



CATHOLIC DIOCESE OF AHIARA MBAÏSE

Association of Diocesan Priests

P. M. B. 205 Ogbe,
Ahiazu Mbaïse L.G.A.
Imo State- Nigeria

Our Ref _____

Your Ref _____

Date _____

August 22, 2014

His Eminence
Fernando Cardinal Filoni
Prefect of the Congregation for the Evangelization of Peoples
Rome, Italy

Your Eminence,

Re: Response to Your Letter No 2842/14 of 29th June, 2014

A. Introduction

1. Greetings from the priests and laity of Ahiara Diocese Mbaïse, Nigeria; the diocese crying for justice and fairness in the Church. Our filial love and affection go to you, to our beloved Holy Father, Pope Francis, and to his Secretary of State, His Eminence, Pietro Cardinal Parolin.
2. Your letter dated 29th of June 2014 and delivered via the internet by His Eminence, John Cardinal Onaiyeke, and published in many Nigerian Newspapers and widely circulated in the Archdiocese of Onitsha (the home Archdiocese of his Eminence, Francis Cardinal Arinze) and every branch of the social media, has reached us. Although it has a signature, yet, it has no authenticating name as its author. It was by means of an accompanying letter from His Eminence, John Cardinal Onaiyeke, dated July 25th, 2014 that we were told that it is a letter from the Prefect of the *Congregatio Pro Gentium Evangelizatione*.
3. By virtue of its name, this Sacred Congregation is charged with the propagation of faith around the world. And if an Episcopal appointment hinders, or prevents, or slows down this task of propagation of faith, as it is the case in Ahiara Diocese, it is our belief that it could be reconsidered in the overriding interest of the mission of this congregation and the task of *salus animarum*. And when the choice is between the promotion of *salus animarum* and the enforcement of an Episcopal appointment, it is also our belief that the principle of *salus animarum suprema lex* should take absolute precedence because the salvation of souls is more important than the enforcement of an appointment. It is our belief that without pastoral collaborators, a chief pastoral worker becomes a monarch or in the words of Pope Francis, a "Manager".

4. The main thrust of our belief is predicated on this teaching of Holy Mother Church clearly enshrined in the *Catechism of the Catholic Church* as follows: “The Church is born primarily of Christ’s total self-giving for our salvation” (CCC #766). In other words, the primary mission of the Church is the salvation of souls, which is what is at stake in the rural and peasant diocese of Ahiara. And if an Episcopal appointment undermines this soteriological task, it is our belief that such an appointment, as in our case in Ahiara Diocese, runs counter to the universal mission of the Church. Since the principal aim of appointing a chief shepherd for a local church is to promote *salus animarum* and not to hinder it.

B. Missed Points in the Letter

5. Your Eminence, with all due respect to you, permit us to note that your letter did not show any pre-occupation with the salvation of souls and effective pastoral theology in Ahiara Diocese, rather the overall tone submerged them under the weight of the insistence to impose the rejected bishop. In fact, in the spirit of His Holiness, Pope Francis, the Pastoral Pope, we would have loved your letter to focus the searchlight on the theme of *salus animarum* instead of the imposition of a bishop rejected by over 98 percent of the population of the priests and laity in the local church of Ahiara Diocese. It is our view that the pastoral principle applied in the removal from office of the Bishop of Limburg, Germany, is totally applicable in the Ahiara situation because a shepherd without sheep cannot be a true shepherd of the people; a chief shepherd rejected by the sheep cannot be said to have the scent of a shepherd; and a bishop, who has lost the trust and confidence of the people, cannot be a bishop of himself.

6. As Pope Francis has taught in various fora, the bishopric is not a career or about social climbing. However, the overall tone of your letter seems to suggest that the appointment of a bishop-elect is an irreversible career promotion that does not depend on pastoral efficacy and *salus animarum*. But, Your Eminence, very respectfully, we wish to note that what is at stake in Ahiara Diocese is the endangerment of the salvation of souls. It is our belief that this is more important than the career of one individual. In keeping with the teachings of Pope Francis, we have always pointed out that we don’t want a bishop sent to us as a corporate manager. In this regard, on the 27th of February, 2014, the Pope said: “At all times and in all places, the question will gather up from the lips of the Church, give us a Bishop! The holy People of God speak: we need one that will supervise from above, we need one that looks at us with the largesse of the heart of God, we do not need a manager, a CEO of a company, and not one that is at the level of our smallness or trite contentions”

(<http://bellarmineforum.org/2014/02/27/pope-francis-to-bishops-we-do-not-need-a-manager-a-ceo-of-a-company/>) Italian Original:

http://w2.vatican.va/content/francesco/it/speeches/2014/february/documents/papa-francesco_20140227_rivunione-congregazione-vescovi.html.

