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Mr. Morton C. Blackwell  
Special Assistant to the President  
The White House  
Washington, D.C.

Dear Mr. Blackwell:

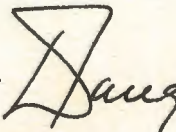
Thank you for your letter of the 22nd. of November.

Your very kind invitation to participate in the White House Outreach Working Group on Central America is being given very careful consideration. Because I do not want to do anything that might in any way damage the administration's ongoing Central American policy (my hope being that I can somehow influence its course by presenting my views to the administration rather than to the public), I am submitting for your perusal a draft of what might be a statement before your Outreach Working Group. If you believe that it is something that would be helpful, then you have my acceptance of your invitation.

I have been thinking that the Church but now, perhaps, the President should consider appointing a Commission of Inquiry to study and report on the issues raised (see p.9, par 3, enclosed draft). It is my impression that the administration will be seeing more and more ad hoc religious involvement in the general effort to undermine its Central American policy. The Commission recommended may be able to offset some of this well meant but unrealistic appeal to peace at any cost.

Our economic constraints should allow us to arrange a visit to Washington sometime in February, if you decide that your interests might be served by such an effort. Otherwise, I would very much appreciate it if you would, at least, see that the recommendation (see p.10, par 2) made be considered by the policy makers.

With kindest regards,

+ 

+ Derek Lang  
Bishop of Middleburg

December 26, 1983

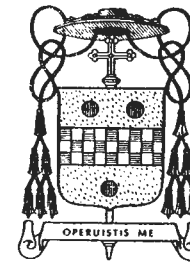
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TASK-FORCE ON PEACE & JUSTICE

MORAL GUIDE ON THE USE OF  
COUNTER-FORCE

OLD CATHOLIC SECRETARIAT  
*Office of the Bishop of Middleburg*  
LOS ANGELES - LA ESPERANZA  
*July 4, 1983*

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THE MOST REVEREND DEREK LANG  
Bishop of Middleburg

TO NICARAGUAN COMMANDOES IN CENTRAL AMERICA  
**A MORAL GUIDE ON THE USE OF COUNTER-FORCE.**

*I. The Moral Framework of War.*

War is a state of conflict between two or more sovereign nations carried on by force of arms; of which there are two types: just and unjust. A just war can be either offensive (an attack made on an enemy to avenge an injury or enforce a right) or defensive resistance to unjust attack made or menaced by an enemy.

A just war is defensive in two senses: In the strict sense, it is defensive when the nation whose rights are unjustly attacked does not initiate hostilities; in the less strict sense, it is defensive when the nation unjustly attacked strikes the first blow. Thus, if the innocent nation knew that the enemy was secretly preparing war against its independence, it would be on the defensive even though it declared war.

War is not against the law of God; neither is it against the law of the Church. The Church has never condemned war as such. She has always labored for the promotion of peace and for the lessening of the evils of wars that could not be prevented; but she has always recognized that some wars are necessary and, even, laudable. This



is the case where the salvation of Christian civilization is involved. The Church has raised to the honors of the altar soldiers like Sebastian, Maurice and Martin of Tours.

Like every other act, war is not morally good unless its object, purpose and its circumstances are in accord with right. War is not lawful, therefore, unless the following three conditions exist: (a) Hostilities must be authorized by the public authority for the care of the state against internal and external disturbance has been committed to the state and not to individuals. (b) There must be a just cause for war, that is, some fault on the side of the nation against which war is declared for if a nation may not use force against its own subjects without sufficient reason, much less may it do so against those not its subjects. (c) There must be a right intention, that is, the desire to obtain some good or ward off some evil.

Even if war is declared by the proper authority and there is a sufficient reason for it, those who take part in the war are guilty of sin if they have evil motives, such as the exercise of cruelty, revenge, pride or avarice.

Only an injury that cannot be otherwise repaired is a just cause of war, because a state has no right to use force against another state except as a last resort. Only an injury so grave that it outweighs the risks and losses of war is a justification for making war, for when two effects, one good and one evil, follow from an act, there must be a proportionally grave reason for permitting the evil effect before acting. It would be wrong to avenge a small insult or some isolated injury at the expense of immense treasure and enormous loss of life.

The destructive power of modern weapons need not imply a sweeping condemnation of all warfare. Spiritual values, such as freedom from tyranny, freedom to worship God, still hold primacy over material values and can be deemed so precious as to outweigh the great loss of life and property involved in defending them or recovering them through sophisticated warfare.

**A people menaced by, or already victims of unjust aggression, if it desires to think and act in a Christian manner, cannot remain in passive indifference. — (Pope Pius XII, Christmas 1948).**

## ***II. The Moral Crime of Sedition.***

War must be distinguished from fighting (which is between individuals) and sedition (which is between different factions of the same body politic). In the case that sedition does not extend to actual hostilities, it is simple sedition; but if fighting has begun, it becomes insurrection when the people seek to overthrow the government and civil war when one part of the nation seeks to secede from the other.

Sedition is always morally wrong because it is prejudicial to the civil unity and peace of the people, that is, it tends to the violent dismemberment of the state, or at least the disturbance of the common good. Sedition, however, is to be distinguished from partition (the peaceful separation of parts of a state) and from lawful self-defense of a people against a tyrannical government (when they have been absolved of their obedience to the state by the Church).

Sedition is a mortal sin from its nature, since it is opposed to what is manifestly one of the greatest temporal goods, the unity of the state. It is opposed to charity, as destroying the bond of peace. *Sedition is graver in some persons than in others. Thus, the moral causes of sedition (i.e., those who sow discords or promote disaffection) are more responsible than those who are led and who carry out acts of violence. The gravity of the sin in each case depends on the amount of damage that follows from one's influence or acts.*

When resistance to a tyrannical government is made by leave of competent ecclesiastical authority or by peaceful means, such as the rejection of a bad government at the polls, there is no sedition. When legal and peaceful means are impossible and armed aggression against the tyrant will benefit the common good, a rebel is not guilty of sedition. However, even though legal means are impossible

but armed aggression will not benefit the common good, a rebel is guilty of the sin of sedition.

### *III. Assault on the Government of Nicaragua.*

On August 22, 1978, at approximately 8:30 A.M., automatic weapon fire was heard in the Palacio Nacional at Managua. Elements of the "Sandinista National Liberation Front" under command of Mr. Eden Pastora, killed a number of National Guardsmen on duty there as well as innocent bystanders; took control of the building and held 1,500 people (including the members of Congress) hostage.

These elements called for Mons. Salazar (León), Mons. López (Granada) and Mons. Obando (Managua) to serve as intermediaries.

The Red Cross was also summoned and the dead and wounded were removed; whereupon Mr. Pastora made his demands known to the Government: (a) The release of 59 convicted felons from prison; (b) the cash payment of several millions of dollars; and (c) the publication and broadcast of the Manifesto of the FSLN. In return for these things — and safe conduct from the country — he agreed not to murder the members of congress.

The President of Nicaragua, A. Somoza, agreed to meet these demands, saving that the money was reduced to \$50,000.

The Manifesto contains five parts of concern to us here.

a) "The violent process (against the Government of Nicaragua) originated in October 1977 by the Frente Sandinista de Liberación Nacional."

b) It (the initiation of hostilities) "brought out into the open the latent political and economic contradictions among the different sectors and classes of the productivity ..." (meaning that there were political and economic disparities that separated those in the public and private sectors and in the rich and poor classes.) (The language follows that used in Marxist analysis).

c) It implied ecclesiastical approval by citing the Actæ of the Managua Presbyterial Council: "The ruler could, as an option within the politics of mutual concessions, promote with his retirement the formation of that national government, which when obtained the support of all, would prevent Nicaragua from falling into the absence of power and anarchy which is always a threat during the changing process."

d) It affirmed the support of foreign powers: "The Frente Sandinista de Liberación Nacional acknowledges the support of Venezuela, Panama, Mexico, Costa Rica and Cuba ... (as well as) the liberal sectors of the Government of the United States."

e) "No to dialogue ... Yes to combat."

### *IV. Moral Analysis and Considerations.*

In substance, the Manifesto, freely composed by the leaders of the FSLN affirmed that it initiated hostilities against the government in October 1977.

The moral issue is quickly reduced to that of determining whether or not the requisites existed for the transformation of the crime of sedition (now converted to insurrection) to morally justifiable "defense of the people against a tyrannical government."

The test of this question does not rest on the fact or speculation that some of the Roman Catholic bishops and/or a number of foreign powers opposed the government. The mere opinions of the bishops and foreign powers have probative value but are not evidentiary much less conclusive. The answer must come from concrete cases, wherein it is morally certain (no mere 'degree of probability' being sufficient) that: (a) the civil ruler exercised absolute power without legal warrant — without reference to whether ruling well or badly; (b) the Church absolved the faithful from the obedience and loyalty that they owed to this government; (c) there was no possibility of a peaceful resolution; and (d) a positive good would follow from the hostilities, sufficient to justify the loss of life and property.

A. Tyranny. — The Sandinistas' dislike of the government is well documented, as is their intention that "great social, political and economic transformations of a strong popular content" would be made once they gained power. There is nothing in the Manifesto to demonstrate, however, that a tyranny existed. It was apparently assumed by them that nothing more was required than a mere propagandistic indictment of their political opponents (which is all that we have evidence of); that any proving of the case was bothersome or irrelevant.

1) It was charged that the Somoza family ruled Nicaragua for forty years. — The succession of the presidency over this period (A. Somoza; L. Somoza; L. Guerrero; R. Schick; A. Somoza; R. Martinez, A. Lobo, F. Agüero; A. Somoza) is certainly not void of the name Somoza, yet, there is ample evidence that each attained the presidency by constitutional means and governed with the consent of the people. This does not constitute the moral crime of tyranny.

2) It was charged that the Somoza family owned all of the good farmland in Nicaragua and had investment interest in all the viable industrial enterprises. — While that family had a substantial amount of land, it was not all the "good land" and did not deprive any other person of access to as much land as he might wish — even the poorest Nicaraguan had free land available to him for agricultural use. While many companies did have Somoza investment capital in them, many did not. This does not constitute the moral crime of tyranny.

3) It was charged that the Somoza government was corrupt, especially after the 1972 earthquake. — While there was evidence of economic corruption (i.e., conflicts of interest and, in some cases, criminal abuse of authority) and judicial corruption (i.e., selective and incomplete enforcement of the law), these conditions — which were justifiable targets of complaint — were not brought before the national or international tribunals in a case by case manner; *neither were they brought before the ecclesiastical tribunals of the country,*

*of which there were eight (seven Roman, and one Old Catholic); each being competent to adjudicate moral crimes in the internal and external forums and, based on evidence, to - if need be and in the last resort - issue sentences of excommunication.*

4) It was charged that the armed forces were responsible for uncounted deaths and "disappearances." — In this matter, the Church did undertake an investigation in the mission territory of Zelaya. The findings were that some of the missionaries, whose zeal for social change outran objectivity, had made damaging charges without the requisite evidence and, indeed, contrary to objective findings by the Church.

Taking the necessary criteria into consideration and the absence of even persuasive and much less certain evidence to substantiate the allegation that a tyranny existed, we are not required to go beyond this point. Nevertheless, let us assume that a tyranny did exist and proceed with the analysis.

B. It is necessary to establish with moral certainty that there was no possibility for a peaceful solution to the problem. In this area, there is positive evidence.

1) In October 1978, the United States, the Dominican Republic and Guatemala sent a "Multinational Negotiating Team" to Nicaragua to assist in the resolution of the difficulties between the Government and the Sandinistas. This international body stated, in concert with the Presbyterial Council of Managua and Mons. Obando, that the President (whose term of office expired in 1981) should resign and that he, his brother, and his son, and their families should all leave Nicaragua. (No such edict was mandated by all of the bishops, one - Mons. Lang - urged the faithful not to follow the revolutionaries and to render their loyalty to the government).

2) The President and his political party declined to acquiesce in this as a proper solution to the problem. They



proposed, as an alternative, a plebiscite, under the terms of which, the people of Nicaragua would decide whether or not the President should continue to the term of his office. The offer was accepted but with a number of impossible conditions, namely: (a) that the National Guard be withdrawn from all its duties (including counter-insurgency operations) and confined to barracks during the elections; (b) the Police were to be removed from all public duties throughout the country; (c) three thousand foreign nationals were to be admitted to the country to conduct the election and to determine who was eligible to vote; (d) all Justices of the Peace were to be suspended from their duties and transported to Managua; (e) the President, his brother, and his son were to leave the country 72 hours before the election; (f) new voting places were to be established throughout the country.

3) The President and his political party were willing to accept some of these conditions but not all of them — insisting on genuinely free elections. The Carter administration's representative delivered the response: "I have an ultimatum for you from the President of the United States. You, General José Somoza, your son, and your families must leave Nicaragua forthwith."

The right moral judgement on the question at hand that we are seeking does not need to touch on the reprehensible conduct of the Carter administration — nevertheless, we feel compelled to express, for ourselves and many Americans, a sense of outrage and indignation that we share with innumerable Nicaraguans: in the name of morality, a gross immorality has been inflicted upon us. Clearly, a political solution was possible, with respect to which we add two findings of the Church.

1) The Sandinista side asserted to us that it was not disposed to a political solution because it could not win an election — "the only way to power (for us) is the rifle."

2) The President entered into a secret, written agreement with Mons. G. Montalvo, Apostolic Nuncio, with a fixed

date for his resignation if the plebiscite went against him. We have no reason to believe that this commitment to the Church would not have been honored.

Again, we are not required to pursue the matter beyond this point. A perfectly correct moral judgement can be made on the basis of the information already treated. But, let us deal with the remaining factors with the momentary assumption that the government was tyrannical and that a peaceful solution was impossible.

C. It remains necessary to establish, with moral certainty, that the acts of aggression against the government would benefit the common good in sufficient degree as to justify the toll.

