and final authority in deciding on the candidates for bishops in China. Therefore, the Sino-Vatican agreement itself will enable the principle of “self-nomination and self-ordination” to go into history. In the absence of “self-nomination and self-ordination”, the CCPA would turn into a *patriotic association* in its strict, literal sense: a voluntary, non-profit, patriotic and Church-loving organisation composed of clergy and faithful from all around the country.<sup>4</sup>

Therefore, in my opinion, the future of the CCPA may reorient itself “to encourage clergy and faithful to carry out social charities, actively start social services, and work on things of social interest.”<sup>5</sup>

### **The question of the seven illegitimate bishops**

Another obstacle to Sino-Vatican relations is the illegitimate bishops. The seven bishops (previous article said eight, but one died in early 2017), in accordance with the *Code of Canon Law*, are under the condition of excommunication. In three of the cases the Vatican has specifically announced that they are under excommunication, but the others are also under excommunication, the lifting of which is reserved to the pope. From the Holy See’s perspective, the difficulties with accepting these seven illegitimate bishops are, firstly, that their “self-nomination and self-ordination” constitutes a serious breach of Article 1382 of the Code of Canon Law, which stipulates: “A bishop who consecrates someone a bishop without a pontifical mandate and the person who receives the consecration from him incur a *latae sententiae* excommunication reserved to the Apostolic See;” and secondly, some are accused of moral conduct problems.

The offences of “self-nomination and self-ordination” and of “moral conduct problems” are different. The proof needed to establish the offences is different too. The act of “self-nomination and self-ordination” is obvious to all and the offence is definite. However, the accusation of moral conduct problems calls for more obvious evidence. Given the unstable relation between China and the Holy See, the Holy See cannot send officials to China to investigate directly. Rather, it may require the Chinese official institutions to investigate. No doubt, it will take time. It is rumoured that the Holy See and Beijing have agreed to deal with the seven bishops’ offensive deeds separately—firstly, the problem of illegitimate consecration and secondly, other possible offences. Undoubtedly, this tactic is correct.

As a precondition for pardoning an illegitimately consecrated bishop, participants at the illegitimate consecration (including those offering and receiving it) need to show *repentance*. The illegitimate act of consecration challenges the fundamental principle that the pope is to be the highest and final authority in deciding on candidates for bishops of local Churches.

Therefore, as a precondition for pardoning an illegitimate consecration, the offender must on his own initiative submit an application to the pope and show willingness to be in communion with the universal Church, asking pardon from the pope. According to reliable information, all of these seven illegitimately ordained bishops have already sent letters to the pope. They have expressed their willingness to submit themselves to the pope unconditionally and have pleaded for forgiveness. Given such an attitude of repentance, pardon for the penalty of illegitimate consecration is a highly probable outcome. Nevertheless, there is one thing that needs clarification. To pardon illegitimate nomination and consecration is not the equivalent of acknowledging the administrative right to govern a diocese. Granting or withholding administrative rights over a diocese depends on other requirements. For example, has there already been a bishop appointed by the Holy See in that diocese? Flaws in the morality of any of the accused bishops also needs to be considered. Only those who are in conformity with faith, morality and Canon Law can be granted the administrative rights to a diocese. Considering all these aspects, more time and patience will be needed from China and the Holy See before the problem of the seven illegitimately ordained bishops can be finally resolved.

### **Unofficial community bishops to be recognised by government**

The most difficult problem in the Sino-Vatican dialogue is perhaps how to deal with the problem of the more than 30 bishops from the unofficial communities. The legitimacy of the government-sanctioned Bishops' Conference of the Church in China depends on the inclusion of all legitimately ordained bishops in the entire Church in China, not just some of them. Therefore, in order to build a bishops' conference with legality and authority, it is suggested that all the bishops from the unofficial communities be recruited as well. Naturally, this will require Beijing's recognition of their identities and power to govern their dioceses as bishops. Undoubtedly, the Holy See will make such a request. Nevertheless, it is not certain how willing Beijing is to recognise their identity and the administrative rights of the dioceses of the bishops of the unofficial communities. It is hence a major subject of the dialogue for both parties from now on.