7. Hence, we are led to respectfully ask: is this insistence about “might is right” or about putting the salvation of the people first before people’s career? Is the Church a saver of souls, or a giver of job? The answers were not clear from your letter because we

believe that the principles of Canon 1752 on *salus animarum* should be applied in our own case. And we believe that the principle of “*sanatio in radice*” can only be applied to the Ahiara Situation in favour of *salus animarum* and not in favour of defending the rejected bishop elect. Also we believe that the principle of “*omnia parata*” does not apply to this impeded bishop elect because it is clear that he is also impeded in the task of salvation of souls. It is our contention that the correct panacea to the solution of this problem is a solution that makes soteriology central. Ours is not about power, but about the salvation of ourselves and our people. This principle is implied in the Papal decision to remove the Bishop of Limburg, Germany, from office.

C. Grave Act of Disobedience to the Pope?

8. It is interesting that your letter did not cite any canonical violation, moral or doctrinal infraction - essential elements that form the template of disobedience to the Pope. This means that in the context of the Ahiara situation, *doctrinal and moral orthodoxy is not in question*, hence our big surprise that you characterized our legitimate appeal to your office, that of the Secretary of State, and finally to the Holy Father as “disobedience,” although neither the Pope, nor his Secretary of State, His Eminence, Pietro Cardinal Parolin has responded to us in this harsh way. Our appeal is consistent with Canon 212 §2, which says: “The Christian faithful are free to make known to the pastors of the Church their needs, especially spiritual ones, and their desires.” The Canon further empowers the faithful as follows: “According to the knowledge, competence, and prestige which [the laity] possess, they have the right and even at times the duty to manifest to the sacred pastors their opinion on matters which pertain to the good of the Church and to make their opinion known to the rest of the Christian faithful, without prejudice to the integrity of faith and morals, with reverence toward their pastors, and attentive to common advantage and the dignity of persons” (Canon 212 §3).

9. This is a fundamental right not to be taken lightly in the context of the Ahiara Mbaise situation. It gives the faithful the freedom of expression in matters not affecting faith and morals. Under the provision of this Canon, we are making known to the pastors of the church what our needs and desires are. And in exercising our rights under this Canon, we are not disobeying the Pope. To the contrary, we are obeying the Pope, who has given us the freedom of expression in Canon 212. We are doing what the Canon Law says that we could do. Hence, we are acting within the law. *Lumen Gentium* 37 provides the ecclesiological basis of this Canon. The relevant text says: “The laity have the right, as do all Christians, to ... openly reveal to them (their pastors) their needs and desires with that freedom and confidence which is fitting for children of God and brothers in Christ. They are, by reason of the knowledge, competence or outstanding ability which they may enjoy, permitted and sometimes even obliged to express their opinion on those things which concern the good of the Church. When occasions arise, let this be done through the organs erected by the Church for this purpose. Let it always be done in truth, in courage and in prudence, with reverence and charity toward those who by reason of their sacred office represent the person of Christ” (*Lumen Gentium* 37).

10. This text plays a big role in the Ahiara situation. The people are given fundamental rights. Our action demanding “a pastor close to us” is protected by ecclesiology and Canon Law. A breakdown of the text above underlines two fundamental realities. First of all, the faithful “should openly reveal to them their needs and desires.” This is a public disclosure. It is about public accountability, also seen in the way the letter of Your Eminence of June 29, 2014 has been widely published all over Nigeria.

11. Hence, we have permission and obligation. If the people are sometimes obliged to express their opinion, this means that if they do not do it, they will be held accountable for the consequences of their silence. Of course, this expression is to be done “with that freedom and confidence which is fitting for children of God and brothers in Christ.” Hence, Your Eminence, *we respectfully disagree with your characterization of our canonical action based on the “freedom of expression” clause above*. We are not disobeying the Pope, whom we have appealed to. And while our appeal is still pending before him, how could we be adjudged disobedient? Or is it also illegal to appeal to the Pope?