The removal of an unpopular or offending government is insufficient, per se. The issue now revolves on the question of the character of the government that is to replace it. If it is no better, indeed, if it should be worse, then the loss of life involved would not be justified; moral culpability would be increased by the deterioration of the common good.

The character of the Sandinista movement is much debated. Yet, there are a number of historical points that speak for themselves. César Augusto Sandino, for whom the movement is named, spent six years working in Mexico's oil fields at the time of that country's revolution, in which Communism asserted its power no less than in Russia. While it is averred that he was not himself a Communist, he was closely tied to communism. His brother, Socrates Sandino, was a member of the Communist Party of the United States; his secretary, Farabundo Martí, went on to found the Communist Party of El Salvador. César Sandino was supported (in his rebellion against the Nicaraguan government) by the Mexican Communist Party and he was considered a member of the party by the Communist Central Committee in Moscow. Sandino was branded as a traitor to communism when he made a public declaration that he no longer had any animosity for either the National Guard of Nicaragua or the United States, both of which had been (from



his point of view) hated enemies.

While we reserve judgement about Sandino, the individual, his movement was so thoroughly contaminated by and tied to communism that it would take an enormous revisionist effort to make it over into nothing more than a Nicaraguan nationalist entity.

1) Its apologists, then, must establish with moral certainty that the Sandinista government that they intended would replace the constitutional government, was going to be beneficial to the people. The Church pre-empts a positive response. It has declared Communism to be absolutely against the natural law; and the Holy Office decreed (1949) that any Catholic who professes its doctrines, defends its principles, or spreads its errors is automatically excommunicated.

2) Those who assert that they merely "coöperated" with known communists with the expectation of eventually containing them, moderating them, or deradicalizing them, once the power of government was wrested from the presidency, must prove, with moral certainty, their capacity to exert this containment, moderation or deradicalization. It is unfortunate but, nevertheless, the case that no prudent man could have asserted with moral certainty (or, even, a high degree of probability) that the communist elements, which from the outset represented the brute force and which from the outset controlled the guns, would be contained. At the very best, containment was a vainly hopeful position with no real probability of success. Only unbounded egoism or the grossest myopia could justify such imprudence.

## ***V. Conclusion as to the Sandinista Insurgency***

The unavoidable moral judgement is that the Sandinistas rose to power through the immoral use of force and aggression against a lawfully constituted government, against which no sufficient charge of tyranny can be sustained.

Those who supported this rebellion are culpable of sin to the

degree of the damage that followed from their acts or influence; this degree of culpability not being moderated by whether or not they intended (or did not intend) that damage would follow from their insurgency.

To this we add, for those who claim that Pope John XXIII or Pope Paul VI, of blessed memory, approved of coöperation with Communists in the resolution of certain social problems: it was the intention of neither that any Catholic should coöperate or participate in the violent overthrow of a constitutional government or the installation of a Communist regime.

## ***VI. The Continuing Use of Counter-Force.***

Acting under the laws of the Republic, the President ordered the nation's armed forces (the National Guard) to respond to the internal aggression against civil unity and order with force. This response was not only morally justified, it was mandatory.

Those foreign powers alluded to by the Sandinista insurgents as having aided them, to the extent that such aid was given, are culpable of grossly wrongful conduct, principally by the intrusion of their wills over and above the constitutional process of law in the affected nation.

History shows that when, at last, the President was forced to resign from his office (1979) and go into exile, the constitutional process continued with the congressional appointment of an interim President, F. Urcuyo, to fill the unexpired term of his predecessor. The President ordered the armed forces of the nation to continue to put down the internal insurgency, now openly assisted by Cuban and other foreign troops within Nicaraguan territory.

The Carter administration presented an ultimatum to the President, demanding that he transfer the powers of government - quite contrary to the laws of the nation - to the Sandinista insurgents. The nation's armed forces were (due to a U.S. embargo) without munitions; the insurgents were well supplied from Cuba.

The President and the chief director of the National Guard took a constitutional decision — the powers of government would not be transferred to the insurgents but, rather, the presidency would be taken outside of the country and the armed forces would continue to fight the Sandino-communists in "small, concealed units."

The question raised by this act and the fighting that has followed in the intervening four years reduces itself to this: Are the combatants, i.e., the National Guardsmen, morally justified or are they now guilty of the crime of seditious insurrection?

The answer hinges on the distinction that the Church makes with respect to governments to which subjects owe their obedience and loyalty and those de facto governments whose subjects have been absolved of any such obligation.

(The Church is not called upon to decide on the legitimacy of the constitutional government in exile; that is a political issue that must be answered by each nation that is required by its own circumstances to make such a determination for itself. Most of the nations of the world, including the Holy See, and excepting the Republic of Paraguay, have established diplomatic relations with the Sandinista regime. The ecclesiastical government of this Church is neither bound by nor called upon to acquiesce in such political determinations. It is obliged to address itself to the moral issue abovementioned and to give proper guidance to confessors and the faithful on this alone).

- 1) The counter-insurgency operation of the National Guard was ordered by lawful public authority;
- 2) The cause of action against the Sandinista insurgents was a just cause; a defensive action against Communist revolution.
- 3) The cause of action was accompanied by a right intention; fully approved by the Church.
- 4) The subjects of the de facto Sandino-communist

regime have been, and they are, absolved from any moral obligation to render loyalty and/or obedience to it.

Lest there be any mistake, we wish it to be understood that the Sandinista insurgents, notwithstanding their control of most of Nicaragua's territory and notwithstanding their installation of a de facto government, are morally incapable of commanding the loyalty and/or obedience of the Nicaraguan people.

The Nicaraguan people, indeed, have a moral obligation — to the extent of their individual abilities — to utterly annihilate the Sandinista government and ideology and movement.

To the extent that the eradication of this monster and pest can be accomplished peacefully, then a pacific course must be followed. This does not foreclose the continued use of counter-force.

Such counter-force should be used, first, by those who are trained and prepared to apply it, the legitimate armed forces of the nation. Secondly, by ordinary citizens who - even though without professional training and preparation - yet have the ability to resist the morally bankrupt enemy, the exponents of atheistic materialistic Sandinismo.

## ***VII. The National Guard & Para-Military Units.***

One of the tools of psychological warfare used in modern times is defamation. Its object is to render the enemy less effective both in terms of his ability to gain the support of the common man and in his image of himself. A demoralized opponent is a much less formidable opponent. Thus, it was a strategy and tactic of the Sandinista insurgents to defame the officers and enlisted men of the National Guard. Unfortunately, there were isolated incidents of misconduct by Guardsmen that could be amplified disproportionately and used to discredit the entire military establishment.

The effect of such psychological warfare has been not only the demoralization of the National Guard but also the further div-



ision of the Nicaraguan people. There are now para-military units whose objectives are entirely sound and consistent with the moral law excepting in this one respect — they continue to coöperate in the wrongful defamation of the National Guard. One rationale is that it serves as a counter-propaganda measure to soften the Sandinista instilled fear and hatred of the National Guard by many of the Nicaraguan civilians.

In this regard, we feel compelled to recall for these otherwise correct acting Nicaraguans that you may not, with moral impunity, employ any immoral means in the achievement of the morally positive objective of freeing your country from communist totalitarianism. The continued defamation, or coöperation in the defamation, of the National Guard is morally reprehensible.

Guardsmen who are proven guilty of crimes, no less than any civilian, are to be brought to justice in accordance with the due process of law. That is, as individual violators. There is nothing, however, in the Constitution or in the regulations of the National Guard that is offensive to the common good or immoral.

Some of this sentiment originates with Sandino's original position that the nation should have highly politicized, partisan armies and, thus, continue in the pattern of endless internicine warfare. Sandino himself abandoned this notion and affirmed that it was better to have one national, non-partisan military establishment. It is, therefore, wholly erroneous - just as it is sinful - to defame the institution of the National Guard out of any loyalty to Sandino or his original position.

We do not wish to place the remnants of the National Guard in any privileged position, i.e., above the political elements that are now leading the cause of liberation, for that would be to impose a political opinion. We do wish, however, to place before these leaders the moral principles that, as said, defamation is unconscionable and, then, that they are morally obliged to commit to combat those who are best qualified, trained and prepared for it. Failure to minimize risks and losses is gravely sinful.

### *VIII. Moral Constraints.*

Those officers and men of the National Guard, as well as those who may have since joined them or who operate parallel to them, to the extent that they have a well-grounded expectation that the bellic action against the Sandinista regime will succeed in bringing about a just peace, require no more moral warrant for the continuation of hostilities than at the outset, when the public authority ordered them to put down the Sandinista insurgency by force.

We enjoin upon them, however, the following constraints.

1) Every lawful means must be employed to gain a victory. Fighting to gain only a "stalemate" is itself immoral.

2) Any means which violates natural law or international convention should be avoided.

3) Unlawful acts include: (a) acts of irreligion, for example, wanton destruction of churches; (b) attempts to seduce enemy soldiers from the obedience and loyalty they owe to their commanders\*; (c) murder, that is, the direct killing of innocent, unarmed persons like soldiers who wish to surrender, or those carrying a flag of truce, or a defenseless population put at the mercy of savages or criminals employed as soldiers; (d) the dishonoring of women; (e) stealing, such as pillaging a town or countryside; (f) lying, such as not keeping faith with commitments to your enemy, entering into perjured agreements, circulating false stories of atrocities, etc.

4) It is not lawful to exterminate an enemy if the end of the war can be attained by depriving him of his weapons.

5) (i) According to natural law, it is lawful to kill or wound the enemy in battle; or to starve him by blockade; (ii) According to international law, it is expressly forbidden to attack in ways that make war more cruel, without hastening the final decision.

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(\*) All Nicaraguans are absolved from loyalty or obedience.

6) The indirect killing on non-combatants, that is killing which is unintentional and unavoidable, is lawful according to the rules for double effect. Hence, it is lawful to bombard the fortifications, arsenals, munitions works and barracks of a town, to cut off food supplies to a town in order to starve out its troops although these measures will entail the deaths of civilians as well as combatants. Humanity requires, however, that an effort be made to spare the non-combatants, when possible, as by serving warning of attack, so that they may be removed to safety.

7) The direct killing of non-combatants, that is, killing that is intentional, is unlawful and constitutes the sin of murder.

8) It is lawful to sentence to death persons who are guilty of international crime, such as those who approach when warned to halt, civilians who fire on troops, guerrillas, pirates, spies and deserters. It is unlawful, however, to sentence to death persons not guilty of international crime. Thus, a private soldier should not be executed because under orders he killed a non-combatant; a hostage, not guilty of any capital crime, should not be put to death, because his fellow citizens for whom he is held rebel or break faith.

9) Combatants may be made prisoners of war, non-combatants are subject to the restrictions of military rules when their territory is occupied and in very exceptional cases may be transported behind their enemy's lines. Prisoners of war and inhabitants of occupied territories are to be treated as human beings but not better than the soldiers of one's own army. They must not be reduced to slavery, held as hostages, tortured or starved to death, or placed in front trenches as a shield to one's own forces.

10) The military property of the enemy nation or of its subjects may be confiscated or destroyed; a military commander may, thus, cut-off or seize supplies and provisions of money food or drink.

The public, non-military property of the enemy may be occupied by a successful invader. He may appropriate movable goods and he may use immovable goods.

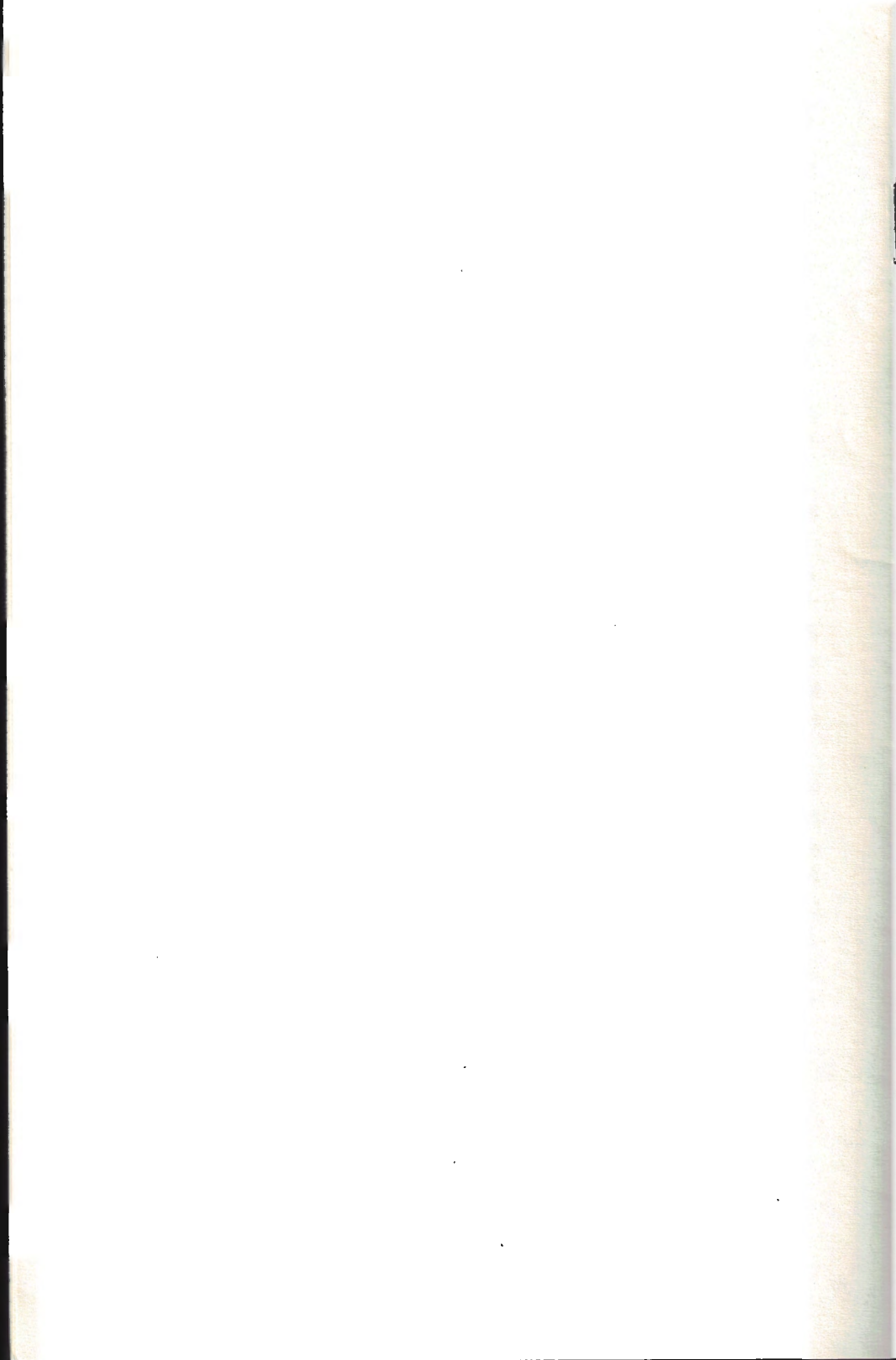
As to private property of enemy subjects, international law requires that movable goods be respected, although they may be seized - only - for some necessary purpose of war. Immovable goods must be respected. Requisitions and contributions may be exacted and homes of civilians may serve to billet soldiers, but only so much may be levied as is needed for army maintenance and civil administration, and compensation must be made. War is not against the private person but against the state,

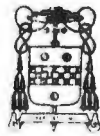
11) Reprisals are acts of retaliation by which one replies to unlawful aggressions of the enemy by equivalent aggressions against him. Their morality depends on the circumstances. (i) If the act of the enemy is opposed only to international law, it is not unlawful to use the same act against him. (ii) If the act of the enemy is opposed to natural law it is not permissible to retaliate by the same kind of acts. But one may retaliate in lawful ways, or else issue a protest and wait compensation at the conclusion of the war.