The problem of the bishops from the unofficial communities is not a deadlock. The unofficial Church community is the result of a special political and historical period. There was no mutual trust between the Holy See and Beijing, and this indirectly led to a lack of trust between the government and the unofficial community bishops, who insisted on the Church's principles. Should there be an agreement between the Holy See and China on the appointment of bishops that will imply considerable mutual trust between the parties, the bishops of the unofficial communities would no longer be regarded as the opposition for insisting on religious principles. The government impression of them would improve. Moreover, the bishops of the unofficial communities of the Church in China are in fact examples of patriotic citizens. They only choose to act differently from their counterparts in the official Church communities according to their understanding of Catholic doctrine. As a matter of fact, the government attitude towards the unofficial communities has changed a lot in recent years compared with the 1980s. For most, only their identity and administrative rights to the dioceses are unrecognised. They can still devote themselves to pastoral work. As the mutual trust between Rome and Beijing stabilises and strengthens, the trust between the government and the bishops of the unofficial Church communities will develop.

The key to solving the problem of the unofficial bishops is trust between these bishops themselves and the government. Beijing will perhaps ask them to declare explicitly their positions on the Constitution of China, its laws and policies. As long as the government does not require an "independent, autonomous, and self-run Church" anymore, as well as the "self-nomination and self-ordination" of bishops, all these are not problems for them, since all of the bishops of the unofficial Church communities are good and patriotic citizens. They

teach their followers to behave in the same way as well. Therefore, since Rome herself has established mutual trust with Beijing, she should strive to help develop the two parties' mutual trust based on what has been achieved. It takes time and patience to establish mutual trust. It should be expressed through action as well. We should provide the Holy See, the unofficial community bishops and Beijing with enough time to deal with this problem in Sino-Vatican relations.

### **Waiting for entire freedom or holding firmly to the essential freedom**

After years of dialogue and negotiation, both China and the Holy See have already reached a consensus on the problem of appointing bishops. The preceding paragraphs show that the agreement on the matter of the appointment of bishops between the Holy See and China could be considered a milestone in terms of the development of relations between both sides since 1951. Based on this agreement, the problems of *the future of the CCPA, the legitimacy of the illegitimate bishops in the official Church community, the recognition of the underground bishops by Beijing and the establishment of the Bishops' Conference of the Church in China* are going to be resolved. From now on, there will be no more the crisis of a division between the open and underground communities in the Church in China. On the contrary, these two communities will gradually move towards reconciliation and communion on the aspects of law, pastoral care and relationships. The Church in China will work together to preach the gospel of Jesus on the land of China.

However, there is an unoptimistic voice about the achievement of the Sino-Vatican Agreement. Such a viewpoint states that the issue of the Catholic Church in China is not an individual issue; it is closely related to the problems of other ethnic groups and religions; for instance, the problems of Tibet, Xinjiang and the autonomy of nationalities. The Chinese government will not and cannot ignore those problems and only deal with those of the Catholic Church. If the Chinese government does not put forward a comprehensive plan to solve these problems, it will be difficult to deal only with the Catholic Church or to reach any essential agreement with the Holy See in order to protect the religious freedom of the Catholic Church. Therefore, according to the social and political situation of China today, it would not be easy for the Chinese government to ensure the rights of religious freedom for the people in China, given there is no clear picture of ensuring and implementing a true sign of religious freedom, such as the freedom to preach, the freedom to operate education institutions and the right of owning property. Even if the Sino-Vatican Agreement takes place, this kind of agreement is still meaningless. So, the Holy See should not act in haste to do it.

There is some confusion over the above-mentioned assertion. First of all, it is true that religious freedom for the faithful of the Catholic Church in China is closely related to the freedom and practice of the entire Chinese society. The improvement in the freedom of the people in China no doubt benefits the expansion of the religious freedom of the Catholic Church in China. However, it would be inappropriate to mix the problems of Catholics with the problems involving Tibet and Xinjiang. The problems that the Catholic Church comes across in China are immensely different from those of Tibet and Xinjiang. Tibet and Xinjiang are not simply problems of religious freedom, as they are more about the serious problems of certain separatists whose understanding of territory and the range of sovereignty as well as the interpretation of the relationships between ethnic groups are different from that of the Chinese central government. Therefore, they pursue separation and independence. The democratic transformation of Chinese society will perhaps, to a certain extent, weaken the will of some separatists to pursue separation and independence. It will not, however, drive the problem from its origin. Western countries, like Spain, Scotland and Northern Ireland do not have the problem of *freedom*. However, they do have problems of ethnic separatism and are also faced with the threat of terrorist attacks. The problems of Catholics are not problems of territory and sovereignty. The Chinese Catholic faithful are generally patriotic, good

citizens, who are not willing to engage in political activity. They are people who will not threaten political and social stability, and the Chinese rulers understand this perfectly. Therefore, they will not put the problems of the Catholic Church and the problems of Tibet and Xinjiang together on the same level. The Chinese Catholics too should not compare their problems with Tibet and Xinjiang. Thus, it is not reasonable to assert that the solving of the problems of the Catholic Church in China depends on whether the problems of Tibet and Xinjiang can be solved or not.