12. We believe that such a weighty issue in the Church as disobedience to the Pope is the subject matter for the *Sacred Congregation for the Doctrine of Faith and Morals* based on the following provision of *Pastor Bonus* Art. 52, which says: “*The Congregation examines offences against the faith and more serious ones both in behaviour or in the celebration of the sacraments which have been reported to it and, if need be, proceeds to the declaration or imposition of canonical sanctions in accordance with the norms of common or proper law.*” In your letter, we were simply labeled as ‘disobedient’ with a demand for apology but without a trial process by the appropriate arm of the Holy See and without the chance to appeal. Besides, Episcopal appointment is not an exercise of *ex cathedra*, which involves the proclamation of Christ’s doctrine. This doctrine is epitomized in *Lumen Gentium* #25, where *ex cathedra* deals with matters of faith and morals. What the Vatican II Council Fathers formulated here is enshrined in the *Codex* as follows: “In virtue of his office the Supreme Pontiff is infallible in his teaching when, as chief Shepherd and Teacher of all Christ’s faithful, with the duty of strengthening his brethren in the faith, he proclaims by definitive act a doctrine to be held concerning faith or morals” (Can. 749 §1). (Cf. also Chapter IV of *Pastor Aeternus* of Vatican 1; *Lumen Gentium* 25; *Notificationes of Lumen Gentium*)

13. Indeed, we respectfully ask: If the issue at stake in Ahiara Diocese is disobedience to the Pope, why is the Congregation for the Doctrine of Faith and Morals not involved? Why was Ahiara seat declared impeded and an Apostolic Administrator appointed? Why was Makeni Diocese, Sierra Leone not treated the same way? Why was the diocese of Linz in Austria in 2009 not treated the same way? And why is Limburg Diocese not treated with the same standard? And going back in the history of the Church in Nigeria, why was Oyo Diocese not so treated when the people rejected the then Msgr. Anthony Okogie; or Enugu people when they rejected the then Msgr Albert Obiefuna; or recently when the people of Warri drove away into exile the late Bishop Lucas Nwaezeapu?

14. Your Eminence, it is our belief that *the issue in the Ahiara Diocese, Mbaise does not rise to the level of disobedience. In fact, we, the Catholics of Ahiara Diocese, Mbaise pledge our unqualified allegiance to the Supreme Pontiff of the Universal Church. We will never waiver on this. We will continue to be the "Ireland" of Nigeria that we have been in terms of the Catholic faith and boom in vocations. Our confidence in the Pope is as strong as ever. This is why we are using this opportunity to appeal our case directly to him and his Secretary of State, His Eminence, Pietro Cardinal Parolin.*

D. The Root Cause of the Problem in Ahiara Diocese

15. All the same, the fact that we are fervent and ardent Catholics does not mean that we cannot point out the moral issue of justice in the appointment of bishops in Igboland and Nigeria, which is what is at stake in Ahiara Diocese. It would have been a disservice to the Holy Mother Church and the Pope if we had kept quiet just because some others did, or because we are intimidated and terrified. We would have colluded in this immoral act, since every act of injustice is about immorality. Indeed, the issue involved is entirely about the power structure in the church in Igboland and Nigeria. Our cry is the cry for justice in Mbaise and in Igboland, and Nigeria as well. There is a miscarriage of justice. There is cronyism and favoritism in the Nigerian Church. This is what the Ahiara case is all about.

16. Your Eminence touched on the "process argument" when you said that "many bishops, priests, religious, and faithful, were consulted in Nigeria before the new bishop's appointment was made. With due respect to Your Eminence, we ask: Was the selecting process "due" and "fair" to our diocese, the place of the *sede vacante*? Our answer is an emphatic and unmitigated NO. Hence, we wish to place it on record that hardly was anybody consulted in our diocese prior to the new bishop's appointment. Only three priests from our diocese received the "sub-secreto inquiry" on the candidate who was eventually announced as the new bishop of our diocese. And those three have individually declared it loud and clear for the umpteenth time that they sent back the inquiry letters with the note in it saying, "the candidate not known to me." Of course, this is the truth because no one in our diocese knew anything about Fr. Peter Okpalaeke at the time since he never worked in our diocese nor had previous pastoral experience here.