12) The obligation of a victor who fought for an unjust cause is obliged to make restitution for the injuries caused by him.

**The Church emphasizes that the purpose of war must be a just and lasting peace, the moral obligation for the attainment of which is enjoined on those who engage in war. It cautions also that a just war may be converted into an unjust cause by the violation of correct conduct, the loss of correct intention, or the reduction of the gravity of the offense that occasioned the war. Both sides must be alert and responsive to all possibilities for terminating hostilities and pursuing a peaceful and just settlement.**







THE MOST REVEREND DEREK LANG  
TITULAR BISHOP OF MIDDLEBURG  
TO THE PEOPLES OF THE  
CENTRAL AMERICAN REPUBLICS ENDANGERED  
BY COMMUNIST SUBVERSION & CONQUEST

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Our Lord and Savior, Jesus Christ, took upon Himself the humanity that is ours and entered into our lives to bring about a new civilization far superior to anything that had been achieved by even the most privileged of nations. Yet, because the struggle between good and evil remains among us, our Christian civilization is being attacked from all sides and from within. The revolutionary ideologies of our present era exceed in amplitude and violence anything that has ever occurred in the past. Entire nations have fallen, and others are in danger of falling, backward into a barbarism worse than that which oppressed the greater part of the earth two thousand years ago. The danger we face is *atheistic materialism*, commonly called Communism, which aims to destroy the very foundations of Christian civilization.

The position of the Catholic Church on this matter has been clear and precise since 1846, (two years before the formal publication of the Communist Manifesto) when Pope Pius IX solemnly condemned it as "absolutely contrary to the natural law." Each Roman Pontiff has added a fresh condemnation or renewed the old ones. In 1937, Pope Pius XI warned that —

"Communism is intrinsically evil and no one who wishes to save Christian civilization can coöperate with it in any manner whatsoever." In 1961, Pope John XXIII repeated the oft-made condemnation of the errors of Communism but, in 1963, with superlative confidence and hope in the Holy Spirit, sanctioned some "prudent and cautious" efforts to work with communists in the solution of social and economic problems. Pope Paul VI transformed the idea that such efforts should be made to a strategic plan and then to a diplomatic reality.

The liberal wing of the Church, falling prey to a deception, skillfully concealed by extravagant promises and a pseudo-ideal of fraternity, of equality, and of justice, promoted by the communists and aided by the conspiracy of silence, was caught up in a false messianic hope and was conquered. It thus developed an entirely new conceptualization of Christianity, one in which Christ was recast in the rôle of a liberator. He was not, however, a liberator from sin and evil, but now a liberator from social and economic oppression. The error of this new *theology of liberation*, first articulated at the Latin American Bishops' Conference in 1969, is to be found in its deemphasis of the spiritual nature and mission of the Church and a refocusing on materialistic values and concerns. But building further on this, the more radical leftists equated liberation theology with a discipline in which violence was an integral part of effecting the social, economic and political changes called for. The sociological doctrine of Marx and Lenin was translated into theological language and revolution became a morally acceptable form of political activism, to be encouraged by the Church.

While vocally protesting that they were the spiritual fathers of *all* men, the majority of the

clergy in Nicaragua played a major rôle in overthrowing the government of A. Somoza. The seculars and the Jesuit, Maryknoll and Capuchin missionary foundations worked closely with the renegade forces of anarchy. Their principal contributions were in planting the seeds of revolution (class struggle) among the campesinos, in discrediting and subverting the government at every opportunity (without regard for its contributions to the betterment of the life of the people), in effecting a vicious and largely false propaganda campaign against the government (both in Nicaragua and the United States) and, finally, in converting schools and parish churches into centers of sedition and treason against the government, with many becoming munitions depots for the communist guerrillas. Several abandoned the chalice and cassock of the priesthood and took up the machine-gun and camouflage of the Sandino-terrorists. The bishops were no less involved. They issued pastoral letters that gave "moral and juridical legitimacy" to the violent overthrow of the government and deceived the youth by characterizing as "patriotic" the reign of terror and killing perpetrated against the people by the revolutionaries. All of this in the name of "liberating" the people.

Eight days before his death, Pope John Paul I reasserted the warning of Pope Pius IX that Catholics should not collaborate with communists. His successor, Pope John Paul II adopted a similar position in an effort to correct the now seriously out-of-hand problem. At the Latin American Bishops' Conference in 1979, he restated that the Church's mission "is essentially ethical and religious." He ruled out violence and class struggle as a means to achieve social gains. He pronounced that "liberation theology is a false theology" and reproved the radicals by pointing out that "Christ as a polit-

ical figure, as a revolutionary, as the subversive man of Nazareth, does not tally with the teachings of the Church. He then ordered the clergy to remove themselves from their positions of revolutionary political activism.

This came too late for Nicaragua, which a short time later fell into the hands of the Sandino-communists. Jesuit Fr. Gaspard Garcia had died in combat against the constitutional government while Jesuit Fr. Fernando Cardenal was joined by his Marxist brother, Fr. Ernesto Cardenal, Maryknoll Fr. Miguel D'Escoto, and Frs. Edgardo Parrales and Xavier Gorostiaga in highly visible government positions, supported by Fr. Alvaro Argüello. Their response to the Holy Father's instruction is informative.

Fr. E. Cardenal: "I don't see why all Catholics should share the view of the pope especially when he speaks about political matters."

Fr. E. Parrales: "The Vatican is making a mistake in Latin America and Latin America will break the Vatican."

Fr. A. Argüello: "To be a Christian today in Nicaragua, one must also be a revolutionary."

These priests betrayed the thousands of Nicaraguans killed and still imprisoned, exiled, defamed and oppressed; thus, Christ himself.

The communist regime that holds power in the Republic of Nicaragua, with temerity that defies description, now approaches the See of Peter, in the words of its ambassador to Washington, "to take on the Vatican itself" and secure permission for these pseudo-priests to remain in their revolutionary political positions due to the "special circumstances" that obtain in that country. What are these special circum-

stances? Principally, the need to solidify the communist control of the country by demonstrating that the regime has the moral approval of the Vatican.

Once the door is opened, we note, it is difficult to close it again. Some bishops and clergy retrospectively recognize the enormity of their errors and will conform to Pope John Paul II's instructions. Others, somewhat more petulant, have modified their demands for change only in the sense of settling for a form of socialism (that no less than Communism negates human rights, human dignity and human liberty). We are left, however, with still others who have not changed and will not change until Rome submits to Communism. Meanwhile, the same Jesuit, Maryknoll and Capuchin orders are active in Central America (especially El Salvador) in attempting to overthrow the governments in the name of Christian social justice. They do not view their activities as subversive because they have lost sight of the basic teaching of the Church and have accepted the notion that violence is an acceptable solution to social problems.

The pragmatic argument that the revolution will bring better things falls on deaf ears in the face of the Cuban experience: the Catholic population dropped from 98% in 1958 to 46% in 1978 under the dictatorship of the same man who is exporting revolution to Central and South America. The poor continue to be poor, but now, without hope.

The numbers of clergy involved in revolution are relatively small. Approximately 1,150 (or 0.026%) of a total of 43,799 are radical leftists. That is about 1 in every 38. Their influence is amplified, however, by the, in many cases very sympathetic, attitude of the two-thirds who are "liberal." In recent years, 33 priests have been killed as a result of their participation in vari-



ous revolutionary activities. That amounts to 1 in every 34 of the radical priests, or 1 in every 1,327 of all clergy (regardless of their political involvements). This can be expected to continue as long as clergy (and religious) of the Church continue in their disobedience to the Holy Father and behave themselves as militant revolutionaries. Harsh as it may seem, clergy who use their somewhat privileged position in the secular world in the cause of violence do not in any sense enjoy immunity from the consequences of their acts. The killing of those for whom the world has esteem and respect is to be lamented but probably more on account of their betrayal of the reasons that they are accorded special respect than anything else.

What now does the Church say to those who are in her service and who are entrusted to her care?

First, the teaching of the Church on Communism is clear. The teaching of the communists on religion is also equally clear. These are two *mutually exclusive ideologies*, notwithstanding the erroneous view that "Christ was a Marxist" and "Marxism is true Christianity."

Secondly, the instructions of the Church on clerical involvement in revolutionary and even political activity is clear. There is no ambiguity in it, notwithstanding the self-serving appeal that "special circumstances" prevail in the new communist-Nicaragua.

Neither constitutes a point of licit debate in a theological sense.

Thirdly, there should be no doubt that we must meet the evil of Communism with no less than six specific weapons: (1) we must pray for the conversion of communists to the truth; (2) we must correct our own behavior and atti-

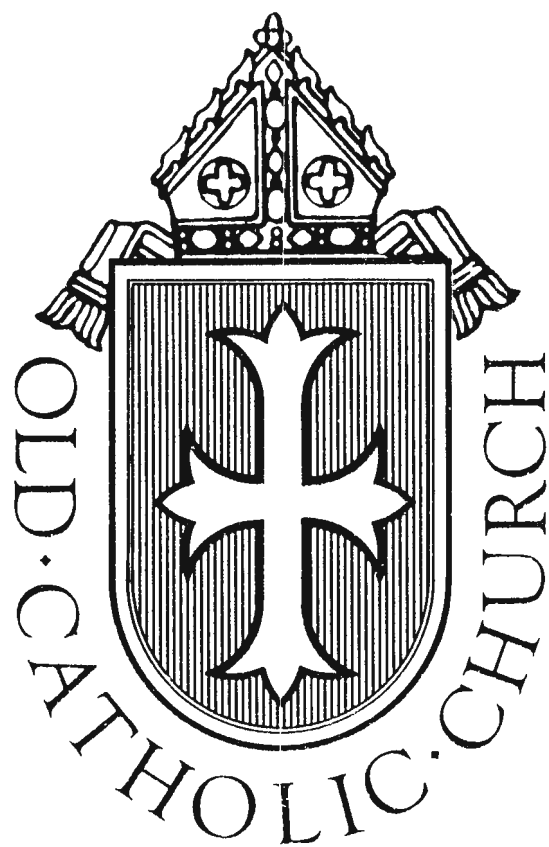
udes which allow Communism to get a hold in the first place; (3) we must reemphasize the spiritual nature and ends of man and deemphasize our preoccupations with materialism; (4) we must deny all political support to and collaboration with communists; (5) we must strive for social justice as exemplars in both the *means* of achieving it and the end itself; and (6) we must be prepared to combat Communism on the field of battle and, if need be to give our lives so that this evil may be eradicated. Just as Satan attempts to ensnare and beguile the innocent, so does Communism seek to deceive and entice those who lack a firm faith and confidence in the Church. It appears that Communism is making gains on all fronts: Nicaragua is one recent example; El Salvador may be the next one. But we must remember that *evil has no rights!* While legitimate governments command the obedience of their subjects by Divine law, de facto communist governments command by force and fear but not by Divine law. Those who are subjects of Communist regimes owe them no allegiance or loyalty and, indeed, have a moral obligation, to the limit of their capacities, to utterly annihilate them.

In the cause of rectifying some of the damage that has been done by communist propaganda in Nicaragua, and which is being done now in El Salvador, we address these special remarks to those who have been villified and calumniated by the communists and their collaborators: The Church recognizes that those who served and who continue to serve their country in the National Guard, in the diplomatic services and, in the political parties of their nation with decency, honor and loyalty have suffered immensely. After the usurpation of power by the Sandino-communists in Nicaragua at least a thousand were grotesquely martyred and even

today thousands more are imprisoned under the most barbaric conditions. No one has been immune from the psychological suffering that is associated with the manipulation of public sentiment against the institution of the armed forces and its members, with false cries of genocide and worse. This suffering is not unlike that which our Lord suffered on the Cross and each of them is in a very special way a soldier and companion of Christ. Moral right and justice are with them and not their adversaries, who have, for the time, wrested from its guardians the freedom that was once Nicaragua's glory. We pray, and we call upon you to pray also, that God's abundant blessings will fall upon the cause of liberating Nicaragua from its enslavement and of preserving the rest of Central America from this monster and pest.