As a religious institution, the Catholic Church in China is not political and has no political aspirations. She has no intention of taking part in any political institutions to participate in or advance the political progress of the Chinese society. She seeks to live and witness to her belief on the land of China. Therefore, the concern of the Holy See and the Catholic Church in China is whether there is room for freedom of religion for her to practice her belief.

The Catholic Church has her own particular administrative system, the hierarchy. The problems that the Catholic Church faces and those that other religions in China have both similarities and differences. When compared with other western countries, for all religions in China (including the Catholic Church in China), ways to spread the faith, found schools or implement the owning of property of the Church are insufficient. Compared with other religions in China, the Catholic Church has a distinguishing feature, which is the appointment of bishops. This is what other religions do not have. In the past, Beijing did not have much confidence in the Holy See, so she did not allow the Holy See appoint bishops of the local dioceses of the Church in China and she enforced the policy of “self-nomination and self-ordination.”

Other religions found in China do not share this feature. When Beijing handles this unique problem of the Catholic Church, she will not implicate other religions in it. She will not change her concrete policy towards other religions. This problem is just one that the Holy See and the Catholic Church in China want to solve urgently, whilst other religions are not concerned about it. Therefore, it is unreasonable to muddle the problems of the Catholic Church with those of other religions. They have no mutual implications.

Compared with *freedom* in other aspects, “the freedom for the pope to appoint bishops” is part of the religious freedom of the Catholic Church, which has originated from her fundamental doctrines. The lack of the ways to spread the faith, to establish educational institutions and to own Church property will not threaten or harm the nature of the Catholic Church in China, nor will it cause great harm to the nature of the Catholic Church.

If Beijing is now ready to reach an agreement on the appointment of bishops with the Holy See, the Church in China will enjoy an *essential freedom*, albeit it not *complete freedom*.

Since the Catholic Church in China can keep her Catholic traditions and be a Catholic Church in the true sense, how can it be said that the freedom for the Holy See to appoint bishops is not a “true freedom of religion?” And how could it be said that because the political environment does not favour the Catholic Church in China, allowing it to enjoy complete freedom in the ways of spreading the faith, to found schools and to recover her properties, the Catholic Church in China has to wait for a long time and the Holy See needs to give up on the present agreement with Beijing? If the Church gives up the present *essential freedom*, she may not gain more, but might end up losing all her freedom. The choices in front of us are either to embrace *the essential freedom* now and become an imperfect, but true Church, then struggle for *complete freedom* in the hope of moving towards a perfect Church, or we give up *essential freedom* and have nothing at all, and then wait for *complete freedom*—but no one knows when this will ever happen. In fact, the moral principle of the Church teaches us to choose the lesser of two evils. Therefore, under the teaching of the principle of healthy realism that Pope Francis teaches us, it is clear which path the Catholic Church in China ought to take.

25 January 2017

*The Feast of the Conversion of St. Paul the Apostle*

## NOTES

[1] *The Statutes of the Chinese Catholic Patriotic Association* (passed at the Seventh Assembly of Catholic Representatives in China in July 2004), Article 3 of Chapter 1; on the website of State Administration of Religious Affairs, issued in 2004.

<http://www.sara.gov.cn/zcfg/qgxzjttxgjgzd/6427.htm>

[2] *The Regulations of Election and Ordination of Bishops in China* under the government-sanctioned Bishops Conference of the Catholic Church in China, on the website of Catholic Church in China, issued in 2013.

<http://www.chinacatholic.cn/html1/report/1405/570-1.htm>

[3] Pope Benedict XVI, *Letter to the bishops, priests, consecrated persons and lay faithful of the Catholic Church in the People's Republic of China*, 2007, number 7.

[4] *The Statutes of the Chinese Catholic Patriotic Association* (passed at the Seventh Assembly of Catholic Representatives in China in July 2004), Article 2 of Chapter 1; on the website of State Administration of Religious Affairs, issued in 2004.

[5] *The Statutes of the Chinese Catholic Patriotic Association* (passed at the Seventh Assembly of Catholic Representatives in China in July 2004), Article 4 of Chapter 2; on the website of State Administration of Religious Affairs, issued in 2004.