17. It is also important for us to remind Your Eminence that many Nigerian bishops who we felt ought to be consulted have consistently denied being consulted for the candidate's appointment. In fact, some have declared a lack of any personal knowledge of the candidate before his announcement as the bishop elect. In this regard, the Most Rev Ignatius Kaigama, (the Metropolitan Archbishop of Jos, Nigeria and the President of Catholic Bishops' Conference of Nigeria), has personally told the priests of Ahiara Diocese that he heard the name of the new bishop elect for the very first time on the day he was announced. Also, the Metropolitan Archbishop of Owerri, Imo State, Most Rev Anthony John Valentine Obinna, has confessed several times before Ahiara Diocesan priests and laity that he was never privy to the processes that led to the appointment; that he was not

consulted prior to the announcement of Bishop Okpaleke as the bishop-elect of Ahiara Diocese. Recently, Archbishop Obinna has told a group of Ahiara Diocesan priests and lay people that when the inquiry for the new bishop was sent to him, he wrote in it, "I do not know this individual" and sent the letter back to the Nuncio. It is important to note that there is a canonical obligation to consult with both Archbishops Kaigama and Obinna for the appointment of Bishop Okpaleke. But this obligation was not upheld. What all this implies in our view is that the consultation that led to the appointment of Bishop Okpaleke for Ahiara Diocese was not properly done. It was either done with the wrong persons and in the wrong places or not done at all. *This is a serious violation of the due process provision of Canon 377 §3.*

18. Again, prior to the announcement of the appointment of Msgr. Peter Okpaleke, the news was rife in the country that Ahiara priests were writing petitions against all the candidates nominated from their presbyterium. Public opinion reigned supreme over the sub-secreto for the appointment of Bishop Okpaleke. In fact, no less a person than His Eminence, Francis Cardinal Arinze accosted a priest of our diocese with this allegation in a ceremony in Onitsha Archdiocese. During one of the post-appointment meetings the Nuncio and the Bishops had with the priests of Ahiara diocese, the Nuncio was confronted with this allegation, which if it true, (and we believe strongly that no petitions were written) implied that confidential assessments made *sub-secreto* were either deliberately leaked in order to damage the credibility of priests from Ahiara Diocese, or the assessors listened and acted on unfounded stories about Ahiara priests without due diligent investigation. This again, is an infringement of due process principle and contrary to the Message of Pope Francis to the Sacred Congregation for Bishops not to be hasty in the investigation phase in the appointment of Bishops. The Pope used the example of the anointing of David and informed the assessors to be like Samuel who insisted that they must never sit down to eat until the last son has been sent for.

Italian

Original:

http://w2.vatican.va/content/francesco/it/speeches/2014/february/documents/papa-francesco_20140227_riuione-congregazione-vescovi.html.

19. Summarily, *it is our view that the appointment of the Episcopal candidate for the local church of Ahiara lacked due process.* This explains why we have an insurmountable suspicion that the selection process was *manipulated* in favour of Msgr. Peter Okpaleke (now Bishop Okpaleke). It is our belief that the Nuncio was neither *fair* nor *balanced*, and that canonical provisions were not properly followed. So, we are making this petition based on the principle of justice for all, irrespective of how strong or how weak. *The reason for this is that the problem in Ahiara Diocese is precipitated by the "strong" trying to run over the "weak."* This is a form of the religious application of the discredited "Social Darwinism" that propagates the doctrine of "the fit" over "the unfit," or the doctrine of "the strong" over "the weak." And if this trend is not checked, the "weak" will continue to suffer in silence in the Nigerian situation where only the strong, the powerful, and the well-connected thrive.

20. In your letter, Your Eminence provided evidence of the possibility of the process

of Episcopal appointment becoming flawed. You quoted Pope Francis' pastoral desire of a Church that opens her arms to all, confiding profoundly in the mercy of Christ, a Church, not perfect, but made up of those who are able to recognize their errors and destitution. This leads us to raise the question: If the Church is made up of those who are not perfect, is it not possible that those who advise the Holy Father in these appointments are capable of making grave mistakes? Such mistakes which create tension, crisis and conflict in the local Church, should they not be recognized and properly addressed?