We reiterate to all: Communism is intrinsically evil; there can be no compromise, no peaceful coexistence, no collaboration between Catholic clergy or laity and Communism. Christ is our King! Our destiny is to be with Him for eternity. It is His peace and it is His justice that we champion. It is in Him that we are united, the high and the low, as brothers. Let us not put Marx or Sandino before Christ, our Lord.

We conclude this message with a call for unity addressed to all Catholics and men of good will to join in a holy crusade against Communism in the Western Hemisphere, to the end that we might again enjoy the blessings of freedom and liberty and a true fraternity based on a renewed understanding of and commitment to the fact that we are each and every one brothers in the sight of our Creator. To defend the dignity of one's brother is to fulfill the Great commandment and to put us on a right course toward God.



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BISHOP OF MIDDLEBURG

## The Old Catholic Church

THE MOST REVEREND DEREK LANG  
*Bishop of Middleburg*

### Introduction

1. The Old Catholic communion comprises three communities of churches under the primacy of the archbishop of Utrecht.
2. The oldest community, in the Netherlands, is continuous with the Catholic Church founded in the 7th. century by British missionaries in northwestern Europe. One of its distinctions is that, after a thousand years, Rome severed relations with it (1713) because it resisted certain changes in doctrine introduced as part of the counter-reformation. These differences (to be discussed) continue to separate Roman and Old Catholic bishops and clergy.
3. The second group of churches, in Germany, Switzerland, Austria and Czechoslovakia, separated themselves from Rome in 1871 on the question of papal primacy and infallibility as defined by the first Vatican council. They are headed by bishops at Bonn, Berne, Vienna and Warnsdorf.
4. The third set of churches are those of Slavic and Polish Catholics who separated from Rome in the early part of the 20th. century for nationalistic reasons. They are headed by bishops at Zagreb and Scranton.
5. Old Catholics in America come from the Dutch church's mission to Great Britain (1908-1925) and will be described in this paper.
6. Both England and Holland contributed substantially to the making of colonial America. Their contributions are still valued by many Americans whose origins trace back to northwestern Europe. Old Catholics are also linked to that part of the world through their religious heritage, shaped - as it was - by the culture and historical events common to that region over many centuries.

### History

7. Missionary work among the Catti, Batavi and Frisones, in what is presently known as the Netherlands, began in the middle of the 7th. century under the patronage of St. Wilfrid, the English archbishop of York. He consecrated Suitbert, as the first bishop of Nether Friesland. Shortly afterwards, Pope St. Sergius I appointed St. Willibrord archbishop of the Frisones (*ad personam*).
8. St. Willibrord and Suitbert were assisted by ten English missionary companions and thirty Danish youths. They occupied the fortress



of Utrecht, from which they labored to evangelize the heathen. Paganism was deeply rooted among the people, who were far from docile. St. Boniface also labored here but a full century elapsed before sufficient stability was achieved to justify the transformation of the rustic mission territory to a diocese. In 754, St. Gregory became Utrecht's first diocesan bishop. He was followed by sixty bishops of Utrecht, the last being George of Egmont, who died in 1559.

9. In that year, the diocese of Utrecht (then under the Spanish crown) was elevated to archepiscopal rank. The new province contained the archdiocese of Utrecht and the dioceses of Deventer, Groningen, Haarlem, Leeuwarden and Middleburg. The bishoprics of Utrecht, Deventer and Haarlem are still occupied by Dutch prelates; Middleburg by an American bishop.

#### The Reformation Period

10. The 15th. century decline in Roman political and economic strength came from a shift of the major trade routes from the Mediterranean to the Atlantic. Also, in part, as a result of the fighting skills of the northwest Europeans that were unleashed by the fall of feudalism. Both reduced the once great Greco-Roman cities to towns of secondary importance. As secular Rome lost its preeminence in politics and commerce, so the voice of the Roman Pontiff ceased to be heard with the resonant strength of by-gone days.

11. Not everyone greeted these historical events with the same degree of enthusiasm or resignation. The loss of papal influence in secular affairs and the humanist notion that even papal pronouncements in religious affairs might be discussed when they did not refer to fundamental questions of faith produced a violently defensive reaction in some quarters of the Church. The excessiveness of this reaction coupled to the countless abuses by priests and religious (almost always contrary to their bishops' instructions) triggered the Reformation.

12. The *de facto* independence of clergy and religious from their bishops was almost fatal and memorialized in the Report of the Commission of Nine (1537) appointed by Pope Paul III to define the most serious problems of the Church: *There is another abuse which ought not to be in the least tolerated, and by which the whole Christian people is scandalized, it consists of obstacles which hinder bishops in the government of their flocks, especially in the chastizing and correcting ... wicked men. Especially clerics find many ways to exempt themselves from the jurisdiction of their ordinaries...*

13. Reformation history principally records the emergence of the Protestant churches, the Catholic response to which was the counter-reformation. The latter is of concern to us because it occasioned the errors and excesses intended to cure the Church's problems but which gave rise to the distinctions we now make between the Catholic Churches of Rome and Utrecht.

#### Counter-Reformation Perspectives

14. The Church needed to tighten discipline at the local level, but the counter-reformation committed itself to two erroneous strategies. The first was to reduce (rather than reinforce) the authority of the local bishops in their dioceses and to centralize it in Rome. (Some suggest this was to offset the papal loss of power in the secular area by increasing it in the religious area; others suggest it was largely due to the unholy ambition of the Jesuits). The second strategy consisted of reducing (rather than affirming) the high moral standards of the church. This, to make it easier for the laity to remain within the Catholic fold and to thus check the massive migrations to Protestantism. Both strategies changed the face and soul of the Catholic Church throughout the world; both were resisted in the Netherlands, where tradition had precedence over novelty.

15. The centralization of authority was based on the notion that the Holy Father is the mediator of all episcopal authority. This does not coincide with the traditional teachings of the Church, which view the papacy in terms of the unitive role of St. Peter among the Apostles. Bishops (as did the apostles) receive their authority directly from God, not mediately through the Pope. Holding to this wholesome tradition does not in any way detract from the pre-eminence of the papal office. To the contrary, it should be seen as a defense of what otherwise might be made incredulous by fanciful exaggeration.

16. In virtue of their fourth vow of religion, the Jesuits were disposed to champion the idea of absolute papal authority. This alone would have been sufficient to make them the leaders of the counter-reformation. Their role was assured, however, by their tendency toward ethical relativism (understood by more strict Augustinians to be moral laxity). The means, then, for both centralizing control and lowering the standards of Catholicism was at hand in Jesuit readiness to revise tradition and to promote an utilitarian ethic.

17. Jesuit theological deviation was rooted in the Pelagian heresy (opposed by St. Augustine but) espoused by their own Molinist school. They held themselves to high standards of both preparation and militancy. What they did well, no one could do better. But the obverse is also true.

18. The abbot St. Cyran (1581-1643) authored the *Petrus Aurelius* in defense of the rights and authority of bishops. This, to counteract the teachings of the English Jesuits Edward Knott and John Floyd, (e.g., bishops are not essential to every local church, they are needed only to ordain priests; religious orders (especially the Jesuit society) have more certain authority than the bishops). If true, bishops would have been mere vassals at the papal throne, which neither Scripture nor tradition supports.

19. The bishop of Ypres (1585-1638) authored the *Augustinus* in defense of the traditional theology of St. Augustine. This was an effort to counteract the writings of the Spanish Jesuit, Luis Molina, of whose infamous teaching (memorialized in Blaise Pascal's *Provincial Letters*) the

fictional Jesuit Escobar expounds: *One is bound to observe the other commandments without any love for God, and without giving our heart to Him, provided that we do not hate Him.*

20. The degree of repugnance that this teaching provoked in the Netherlands can be conjectured by contrasting it with that of the Dutch ascetic, Thomas a Kempis: *Apply thy whole mind to know Jesus Christ, and thy whole heart to love Him, and all thy care to follow Him, since for this alone thou art a Christian.*

21. The Jesuits were battling for power, not piety. Thus, their contrary works produced for both the abbot St. Cyran and the bishop of Ypres the bitterest opposition. They became the objects of vicious attack by the whole Society.

22. Much of this controversy unfolded in France, especially, at the Convent of Port Royal whose nuns, as militantly as the Jesuits insisted on their innovations, demanded adhesion to the more traditional Catholicism. The dispute affected diocesan clergy but was resolved when Pope Clement IX agreed that the French bishops of Aleth, Angers, Beauvais, and Parmiers might hold the traditional theology and discipline of the Church rather than that proposed by the Jesuits. The *Clementine Peace*, as history calls it, lasted from 1669 to 1700. It was broken by Pope Clement XI, a creature of the Jesuits.

23. In time, the French accepted the new doctrines, which became the standard of the modern Roman communion.

#### Dutch Character

24. As much as any generalization about a whole nation of people is valid, it can be said that the Dutch were temperamentally conservative. They were deeply committed to the theology of Saint Augustine and to the rights of their bishop in the administration of the affairs of the Church. When a few Jesuits arrived in Holland (1592) ostensibly to assist the archbishop and his clergy (numbering 170 after the reformation), it was not altogether unexpected that conflict should arise.

25. The doctrine of the Jesuits was rendered odious by its radical departure from what had been traditionally taught in Holland. Added friction was caused by the Jesuits' lack of respect for, and their perceived unwillingness to co-operate with, the Dutch bishop and his priests. Members of the Society began intriguing in Rome against the archbishop of Utrecht, attempting to subvert his authority. They were openly contemptuous of his office as head of the province in which they were to assist, not rule.

26. By 1609, the archbishop finally wrote: *The inconvenience caused by the Protestants is less than the afflictions originating with the Jesuits*, and he suspended them. This did not end the matter, however. The Jesuits badgered Rome for almost a century until they finally managed to obtain a papal condemnation of the rigorous morality (St. Augustine), the austere

piety (Thomas a Kempis) and robust asceticism (Gerard the Great) that characterized Catholicism in Holland.

27. In 1713, the Dutch declined to acquiesce in their own condemnation and Rome severed relations with them. For their part, they preserved traditional Catholic doctrine and practices but without the cooperation of the Holy See, at its option, not theirs. The old hierarchy continued to be the only one in Holland until 1853, when Pius IX appointed (without the consent of the Cathedral chapter) a second and rival archbishop.

28. In 1763, the Provincial Synod of Utrecht affirmed the Dutch church's fidelity to the papacy and its adhesion to the Council of Trent, but it stood firm against the neo-Catholic errors of the counter-reformation. In 1871, the archbishop of Utrecht reaffirmed as to *faith*: the creed of Pius IV and as to *order*: the authority of the local bishops and the unitive primacy of the Pope, which were reaffirmed as the position of the first Old Catholic Congress at Munich.

29. In 1854, the Pope tested the outer limits of the monarchical concept by declaring the doctrine of the Immaculate Conception to be *de fide*. Without dealing with the theological issues involved, such an assertion on his own authority and in his own name far exceeded the prerogatives of St. Peter. The pronouncement was not received by the archbishop of Utrecht and his auxiliaries as binding on the Catholic faithful in the Netherlands, although it was accepted by Zwijssen, the *neo*-Catholic archbishop appointed the previous year.

#### Post Vatican Council I

30. The Dutch bishops were not invited to participate in this council. Had they been, they would most certainly have raised questions about the wording of the decrees on papal primacy and infallibility.

31. With the addition (1872) of the German, Swiss, and Austrian communities to the Old Catholic communion, one could see two schools forming by 1874. On the one hand, there were those who adhered to the conservative Dutch tradition (affirming the Council of Trent (subject to the limitations imposed by the first and second provincial synods of Utrecht); the unitive primacy of the Pope and the infallibility of the Church in faith and morals (but not as to facts). On the other hand, there were the new communities that did not share the same cultural and historical perspective as the Dutch. Their focus was more ecumenical and they emphasized what they had in common with the Anglican and Orthodox communions. They tended to rely on what preceeded Trent.

32. By 1889, the necessity for a containment of doctrinal excursion was evident to the archbishop of Utrecht. This resulted in the *Declaration of Utrecht*, accepted by all Old Catholics as a proper limiting standard (but not as a new creedal statement).

#### Return to Great Britain

33. By 1908, several small Old Catholic communities had formed



at Ealing, Bromley, Orpington, Brighton, Birmingham, Hull, Nottingham and Chelsfield. They petitioned the Dutch bishops to appoint a bishop for them. After long discussion, the Dutch acceded to the request and the first regionary bishop for England was consecrated at Utrecht.

34. It is of interest to note that twelve centuries after the archbishop of York sent the first regionary bishop to the Netherlands, the archbishop of Utrecht was now sending a regionary bishop back to England.

35. The mission developed slowly. While chapels were established at Chiswick, Croydon, Broadstairs, Belfast, Oxford and Islington over the next three years, it eventually failed. While a scholar of recognized standing (holding a doctorate conferred by the Pope), the English bishop had very marginal administrative abilities. Indeed, the demand for skill in this area greatly exceeded what the bishop had to offer. He died in 1919 and his successor terminated the effort in 1925.

#### American Mission

36. The first attempt to establish an Old Catholic mission in America occurred in 1818 at Charleston, South Carolina. The bishop-elect was never consecrated and the thirty-odd Old Catholic parishes were absorbed by the Roman Catholic diocese (c.1822).

37. The second effort occurred at Green Bay, Wisconsin in 1885. Here, the priest-in-charge went off and had himself ordained in the (Malabar) St. Thomas Christian Church and the Old Catholic parishes, formerly under his care, were absorbed by the Episcopal diocese (c.1892).

38. The third effort began in Chicago, Illinois in 1897 but resulted in the formation of the indigenous Polish National Catholic Church, rather than bringing the Old Catholic Church from the old to the new world. The Polish church is in communion with the archbishop of Utrecht.

39. The fourth effort took place at Waukegan, Illinois in 1908 and a bishop was consecrated (1916) but he broke with his Old Catholic superior and settled in upstate New York; living a colorful but ecclesiastically inconsequential life amidst a militantly communist coterie.

40. The fifth effort, at Wheeling, W. Virginia (c. 1912) led to a more solid result. By 1916, Fr. Carmel H. Carfora, rector of three Old Catholic parishes there, was named regionary bishop for Canada and auxiliary to Mgr. Rudolph de Landas, who had been dispatched to the U.S. from England (1914) to take charge of the scattered Old Catholic parishes here. The two bishops worked together until 1919, when Mgr. de Landas retired. On his death (1920), Mgr. Carfora succeeded him.

41. The mission grew to more than 85,000 in the U.S. and a million in Mexico by the time Mgr. Carfora died in 1958. He was succeeded by Mgr. Richard A. Marchenna, then bishop of Orange (auxiliary for New Jersey, New York & Pennsylvania), under whose care the Church continued during the turbulent 60's and 70's. He was succeeded in 1982 by Mgr. Derek Lang, bishop of Middleburg (vicar for Nicaragua).

#### Vicariate of Middleburg

42. The present vicariate was preceded by the mission instituted by Mgr. Carfora and expanded by Mgr. Marchenna in California. Its first parish was at St. Michael's Monastery (Bell Gardens) (1942-78) where about a thousand people were served by a most able rector, Fr. Louis Kraszity. The second, Trinity House (Marina del Rey), was added in 1965 and served about a hundred people. Fr. Derek Lang was its rector. Trinity House was translated to Los Angeles in 1969; where it continues to serve as the Old Catholic secretariat. Villa San Martin was added (1971).

43. From this base, attention was turned to Nicaragua, where an earthquake destroyed the capital (1972). After helping to meet some of the emergency needs, a hospital development project was taken on as a mission commitment (1973). A provisional clinic was put into operation and construction of the Louis Pasteur Hospital (La Esperanza) was begun (1975); this in the Caribbean coastal zone of Nicaragua. Completed in 1976, it is the only Catholic hospital in that country. St. Martin Seminary (La Esperanza) was added and a clinic-chapel-school complex was designed for a mission (1978) at Los Altos de Masaya.

44. Mgr. Marchenna determined that the need, level of organization and proven stability of the missions in California and Nicaragua warranted placing them under its own bishop. He informed Fr. Lang of his appointment (1977) and the consecration took place the following year at Montreal.

45. The two missions were formed into a single vicariate (1978) under the new bishop. It was not sufficiently developed to be organized as a diocese. Because neither Los Angeles nor Managua is considered a residential *see* city, and to give recognition to historical ties to Holland, the vicariate was named after the medieval diocese of Middleburg (1559-1854), the bishop's titular *see*. Presumably, when (and if) a diocesan configuration is justified in the future, Middleburg will be retained.

46. While serving communities in the U.S. and Central America, the vicariate's work in Nicaragua (most desperately needed) has been momentarily curtailed by the communist regime that installed itself there (1979). Its economic and material assets have grown to a value approximating a million dollars. It has done less well in developing new clerical vocations (partly due to high standards and partly to the occupation of the seminary by the communists). Efforts to correct this defect are presently being pursued in California. Between 1965 and 1982, more than 20,000 people (about five percent of whom are formally Old Catholic communicants) were served. There is guarded optimism about the future of the Old Catholic tradition in the Americas even though it has the essentials for growth and development.

#### An Anomalous Condition

47. There are any number of individuals who profess themselves to be Old Catholic. All clergy of the Old Catholic Church (in the western

hemisphere) have faculties from the archbishop of Utrecht or the bishop of Middleburg. Other churches in communion with the archbishop of Utrecht will have letters from him to that effect. As a matter of policy, the bishop of Middleburg does not issue letters of intercommunion, preferring to be guided by the archbishop in this matter. Canon law proscribes so-called independent clergy and bishops without canonical mandates.

#### Ecumenism

48. Old Catholics have been very active in ecumenism. The pivotal ecumenical question goes to the sufficiency of faith and order and not identity. This satisfied, one may be in communion with a sister church but not necessarily have the same customs, usages or emphases. Each properly retains its cultural and historical manners while holding in common the essentials of Christian doctrine under the rule laid down by St. Vincent of Lerins: Unity in what has been believed at all times, by all Christians, everywhere; tolerance in what is doubtful; and charity in all else.

#### Doctrine

49. *General.* - Old Catholics preserve the doctrines that had been promulgated as de fide up until the time that Rome ruptured relations (1713). The last council to which the Dutch bishops were invited was the Council of Trent (1545-63). Its decrees were promulgated (with annotations) in the province of Utrecht and, therefore, are considered still binding. First and second Vatican Council decrees are in suspensio pending a resolution of the counter-reformation issues.

50. *Papacy.* - It would be a great disservice to the truth to suggest that Old Catholics reject the papacy. This is neither historically accurate nor a proper statement of Old Catholic sentiment. As enunciated at the second provincial Synod of Utrecht (1763), Old Catholics have great veneration for the bishop of Rome as the primate of Christendom. Differences have to do with Rome's view of the papacy as monarchical in character and our view that it is unitive in character.

51. *Infallibility.* - Old Catholics affirm the infallibility of the Church in faith and morals but reject any infallible authority in questions of scientific, literary or historical fact. In a more subtle area, it is not accepted Old Catholic understanding that infallibility is a personal prerogative of the papal office. By this it is not implied that the Pope cannot infallibly address a doctrinal or moral question, he most certainly can - but, only when expressing the understanding of all the bishops, not just his alone.

#### Discipline

52. The Old Catholic Church has preserved traditional order and discipline. Since 1922, however, the option of a married clergy was restored in Europe though it has not generally been extended to the Americas. (While the Church has a defined office for women in the work of the Christian community, it distinguishes this office from the ordained order of deacon and it does not call women - as a matter of its own understanding and tradition - to the ordained clerical ranks).

53. The Oblates of St. Martin was suppressed (1978); there are presently no Old Catholic religious orders.

#### Liturgy

54. The Old Catholic Churches in different countries have slight variations in liturgical practice. In the United States, the Old Catholic Missal & Ritual (1909) is still used. It is commonly known as the Tridentine order of the Mass and may be recited in the vernacular or Latin. The minor clerical orders have been preserved.

#### Creeds

55. The Athanasian, Nicene and Apostles' creeds are basic to Old Catholic belief. Doctrine is more fully stated in the deposit of faith given by Christ to his Apostles and contained in Scripture and Tradition. They are defined by the successors of the Apostles, e.g., the collective episcopate, which includes but is not limited to the bishop of Rome.

#### Sacraments

56. There are seven sacraments. Baptism is performed by pouring of water and recitation of the appropriate words to cleanse from original sin. It is a condition of membership in the Church for adults as well as children. Old Catholics are called on to observe the moral commandments given by God as binding on all men, nurture and develop the Christian virtues, and observe the Church's instruction by attending Mass on Sundays and Holy Days, fast and abstain on appointed days, confess one's sins at least once a year, receive Holy Communion at Easter, and observe the regulations governing marriage.

#### Asundry Points

57. What is stated below pertains to the vicariate of Middleburg. Differing positions may exist in Europe.

a. *Church property.* - All Old Catholic church property is held by the corporation of the bishop, although nothing prevents its administration by the laity. The bishop is proscribed from having a personal estate.

b. *Church schools.* - Excepting St. Martin's Seminary at La Esperanza (transferred to Los Angeles) there are no Old Catholic parochial schools or institutions of higher learning in the western hemisphere. Each mission, chapel, or Mass station, is required to provide catechetical instruction. Candidates for ordination must complete their studies at the Old Catholic Seminary.

c. *Interfaith cooperation.* - The clergy and laity alike are encouraged to promote better understanding and cooperation between the various religious groups. The Old Catholic mission in America is not represented in the National Council of Churches because of its commitment to terrorist wars of national liberation.

d. *Ecumenism.* - Unity is to be achieved not by the concordats of bishops and theologians but by the laity when they believe the same



things, worship in essentially the same way, and resort to the same means of grace for their salvation. The bishops influence this through their teaching role; they also define what beliefs are held in their communities and, so, have a vital place in the ecumenical process. But, shorn of a commitment by the laity, ecumenism is a vacuous pursuit.

e. *Christians and Jews.* - The concept of the universal brotherhood of man is accepted by Old Catholics as a moral - if not practical - reality. The differences between Christians and Jews are not to be taken as a legitimate basis for casting this moral precept aside. At the same time, the differences are well worth keeping by both Christians and Jews.

f. *Abortion & Contraception.* - Legalized killing is not a morally sound solution to the problem of unwanted children any more than it is to that of unwanted adults. The argument that women somehow have a moral right to the control over their own bodies to the extent of aborting an unwanted pregnancy is absolute nonsense. They do have both a right and a duty, along with their spouses, to regulate the number of their children - before the fact, not after it.

g. *Sex.* - Sexual relations outside of the context of an intended permanent union remains morally, if not socially, wrong. Promiscuity degrades every human being; its devotees quickly become shallow caricatures of whole men and women lacking, as they do, a genuine capacity for intimacy.

h. *Divorce.* - Separation is the only morally licit solution to a marriage that has failed. Not all marriages are valid; there are a number of grounds for declaring what appears to be a marriage null from its inception. Valid marriages are indissoluble.

i. *Public funding of education.* - Whether conducted by civil or church authorities, the educational process should be supported by public funding. Public funds should not be applied to religious instruction, *per se*.

j. *Prayer in public schools.* - While government should not attempt to establish a state religion or promote one belief over another, it should not be compelled to establish or promote irreligion or atheism. Prayer should be encouraged in public institutions and the specific form of prayer should be determined by the local community.

k. *Race relations.* - A better understanding of racial and ethnic differences should be promoted at all levels of society, avoiding the pitfalls of over emphasizing the similarities as well as differences between us.

l. *Equality.* - Objectively, every human being enjoys moral equality with every other human being and should enjoy legal equality in all states. This objective equality should not, however, be misapplied to the cause of rendering the social, economic, intellectual, cultural, or physical disparities that account for our individuality meaningless.

m. *Liberation theology.* - The greatest heresy of the 20th. Century is that which is called liberation theology, where the objective is no longer to liberate man from sin but is now to liberate him from socio-economic disadvantage, usually by violence and revolution. It is defective in that it has a materialistic core and approves achieving its ends by immoral means. It is a present-day expression of moral laxity.

n. *Social justice.* - There can be no true justice without a morally correct base. Much of what is represented today as social justice is, in this respect, defective and should be approached with great caution.

o. *United Nations.* - Its failure to live up to its own purposes and the great harm that it has inflicted on so many nations calls for its improvement, not its destruction.

#### Social Doctrine

58. The Church is committed to allocating its resources to the improvement of the moral and physical quality of life among those served by its missions. Its motives are religious and its concern for the material needs of man arise from that religious commitment and not from amorphous humanistic feelings.

59. Its social doctrine calls for a deepened awareness that respect for the dignity, the rights, and the liberties of man are a basic and essential condition to human development, both materially and spiritually.

60. By divine law, human dignity is an attribute which neither an individual himself nor any other person may denigrate with moral impunity since its origin is man's creation in the image and likeness of God and because its recognition is enjoined upon us, quite specifically, in the Great Commandment.

61. By human law, the rights that are attributed to man by society are a function of the level of civilization attained by that society in time and place.

62. By natural law, the extent to which individual liberties are enjoyed is contingent on the ability and/or willingness of the individual to fulfill freedom's concomitant responsibilities.

63. The social doctrine of the Church must always be understood in terms of the spiritual ends of man and not merely his transitory material needs. It is in this context that, while working to alleviate human suffering, the Church also sees beyond it.

#### Comments on Roman Catholic Relations

64. Old Catholic bishops, clergy and laity did not separate themselves from the Roman communion. Most Clementine scholars agree that there was no real theological or canonical justification for the juridical separation effected by Rome.

65. Some canonists count Old Catholics as having been only juridically isolated but not morally separated. This principle was upheld

by both Roman and Old Catholic ecumenists in the United States in the late 1960's. Never-the-less, it would be less than honest to suggest that Old Catholics are not to be distinguished from today's Roman Catholics. Rome has moved a long way from where it was in 1713. The reconciliation of the original and now the added differences is not easy.

66. Never-the-less, sacramental intercommunion and interparochial co-operation was (with the consent of the Roman Pontiff) encouraged by the two archbishops of Utrecht, who initiated a new era of moral unity at a concelbrated Mass at St. Gertrude's (Old Catholic) Cathedral, Utrecht in 1967.

67. Local bishops of both communions have the right (but not yet a duty) to implement this example.

68. Roman communicants may receive the Sacraments in Old Catholic parishes where a moral or physical necessity and a spiritual benefit recommend it.

### *Apostolic Succession*

(1665 - 1978)

*Note. - Rheims and Utrecht are metropolitan sees and their occupants are archbishops; all others included in the succession are bishops.*

<i>Antonio Cardinal Barberini (Rheims)</i>	1665
<i>Charles Le Tellier (Rheims)</i>	1668
<i>James Bossuet (Meaux)</i>	1670
<i>James de Maignon (Condom)</i>	1693
<i>Dominic Varlet (Ascalon)</i>	1719
<i>Peter Meindaerts (Utrecht)</i>	1739
<i>John van Stiphout (Haarlem)</i>	1745
<i>Walter van Nieuwenhuisen (Utrecht)</i>	1768
<i>Adrian Broeckman (Haarlem)</i>	1778
<i>John van Rhijn (Utrecht)</i>	1797
<i>Gisbert de Jong (Deventer)</i>	1805
<i>Willibrord van Os (Utrecht)</i>	1814
<i>John Bon (Haarlem)</i>	1819
<i>John van Santen (Utrecht)</i>	1825
<i>Herman Heijkamp (Deventer)</i>	1854
<i>Gaspard Rinkel (Haarlem)</i>	1873
<i>Gerard Gul (Utrecht)</i>	1892
<i>Arnold Mathew (England)</i>	1908
<i>Rudolph de Landas (Scotland)</i>	1913
<i>Garmel Garfora (Canada)</i>	1916
<i>Richard Marchenna (Orange)</i>	1935
<i>Derek Bang (Middleburg)</i>	1978

Official Text

### **Constitution of the Bishop of Middleburg**

**Article 1. - The Constitution of the Bishop of Middleburg, formulated at Minden, Westfalia, Federal Republic of Germany on November 11th. 1977, which says:**

**CANON I. -** The bishopric of Middleburg, hereinbelow reconstituted, shall be the ecclesiastical jurisdiction of the bishop of Middleburg.