E. Worthiness, Suitability and Particularity

21. In paragraph 2 of your letter, Your Eminence noted the major criteria which the Church considers in appointing a Bishop: worthiness and suitability. It is evident that these two criteria go hand in hand. Thus, a candidate may have the moral worthiness for episcopal office; but lack suitability for it. We retain that in the appointment of Most Rev. Peter Ebele Okpaleke, greater emphasis was laid on his episcopal 'worthiness', and little attention to his 'suitability'. We reiterate this fact of non-suitability. Bishop Peter Okpaleke is not known to us, He is a priest, not just of our land but of Nigeria and he has neither been to Ahiara Diocese nor worked in it at any point in time in his life. The first time he ever stepped into the diocese was a few days after his appointment when he said 'I have come to know the place'. The Holy Father has stressed on this issue of suitability. We recall his recent address to the Congregation of Bishops: **"We must not lose sight of the needs of the particular Churches, for whom we must always provide. There does not exist a standard Pastor for all Churches. ... Our challenge is to enter into Christ's view, taking into account the singularity of the particular Churches"**.

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22. The argument that he is not from our *presbyterium* is that he does not know the place, does not know the people, and has no pastoral experience of the place whatsoever. This is an obvious deficit in the task of *salus animarum* and pastoral efficacy especially in a non-mission diocese with many qualified pastoral personnel. Since *nemo dat quod non habet*, he does not have the pastoral experience relevant to the people of Ahiara Diocese. To put it simply: **He is not a pastor close to us. And our request has been for a pastor close to us. Hence, Your Eminence, we humbly and respectfully disagree with your characterization of our constant appeal to our beloved Holy Father for a reconsideration of the appointment of Bishop Ebere Peter Okpalaeke as "ideological and prejudicial opposition...motivated by individuals outside the diocese."** Our reaction to his appointment has nothing to do with "ideology" or "prejudice" but with his unsuitability for our diocese. We strongly state that Bishop Ebere Peter Okpalaeke is very unsuitable for our diocese. He does not know our diocese. Prior to his announcement, he had never visited our diocese before. He will be a classic example of a shepherd that does not know his sheep. Both the Nuncio (Archbishop Augustine Kasujja) and our bishops forgot, as His Holiness said: "There does not exist a

standard Pastor for all Churches.” This is the core of the problem in Ahiara Diocese because all dioceses are not the same.

23. We need a bishop who knows our rural community for effective evangelization. Ahiara Diocese, with over 600,000 Catholics is a peasant diocese, made up of a largely poor agrarian and homogenous population (Mbaise), which has suffered a terrible bias from many of its neighbours. It is served by 100 percent priests of Mbaise origin, due to its poor and homogenous nature. At its creation, people thought the priests would not survive due to its meagre resources, and were laughing at her. But Mbaise people and their priests rallied together, made sacrifices to build up the diocese, making it the pride of Owerri Province. This warrants a contrast with Awka Diocese, from where Bishop Okpalaeke was appointed. In this regard, Awka Diocese is a township diocese, while Ahiara is a rural diocese. Awka Diocese is rich and affluent, with many rich and powerful patrons, while Mbaise is a peasant diocese, with poor simple folks. Awka Diocese is the seat of the State government of Anambra State, while Mbaise is remote, without telephone lines, only reachable by mobile phones. These create peculiarities and singularities among other things. Hence, each is peculiar, needing peculiar chief shepherds, at home with the singularity of each diocese. Also, there are language barriers to be considered. In this regard, Ahiara Diocese, Mbaise and Awka Diocese speak different *Igbo language dialects* sometimes difficult to be understood by them especially the less educated folks.

24. In our view, Bishop Peter Okpalaeke comes as a “standard pastor” with poor pastoral equipment to deal with the pastoral situation in our diocese. This is a big deficit for the task of *salus animarum*. Hence, it is not in the interest of the local church in Ahiara Diocese, Mbaise. We need a genuinely pastoral shepherd like our late Bishop Victor Chikwe, who lived in the spirit of His Holiness, Pope Francis. This is what will satisfy the principle of *salus animarum* in our diocese. It is our belief that the appointment of Bishop Okpalaeke is about “social climbing,” or providing a career for someone instead of selecting a shepherd for the people. In the spirit of His Holiness, we do not need careerists and social climbers. We do not even need managers or company administrators. We need servants and shepherds of the people.