**CANON II. -** The purpose for which the vicariate is reconstituted are religious and evangelical. It shall exist for: (a) the development of the spiritual life of those who come within its competence and jurisdiction through service to the community by the teaching of the Gospel, the administration of the Sacraments, the building up of the Church, and the guidance of the faithful in their worldly pilgrimage; (b) the showing forth in outward and visible signs the fruits of the spiritual life in works of love, mercy and charity in cooperation with the whole Christian community; and (c) the preservation of the Old Catholic tradition within that community.

**CANON III. -** The secular works of the vicariate shall consist of those things that are fitting and proper to its ends, accomplished in such a way as to enhance the dignity of those who are the subjects of its works.

**CANON IV. -** The vicariate shall be governed according to the common law of the Church and the ordinances of the province of Utrecht, *mutatis mutandis*, and the regulations of the bishop of Middleburg.

**CANON V. -** The vicariate shall be construed to be continuous with the medieval diocese of Middleburg in the province of Utrecht erected by the bull *Super universas* of May 12, 1559; occupied by Nicolas a Castro (1562-1573), John van Streyn (1581-1594) and Charles Rodoan (1600-1616); and suppressed by the bull *Ex qua die* of March 4, 1853; now reconstituted (*Actae Marianapolitani* (1978)) as a titular see with the specific canonical *missio* to serve the faithful who, from conscience or necessity, have recourse to the bishop and his clergy and who, of their own accord, ask for their ministry.

**CANON VI. -** The abandonment of the title of bishop of Middleburg by any incumbent shall ipso facto render the see vacant, but the translation of the see from one locality to another shall not have a similar effect.

**CANON VII. -** In the event of a vacancy, the see shall be governed *nihil innovetur* by an administrator (vicar capitular) appointed beforehand by the incumbent, or, in its absence, by the Chapter of St. Martin. The administrator shall convene a formal session of the chapter of St. Martin within ninety days and shall postulate a successor to the archbishop of Utrecht, who alone shall have the right to determine whether the bishop-postulant has the canonical requisites for consecration.

**CANON VIII. -** The clergy and laity in communion with the bishop of Middleburg, as the bishop himself, shall be bound by the doctrinal and



disciplinary terms of the 1889 Declaration of Utrecht as adopted by the resolutions of the 1871 Old Catholic congress.

**CANON IX.** - The houses and institutions of the vicariate shall be exempted from the jurisdiction of all local Ordinaries regardless of territorial boundaries to the extent necessary to safeguard the provision of c.II, above. In the event that higher authority shall be unable or unwilling to exercise its canonical or constitutional prerogatives, its tacit consent shall be presumed.

**CANON X.** - The chartering of subsidiary organizations, the incardination of clerics, and the expropriation of church property shall be reserved exclusively to the bishop of Middleburg and the tacit consent provision of c.IX shall not obtain in such matters.

**CANON XI.** - Church property of all kinds shall be held in the name of the corporation of the bishop of Middleburg, though this shall not proscribe the administration of such property by the lesser clergy or the laity.

**CANON XII.** - The vicariate shall be perpetually bound to the decent care and maintenance of the incardinated clergy who are living in accordance with the common law of the Church and the regulations of the bishop of Middleburg.

**CANON XIII.** - The bishop of Middleburg shall not have a personal estate; everything that may be in his name as an individual shall be construed as being of the Church's estate and, therefore, belonging to the corporation of the bishop of Middleburg.

**CANON XIV.** - The civil articles of incorporation shall be the Articles of Incorporation filed and endorsed by the Secretary of State of the State of California on March 17, 1965, as revised on September 26, 1979, under the title: *Bishop of Middleburg, A Corporation Sole*.

**CANON XV.** - The bishop of Middleburg shall be specifically empowered to institute and charter subsidiary organizations, define their purposes, and establish their method of functioning but this power shall be limited to the overall purposes of the bishopric as set forth in c.II, above.

**CANON XVI.** - The ordinands and incardinees of the bishopric of Middleburg shall be required, prior to ordination or incardination, to make an unfeigned profession of fidelity to these Constitutions and of obedience to the bishop of Middleburg.

**CANON XVII.** - The vicariate shall be identified within the Christian community as part of the Dutch tradition of the Catholic Church, now commonly denominated *Old Catholic*.

**CANON XVIII.** - The seal of the vicariate shall be: gules a medieval tower or, surmounted with a precious mitre; that of the communion, gules a cross fleury argent, surmounted with a precious mitre.

**CANON XIX.** - The vicariate shall be perpetually bound to preserve within its structure a subsidiary organization known as the Society of St.

Martin, which may be opened to laymen as well as clerics.

**CANON XX.** - The missions and institutions of the congregation (of the Oblates) of St. Martin of Tours shall, upon the first promulgation of this Constitution become the missions and institutions of the bishop of Middleburg.

**is now and herewith approved, ratified and promulgated by this Episcopal Synod, with the proviso that the bishopric thus reinstituted may extend ad libitum beyond the geographical limits of North America in its mission.**

**Article 2.** - **The congregation of the Oblates of St. Martin of Tours is now and herewith suppressed.**

*Montreal, Quebec, Canada, July 4, 1978.*

† Richard A. Marchenna  
*President of the Synod*

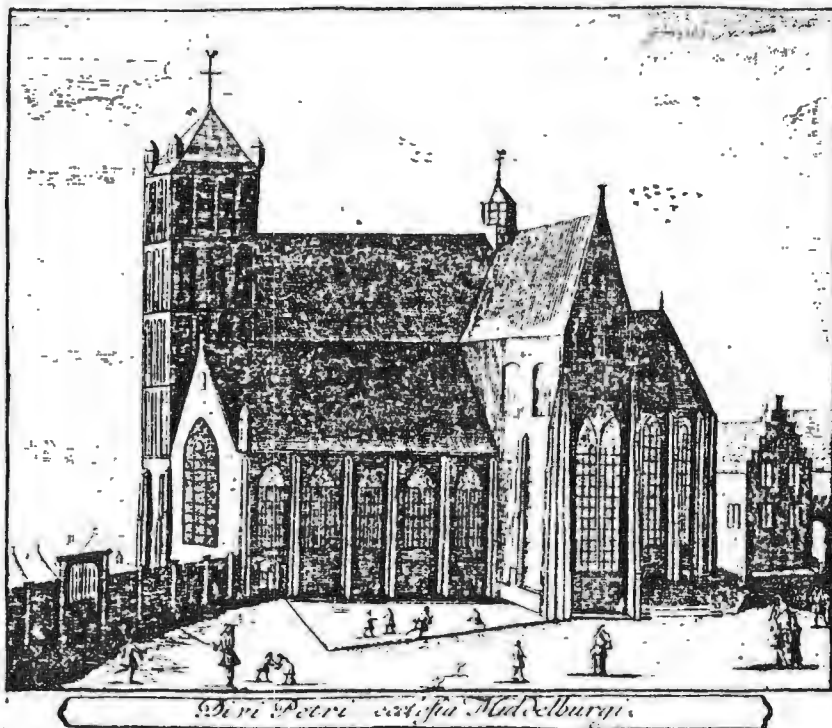
† Derek Lang  
*Bishop of Middleburg*

Henry A. Herfel, Jr.  
*Secretary of the Synod*

#### Organization

69. In 1908, the archbishop of Utrecht sent a regional bishop to Great Britain and he, in turn, dispatched a bishop to the United States, from whom comes the canonical *missio* of the three American regional bishops who succeeded him. The western hemisphere remains a mission territory, not a diocese. In Roman jurisdictions, such a territory is called a vicariate apostolic; in Old Catholic jurisdictions it may be referred to as a vicariate. As with all missions, original jurisdiction over them remains with the prelate who initiates them. In 1925, *per ius devolutionem*, original jurisdiction over the American mission reverted (from the English bishop) to the archbishop of Utrecht, although he has not deemed it necessary or desirable to exercise that authority in the preceeding 68 years.

70. The civil corporation of the Bishop of Middleburg was created under the laws of the State of California in 1965 (revised 1979) and is recognized under appropriate federal and state statutes as the juridical personage of the Church. The state does not pass laws governing the church but it's courts do enforce the Church's laws. The administrative office of the bishop is called his secretariat. The bishop's chapter is his senate, *sede plena*. (It governs the bishopric, *sede vacante*). The bishop's jurisdiction, the vicariate, is divided into missions and mission stations. It is governed by the Code of Canon Law, *mutatis mutandi*, the episcopal Constitution and the regulations of the bishop in ordinary circumstances, and by the archbishop of Utrecht in extraordinary circumstances.



## Vicariate of Middleburg

### The Most Reverend Derek Bang

*Bishop of Middleburg*

Born March 16, 1931 at Camden, New Jersey; Educated at Fremont College, California State University, University of California, St. Alban's Seminary, (Los Angeles, California); Bishop's Tutorial; Ordained priest of the Oblates of St. Martin of Tours, July 22, 1965 (Mgr. R. A. Marchenna); Served - Rector, Old Catholic Mission (Los Angeles) 1965-74, Rector, Old Catholic Mission (La Esperanza) 1974-78; Consecrated titular bishop of Middleburg, July 4, 1978 (Mgr. R. A. Marchenna); Appointed Vicar-Ordinary for Nicaragua, 1978-82; Succeeded as regional bishop for America, 1982.

### Chapter of St. Martin

Dr. Charles Aratow

Ing. Carl A. Thomason

Lic. Roy Padgett

### Old Catholic Secretariat

Mr. Jaime A. Lopez  
Secretary to the Bishop

Sanford R. Demain, Esq.  
Chancellor

## Mission Boards

Trinity House  
(1965-1969)

Dr. Arthur Aratow  
Sanford R. Demain, Esq.  
Dr. David P. Frelinger  
Mrs. Rosemarie McMillian

Dr. Charles Aratow  
Mrs. Cecelia Dennis  
Mr. & Mrs. Willis Gooden  
Msgr. Richard A. Marchenna

Aid to Nicaraguan Youth  
(1973-1974)

Mrs. Ercilia Aguilar  
Dr. Charles Aratow  
Mr. Armando Castillo  
Mr. Sergio Castillo  
Mr. Robert D. Fendley  
Mr. Edgar P. Savarrete  
Mr. Jose Miguel Laguna  
Mr. Pat E. McGorquodale  
Mr. Norland Koguera  
Ing. William Pena  
Mr. Felix Roman

Mr. Marcos Monzo  
Mr. William Binkley  
Mr. Guillebaldo Castillo  
Mrs. Cecelia Dennis  
Mr. Christopher Germinara  
Mr. Raul Savarrete  
Mrs. Sara Lara  
Miss Blanca Karvaez  
Mr. Juan Francisco Olivares  
Mr. Jorge A. Robleto  
Mr. Herman Sandino

Mr. Antonio Toruno  
Hospital Louis Pasteur  
(1973-1979)

Dr. Arthur Aratow  
Dr. Clifford de Benedetti  
Dr. Ann Camarrano  
Dr. Antonio Canton Beer  
Dr. Keith M. Goverdale  
Mr. & Mrs. Leo Fernandez  
Mr. Howard B. Morrow  
Hon. Pablo Rener Valle

Dr. Charles Aratow  
Mrs. Juana Cajina de Peters  
Dr. Louis J. Campbell  
Dr. Danilo M. Colindres  
Mr. Robert D. Fendley  
Dr. William Justus  
Hon. Remy J. Rener Amador  
Dr. Edgar Solano Luna

Refugee Assistance  
(1982-1983)

Mr. Lionel Sutilierrez

Mr. Moises Kontorowsky

## Old Catholic Facilities

Mission at Los Angeles  
2103 South Portland Street  
Los Angeles, California 90007  
(213) 748-7770

Mission at La Esperanza  
Km. 284 Carretera al Rama  
La Esperanza, Zelaya, Nicaragua  
(Rama) 33





*Monsignor Gerardus Gul*  
(1882-1964)



*Monsignor Carmel Gasper*  
(1916-1958)



*Monsignor Arnold Matheis*  
(1898-1978)



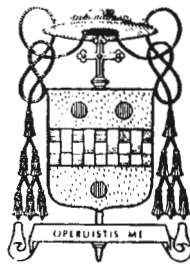
*Monsignor Richard Marchenna*  
(1935-1982)



*Monsignor Rudolph de Landas*  
(1918-1964)



*Monsignor Derek Long*  
(1978 )



THE MOST REVEREND DEREK LANG

Bishop of Middleburg

TO THE PEOPLE OF NICARAGUA

**ON PEACE AND JUSTICE**

Our tradition in the Catholic Church is now two hundred seventy years old. It comes from a small country known around the world for its windmills and flowers, Holland. The Old Catholic tradition teaches as a moral imperative that one's obedience is owed to a good and informed conscience -- this, in accordance with your dignity as a child of God. For this reason one cannot get around, falsify, ignore or evade a good and informed conscience in deference to some external "authority." One cannot go contrary to a good and informed conscience with moral impunity.

In these times, however, we observe various abuses of the discipline of conscience; exaggerations and distortions. Evil, as well as good, is being justified through appeals to conscience. It is our duty to speak out on this with clarity and to expose the most notorious of the abuses.

There are among us both clergy and laymen who come in the name of peace and justice, others in the name of liberation, and they foment violence in the streets and revolution throughout the countryside. Such agitation has already resulted in the deaths of countless innocents, in social disorder, in profound fear, and in even more injustice for rich and poor alike.

Those who work for the disorganization of society, whether by active or passive aggression, whether by acts of commission or omission, whether directly or indirectly, are objectively guilty of grave sin. We, of the tradition of conscience, cannot correlate the killing of innocent people, of anarchy, of terrorism, or defamation with the life of Christ or through any legitimate use of a good and informed conscience.

Our Lord gave His life for us out of His love for us; that we might have eternal life with Him. He did not go out in the streets killing people, nor did he teach others to do so.

In their anxiety to correct all of the social ills and injustices of the world, the laymen and clergy considered here have virtually swept Christ right out the front door of Christian civilization.

Peace and justice do not come from violence. They develop from the relations between yourselves and your families and neighbors. You bring them to whole communities and to the nations. They evolve from behavior and an attitude that is animated by the love of Christ.

If you do not find peace and justice at the highest, most powerful levels of society, then you must make greater efforts to live lives that are more peaceful and more just; raising your suffering at the hands of those who are deficient in the Christian virtues and commitment to our Lord, Jesus Christ, to God.

The Church has an obligation which it shares with all the members of the mystical Body of Christ, not only to defend the Church itself but, also, the civil government from corruption and subversion by those who would replace peace with violence and order with chaos, which we condemn. We must strive after peace and tranquility throughout the nation by giving moral defense and authentic loyalty to constitutional government ordained of God. Render unto Caesar the things that are Caesar's and unto God the things that are God's.

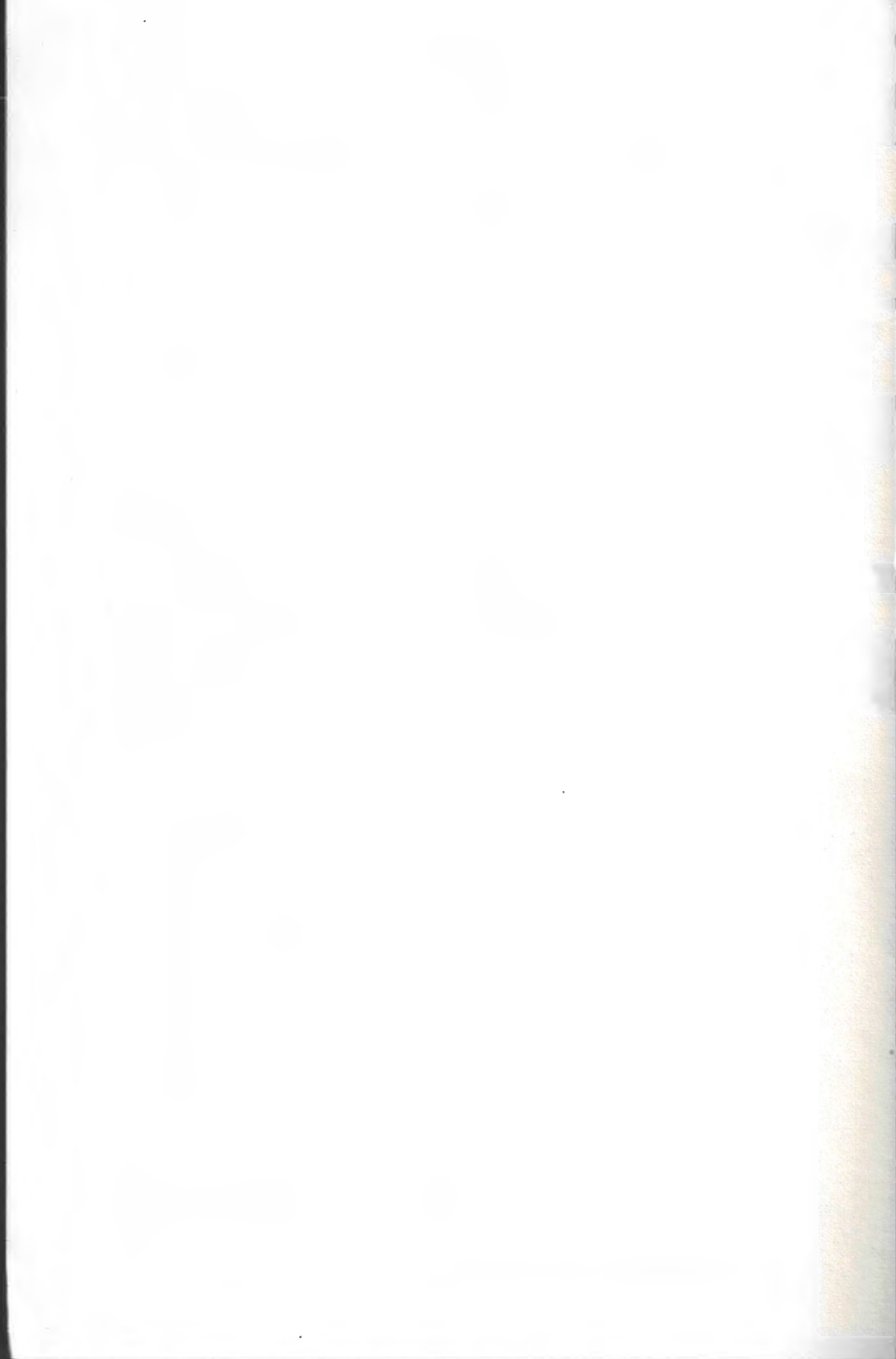
We urge the faithful not to abandon the true teachings of the Church, the Bible and ancient tradition. Is it really necessary to say

**Do not fight in the streets; do not kill innocent people; do not help those who would destroy the very fabric of civilization. Work, rather, in peace — within the social structure for the realization of the human potential, not for its destruction.**

LA ESPERANZA, NICARAGUA, July 8, 1978.

A handwritten signature in black ink, featuring a stylized cross on the left and a cursive name on the right.

BISHOP OF MIDDLEBURG



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Statement of the

THE MOST REVEREND DEREK LANG  
Bishop of Middleburg  
(La Esperanza, Nicaragua)

ON THE CHURCH AND REVOLUTION

to the

WHITE HOUSE  
OUTREACH WORKING GROUP ON  
CENTRAL AMERICA

While the focus of these remarks is Nicaragua, you are encouraged to understand that Nicaragua is the Central American region and, indeed, a large part of the western hemisphere in microcosm. In this light, I suggest that the subject matter presented here has a certain quality of urgency about it, at least, for those who value freedom.

I propose that the scenario of Communist adventurism in America (1977-79) included such protagonists as the Soviet Union (acting through its Cuban surrogate which, in turn, acted by proxy through "Sandinista" malcontents); the "liberation theology" movement of the Catholic Church (especially strong in the Maryknoll, Jesuit and Capuchin foundations); and the United States (under the administration of James Carter); all moving in concert against the Government of Nicaragua (headed by the late Anastasio Somoza). Nicaragua was probably targetted by the Communist hierarchy because of its having committed itself to the ill-fated military overthrow of the Castro regime in Cuba. President Somoza was more than likely targetted by the Church hierarchy because of petty personal animosities which arose between himself and the archbishop of Managua, Msgr. Miguel Obando y Bravo, after the (1972) earthquake. As one penetrates the veneer, a more sinister case may be made against some of the bishops. The basis of President Carter's role is more elusive, never having been satisfactorily explained in terms of the human rights violations charged against the Nicaraguan government.

There are many who tar this scenario with the brush of ultra-conservative bias; preferring that the world see the events in Nicaragua as anything other than an "east-west" political and "lexist-rigorist" religious contest. The case against my view tends to be supported by a paradox that I cannot easily resolve: the formulation proposed here occasions the conclusion that for a brief moment in history, the United States was actually on the side of the Soviet Union - aiding and abetting Communist expansion. My opponents urge that this is an illogical conclusion and, therefore, that my analysis must be, if not altogether vacuous, then at least simplistic. They propose that what happened in Nicaragua arose solely from the efforts of the poor to free themselves from a corrupt and repressive government, Communism being no more than opportunistic. I believe, sincerely, that such a construction

is inadequate and in large measure a deception.

I base my view on personal experience in Nicaragua (1974-1979), where I served as head of our Church's medical mission in the Costa Atlantica and after 1978 as missionary bishop for that country.

It wasn't long after arriving in Nicaragua (1974) that opposition to the civil government of President Somoza was expressed by a few missionary colleagues. It seemed strange that foreign nationals (as we were), working as guests in a friendly country, should be so opinionated about political issues not of particular concern to the local population! As time went on, the depth and intensity of the American feeling became more apparent, though it seemed (in terms of my own limited experiences with the government) ill founded. As someone new to the area, I gave the good Fathers the benefit of the doubt. Assuming, "Well, maybe they know what they are talking about." But not being entirely convinced, I also began noting the character of their missionary commitment as well as that of the government of which they objected so forcefully.

Both observations were instructive. The social, economic and political development problems of the country were enormous; their full extent can hardly be imagined by those who have not lived and worked there for a period of time. Progress was painfully slow. But, there was progress, and it was being made by the Somoza government. During five years, I witnessed, in the jungle rainforest of Rama, electrification, telecommunications, port development, a hundred new rural schools, two major industrial installations, the building of access roads, and many similarly unglamorous but essential steps forward in the development of an infrastructure for civilization. It must be fairly stated that the Somoza government gave every encouragement to the development of our own mission, which included a hospital and seminary (completed) and college and museum (approved for completion).

I do not believe that any good purpose is served by faulting the government for what had yet to be done and not taking into account what it had accomplished. If one concedes the legitimacy of transforming a wilderness culture in the first place, one must accept that it is a slow process. Those who are impatient or seek magical cures are foredoomed to frustration and discontent.

In these terms, I severely criticize the Capuchin Fathers at the nearby San Ysidro parish. Indeed, I have no small amount of difficulty in correlating their activities with a legitimate Christian ministry.

Among other things, they published and/or distributed two series, one was called "Cristo Campesino;" the other "Juan Campesino. In the words of one of the Capuchin priests: "This is powerful stuff." Indeed, it was. Imagine receiving from your own local Church a home made cartoon booklet in which: The president of the country is depicted as a piggish sort of fellow, with a huge diamond stick-pin in his tie and dollar

signs all over his suit; he is surrounded by symbols of a highly developed, industrialized country (the evil United States); and, there you are, an emaciated, skin-and-bones campesino, surrounded by dejected, impoverished family members; finally, a crowd of campesinos with angry expressions and machetes raised over their heads. The story line was simple: "The wealthy have all that they possess from exploiting the poor. You are the poor. You need only to rise up and take (the machetes imply "by force") what already belongs to you."

This same kind of ministry was seen in after-Mass discussion groups (of campesinos) led by the missionaries and laymen. Here, they used film strips to contrast the worlds of the developed and the developing nations, to drive the same message home: "the rich versus the poor; you are poor and exploited; take from them what is yours."

This program is called "conscientization." Its purpose (and, if not its purpose, then, its effect) is to produce disaffection not only for the political system but also the social and economic systems prevalent in the country. It appeals to the human tendency toward envy and classism: the "they" and "us" distinction incessantly being made; having as its direct object the fomenting of class hatred and class struggle (i.e., armed revolution). Christ is redefined in all of this as a "brother-worker," as a "revolutionary," and as a politician. Even the Mass (Misa campesino) becomes a revolutionary celebration. All of this is nothing more or less than sedition against the government.

In the United States, where the democratic process is well developed, we are very tolerant of sedition. Here, the logical consequence of public disaffection with political leaders is seen in election returns. Americans tend, thus, to be oblivious to the impact of sedition in a country like Nicaragua, where the proximate result of disaffection is, historically, armed revolt and insurgency.

But, sedition is not the extent of the misconduct. I noted examples of what I call outright subversion in 1975. The good fathers presented to the government of Nicaragua and the U.S. embassy what came to be known as the "Capuchin Lists" - ostensibly of people who had disappeared from their communities at the hands of a heavy handed National Guard. When asked to see the evidence to back up their claims, they admitted, "There is none." By 1976 they proceeded to be more aggressive and publically charged that a now "genocidal" National Guard had "exterminated" all the inhabitants of three villages in northern Zelaya. They took this story directly to the U.S. Congress, which suspended aid to Nicaragua pending an investigation.

My own inquiry into the matter revealed that, yes, the National Guard had been sent to the villages in question. It was at the beginning of the rainy season in the summer of 1975, when stream beds were built up with dry brush and huge amounts of debris resulting in serious flood danger to nearby

villages. Under its "civic action" program, the Guard was under orders to "evacuate" the inhabitants. They did so and later, when the flooding subsided, the people went back to their villages. The substitution by the Capuchins of the word "exterminate" for the word "evacuate" cannot escape notice.

It was, and remains, my perception that these clergy and religious were deeply involved in subversive efforts to mobilize a peaceful people to an armed insurgency against the government. By any traditional standards, they served not the religious needs of the peasants but the revolutionary cause of the Sandinista guerrillas. I simply can not understand this. Many of them believe sincerely that this sort of political activism (even that which has a seditious and, in some instances, a subversive character) is part of a Christian ministry. It is precisely their sincerity in, and the strength of their commitment to, such errant beliefs that makes them so dangerous.

My protest to the Papal Nuncio was circulated to the clergy in the Costa Atlantica on July 12, 1978. It expressed my concern about "... the Capuchin missionaries in Nicaragua, who have been preaching 'liberation theology' for seven years and who have placed 'delegados,' the equivalent of Communist cell leaders, in all of the key jungle areas to day by day indoctrinate the peasants." My language was quite understandably complained about by the missionaries at San Ysidro's, but I still believe it was well chosen.

Having now gotten the drift of the *modus operandi* of the revolutionary clergy, I began making inquiries of the 15,000 people attended at our mission at La Esperanza. I found no evidence of inexplicable "disappearances" or of "seething resentment" against, much less "widespread abuse" by, the National Guard. As regards the latter, I specifically analyzed our own hospital files. They revealed two cases of National Guard involvement with civilians: one patient had been wounded and another had been battered by Guardsmen. Both had been transported to the hospital by a National Guard officer, who requested that medical attention be provided. In the first case, there was a murder warrant outstanding for the individual and he was shot while attempting to escape capture. He rather light-heartedly told us that this was "all part of the game." The second patient had been a prisoner in the local jail (his offense escapes me). A Guardsman was on duty, was drunk, and without provocation, assaulted the prisoner. The patient was treated and discharged. The offender was disciplined by his commander. I found not even hints of the kinds of things complained about by my missionary colleagues ... and this during a period of five years.

There may have been abuses by individual members of the National Guard; they were not, by and large, the most professional people in the world. But, they were - if they existed - isolated events and certainly not reflective of the policy of the military establishment in general.

There are two obstacles to a fair assessment of this sort



or thing by those living thousands of space miles and more than a cultural century apart. First, just as life in Washington differs from life in the rainforest of Nicaragua, so do the perspectives of the people. One does a great disservice to a distant community when one "presumes" that the same standards and values apply in both places. In point, Washingtonians may tend to agree that "authoritarian" governments are somehow "bad." True, most Washingtonians would not feel particularly comfortable under such a system. Yet, as you get a better understanding of the Central America, you begin to see that what we value and are accustomed to and, therefore, the norms that we take for granted often have little utility or meaning to them. They might feel very insecure with a "loose" system such as ours. This cultural disparity can be frustrating, as our own foreign service personnel know. Believing that the people are (or ought to be) behaving and thinking according to values we project on them, their following a different course brings some to the conclusion that they "can't do anything right!" Well, they can do things right but according to their priorities, not ours. But, more important than perceptive cultural bias is this: "Assuming that it does you no harm, are you willing to recognize the validity of the other person's preference even if it is for what you would not choose for yourself?" I wonder if we have a right to expect them to live life by the rules that we hold dear or even as "essential" for ourselves.

Secondly, sheer distance necessitates that a Washingtonian rely on what apparently "responsible" observers report. They often get a very biased view. [My own is not without certain built-in conservative prejudices]. It seems useful, if not essential, then, to look for and take into consideration the political biases of those who urge that they are representing "the truth." It is the truth as that individual sees it with all of his built-in biases; it may or may not have a relation to the real world in which we live. In this sense, it would have been helpful had the Congress more carefully evaluated the accounts by American missionaries of the so-called National Guard atrocities in light of: a) seditious and subversive activities of the clerics described previously; b) their demand for "a new social order" and the resignation of the president under absurd conditions; c) their certification of the Sandinista insurgents as being "patriotic" and the insurgency as having "juridical and moral legitimacy;" d) their conversion of parish churches and schools into munitions depots for the insurgents; and e) their actual taking-up of arms against the government. Had this been done, perhaps there would have been less of a tendency to uncritically accept unsubstantiated, and often fictitious, reports. Congress was not disposed to be very analytical and what has happened to Nicaragua is now a matter of record.

In 1979, the head of state understood both cultures very well and understood with great clarity what was taking place in Nicaragua. President Somoza contided, on the one hand - with a certain amount of justified sarcasm, that "I am a Catholic but these bishops are trying to make an atheist out of me;" and on the other - his blind commitment to the Church

and to the United States. Despite contrary urging, he refused to act against clerical subversion without which the Sandinistas could not have succeeded. It cost him his life and the Nicaraguan people their freedom.

Ironically, the seven bishops who helped to manipulate Nicaraguan and U.S. public opinion against the legitimate government complained (in their 1979 pastoral letter) that they were being branded as subversive. They could have been duplicitous but, more probably, just ignorant of the seditious character of what they and their priests were doing.

While still in Nicaragua, it was interesting to me that after a year's absence, one of the principal priest offenders suddenly returned to Rama after the area fell behind Sandinista lines. Some of the young people came to me, proudly showing what the Father had given them: a plastic bag containing a new pencil, a sheaf of blank note paper, and a mimeographed lecture outline. As I examined it, they excitedly said, "Father is back and is going to teach us." What was the subject matter ... Catechism? Unfortunately, no. The title of the material was "The Economic Systems of the Third World Nations."

But even now, four and a half years later and in the United States, the subtle deceptiveness of some religious orders is in evidence. As you are probably aware, the Sandinista regime gave the world notice on December 21st, of the "kidnapping" of the vicar apostolic of Bluefields, Monsignor Salvador Schlaefter. The anti-Sandinista MISURA freedom fighters were blamed for the kidnapping. The announcement was followed by conflicting stories on the 22nd., some saying that they had murdered the bishop. As is presently known, Monsignor Schlaefter crossed the Nicaragua-Honduras border in the early morning of December 23rd. He was interviewed by State Department officials and interviewed by the press at the Nunciature in Teguchigalpa, saying that he voluntarily led three thousand Miskito indians to refuge in Honduras and, after a rest, would return to Nicaragua. On the 24th., thirty six hours after the bishop's safe arrival in Honduras and explanation, which version of the story do you think the Detroit headquarters of his order gave us: the discredited Sandinista version or his own public statement? "Didn't you know that Bishop Schlaefter was kidnapped?" they responded.

The role of the clergy in Nicaragua's betrayal has become more evident to the public since 1979. But the focus has been on those in high profile, Frs. Cardenal, D'Escoto, Parrales, and others in the Sandinista government. [The purpose of all this, from the Sandinista point of view, was to lull the nominally Catholic population into believing that the revolution was sanctioned by the whole Church. When the Sandinistas' power was more consolidated and the need for this "front" of respectability lessened; when the true character of the revolution became more widely known; and when the bishops belatedly started complaining about the Marxist-Leninist indoctrination of the children and the emergence of schismatic "peoples' churches," the Church itself became the object of



repression]. What about those who have remained in low profile; who continue to work for the destructive ends of the insurgents, in Nicaragua and elsewhere? The involvement of the Church in revolution has become a standard part of today's guerrilla warfare. Regrettably, members of the Church - if not knowingly and wilfully participating - are too often manipulated to serve these nefarious ends.

We are properly alerted to such a disposition when the call for "Peace" condemns legitimate self-defense by a nation under armed communist attack and, at the same time, condones and encourages the violence, terrorism and subversion carried out by hostile insurgents; when one's concept of "Justice" is built on the materialistic notion that if there were no economic disparities in the world then both peace and justice would reign; when one expounds the heresy that justice is to be achieved through violence (class struggle) and totalitarianism (imposition of a classless society); when "Peace & Justice" become nothing more than slogans for socialist revolutionary philosophy and the errors of liberation theology.

These deviant practices are limited to a small percentage of the clergy. Not even all of the clergy within the same religious order follow the same path. But, we must recognize, it is a percentage whose influence far exceeds its numerical strength. They are not only organizing seminaries in which to train revolutionary priests for all of Central America but also themselves establishing a virtually schismatic "Peoples' Church," which will in a short time further confuse and divide the people of the region.

I am appalled at the reluctance of the some bishops to act decisively against such clerics and religious! It is not unlike a plague that will soon engulf all of Central and Latin America; destructive to the very fabric of Christian civilization.

These are some of the realities of the situation in Nicaragua. They are ongoing in other Central American countries as you sit here today.

Let me turn to El Salvador and say that I am appalled by the rape and murder of any human being ... such behavior is unconscionable in a civilized society. That is one issue about which there is no disagreement. It is, unfortunately, the only issue that is being focused on in the case of four missionaries who met their deaths in El Salvador.

The case rather reminds me of that of Edith Cavell, a Belgian nurse, who was executed by a German firing squad during World War I. In that era, there was at least a pretense of civility and honor in war. Yet, world opinion turned against the Germans when they sent this symbol of nobility and humanitarianism to the wall. What everyone was apparently more than willing to overlook was the fact that nurse Cavell stepped outside of her humanitarian role and plotted, and succeeded in effecting, the escape of allied

prisoners of war. She used her humanitarian role as a nurse to cover her partisan activities during time of war. In this latter endeavour, she had no rightful claim to the respect and privileged status of a neutral. Returning to the case of the missionaries in El Salvador sixty five years later: there is less civility in war, certainly the guerrilla style knows no honor. Yet, aside from the reprehensible way that they met their deaths, there are many unanswered questions as to whether they were, in fact, politically neutral and serving a religious-humanitarian mission or whether they were (as some reports have it) partisan revolutionaries serving as couriers between the insurgents' headquarters in Managua and the guerrilla camps in El Salvador. If the latter is the case, they certainly had no claim to special consideration and possibly merited execution, although probably not without legal proceedings and certainly not in the manner that Maryknoll accounts (if correct) describe.

It is truly lamentable that there are so many clergy and religious who see nothing at all wrong with claiming, on the one hand, special respect and privilege, and on the other hand, abusing that respect and privilege by actions that bring discredit to themselves and the Church.

The Holy Father long ago pronounced against the "liberation theology" that motivates this new breed of revolutionaries; he has pronounced against clerical involvement in politics, reaffirming that the role of the Church is religious and ethical, not political and social. While several of the bishops who supported the Sandinista revolution are now, very belatedly, opposing it (and I am always pleased to see any sign of return to traditional Catholicism by those who have strayed) I cannot help but wonder, what have they to say to the thousands of men who served honorably, to the death, in the armed forces of their country; to those who defended it and its people against the Communist insurgency installed there now? Can they say "We were faithful to you?"

I have chosen as a backdrop to this presentation a photograph that was produced by the Sandinista insurgents and published at their behest on the first anniversary of their seizure of power. In the language of my 1978 pastoral letter to the Nicaraguan people: Do you really have to be told that this is fundamentally wrong! I suspect not. I suspect that deep down inside, each of you knows very well that terrorism and insurgency are wrong and sinful! Human development problems simply cannot be resolved by anarchy and immorality! To this I add: such evil has no rights.

I urge you, then, to consider the view that what followed from the Sandinista insurgency in Nicaragua (and what is ongoing in El Salvador and Guatemala) is not a solid foundation on which an acceptable or stable future can be built. It is a foundation that isn't right from the beginning and cannot be made right.

Secondly, the character of the Nicaraguan revolution was never betrayed; it has never deviated from its original path;

it is going precisely where it set out to go. Those that thought they could control it, to deradicalize it, to contain it, or to reshape it erred in their judgement; the revolutionaries are one hundred percent "on course." These so-called "national liberation" movements and the "liberation theology" that supports them should not be legitimated by governments such as our own. We should not be timid about opposing them.

Thirdly, I ask you to consider the need to build on a new foundation of right principles. By this I mean that we need to rectify the great evil that has been thrust upon the Nicaraguan people, in part by the Carter administration, in part by American missionaries who have yet to be brought to justice for their complicity in this crime. This includes a reexamination of the Somoza presidency and the military establishment of that country. While the president is dead and cannot be restored to office there are yet thousands of National Guardsmen, in exile or in prison, who continue to be denigrated by our own government (and the CIA) just as the American people denigrated our returning veterans from the Viet Nam conflict. Individuals who have served their country honorably and with integrity and those who have died defending their fellow citizens from a Communist insurgency should be respected if not honored. The attitudinal corrections called for here should be a guide also in our relations with the other Central American military establishments under seige.

In terms of concrete proposals, I recommend: 1. As to Church organizations: The United States would do well to formally examine the motives, methods, degree of involvement and impact of various clergy and religious on the course of overseas revolutions and on the shaping of our own perceptions of, and policies toward, the governments being undermined by them. An appraisal of their legal position under our own Sedition and Revenue statutes is clearly indicated.

2. As to the future of Nicaragua, the United States should commit itself to: a) the elimination of Sandinismo (in Nicaragua, and Communism in Central America) as the social and moral evil that it is; b) the inclusion of all of Nicaragua's citizens - the Conservatives, the Liberals, the Somocistas and the National Guard - in defining that nation's future; c) fostering the democratic process and political pluralism in Nicaragua - as an interdependent part of the Central American region; and d) furthering its role in regional economic and social development. Whether the attainment of the first of these objectives should be by political or military means is a point about which there is debate. Either one is morally justified. A preference must be given to a political settlement but, unless it decisively removes the Sandinista regime, it is no solution at all. (Those who say, "We can tolerate the Sandinistas" if they ... " do such and so are grossly faulty in their judgement. There will simply be no peace or stability in Central America until and unless the Sandinistas are removed from the scene). At the same time, I caution that a military solution that returns Nicaragua to the era of partisan armies and internicine bellic confrontations

is no more of a solution. None of the "lettered" combatant groups now active there is sufficiently convincing that it wants anything more than to launch itself into power.

In this regard, I suggest that the United States should opt for a renewal of the Stimson policy (which served Nicaragua well for fifty years) and a Central American (not a peripheral) solution to the problem. This means specifically participating with and firmly supporting the Governments of Honduras, El Salvador and Guatemala in a unified approach to the regional Communist insurgencies that face each of them. (I consider that the Sandinistas continue to be insurgents, notwithstanding their establishment of a de facto, as opposed to a de jure government). The application of the Brezhnev Doctrine (implicit in the Contadora initiative) does not appear to be a viable solution for the long-term, and that is the perspective we need to have.

Let me close this statement with the comment that I rejoice now that a correct sense of morality and a new commitment to right principles have been restored to the executive branch of the United States government. My return to this country in mid-1979 caused me to some grave doubts about where we were heading. The change for the better brought about by President Reagan was long overdue. Unbent by the false sense of "guilt" and timidity counselled on us by the left, as they themselves perpetrate horrors on our friends and neighbors, I am persuaded that this President can regain for America some of the honor, integrity and greatness that was once ours. I hope that his advisors will understand, as he does, that expediency can never replace right principles. I suspect that history will be very kind to the administration of Ronald W. Reagan.

Thank you.

#### Background Information

The Old Catholic Church.....	1983
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Idea: A mural backdrop for the address.