25. Only “a pastor close to the people” can satisfy this requirement. Our late bishop, Victor Adibe Chikwe, was characterized by *humility and simplicity* in relating with his “sheep.” He was down to earth, very humble, and a friend of every person in the diocese. He was neither a bourgeois-bishop, nor a monarchical one. When there was no telephone anywhere in the diocese, at some point, Bishop Chikwe had a phone in his house. The bishop permitted the poor people to use this phone to call their relatives outside the diocese. Many people from the diocese benefited from this free service. The bishop saw this as part of his pastoral ministry of caring for his sheep. Hence, his phone became also the people’s phone. This was possible because Bishop Chikwe was the “people’s bishop.” He had to do this because he understood the peculiarity of the diocese with a peasant population. He understood what it means to be a rural diocese. He understood the poverty of the people. He understood that the people have no single industry on their territory; with unpaved roads; with no infrastructure; and with bushes all

over the place. He understood that he had a diocese with many hungry people, who are always struggling to be able to eat one meal a day. He was not a careerist. He was a father-figure in the diocese. In short, he was the “people’s bishop,” or the “commoners’ bishop.” He was like a “Pope Francis” to the people. *He was a true chief shepherd of the people.* Hence, we do not just need a bishop as replacement. *We need a father-bishop, a pastoral bishop, someone who is already at home with the pastoral situation in our diocese.* In our mind, a pastor close to us will be a perfect fit for his replacement. In fact, while the church hierarchy was looking for a head to wear the crown in Mbaise, the Mbaise people were looking for the feet to fit the “shoe size” of Bishop Chikwe.

F. Universalism and Particularity

26. One of the arguments used to justify the appointment of Fr. Peter Okpalaeke as the bishop of Ahiara diocese is the universalism argument. The former Bishop of Awka diocese, Most Rev. Simon Okafor, retired on April 17, 2010, while our dear Bishop Victor Chikwe died on September 16, 2010. *This means that the vacancies in Awka (in Onitsha ecclesiastical province, where all the dioceses have pastors close to them as bishops) and Ahiara Mbaise (in Owerri ecclesiastical province, with two bishops already from Awka diocese) occurred simultaneously in 2010.* If the universalism argument was sincere, and there were these vacancies in Ahiara and Awka Dioceses in 2010, it would have been fair to name a priest from the Ahiara presbyterium the bishop of Awka and a priest from the Awka presbyterium the bishop of Ahiara diocese simultaneously. But, it is not fair to fill these two vacancies with two priests of Awka Diocese and argue that it is universalism as if there is no such a thing as the doctrine of particularity, which His Holiness, Pope Francis has stressed so much. What it shows is that, instead of universalism we have FAVOURITISM in the Nigerian context.

27. Further, if it is expedient to impose a priest from Awka Diocese on Ahiara Diocese, why is it not equally expedient to impose a priest from Ahiara Diocese on Awka Diocese since both dioceses were vacant concurrently? *We are now in a situation where if Awka diocesan priests are made bishops in Awka diocese it is universalism. But if Ahiara diocesan priests insist on an Ahiara Diocesan priest as the bishop of Ahiara Diocese, this is characterized as disobedience. So the universalism practiced in Awka Diocese becomes disobedience if the same is insisted upon in Mbaise.* Could this not be seen as the application of double standards in the Church? For the sake of the record, since the Ahiara situation arose, every Episcopal appointment in Nigeria has been strictly made based on the paradigm of a priest from the presbyterium of the local church, a priest close to the people. In this regard, all these dioceses were given exactly what Ahiara Diocese is requesting:

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|--------------------------------------|-------------------|
| a) Katsina Ala Diocese – | December 29, 2012 |
| b) Gboko Diocese – | December 29, 2012 |
| c) Nsukka Diocese – | April 13, 2013 |
| d) Pankshin Diocese – | March 18, 2014 |
| e) Abeokuta Diocese – | April 15, 2014 |
| f) Awka Diocese (Auxiliary Bishop) – | May 30, 2014 |
| g) Makurdi Diocese – | July 8, 2014 |

All the bishops appointed are from the local presbyterium of the diocese consistent with the Pope's directive of a pastor close to the people.

G. Fairness Argument

28. Your Eminence, may we respectfully ask why Makeni Diocese is receiving all the holy sacraments, while the sacraments of ordination and confirmation are banned in Ahiara Diocese as a punishment for our freedom of expression in the Church? We have drawn your attention to this but no action was taken. Respectfully, we ask: Is it fair to deprive the people the means of salvation? And why was the diocese of Limburg, Germany, not condemned?

29. There is no doubt in our mind that His Eminence Francis Cardinal Arinze has been working with your office to prolong our misery. Recently, he threatened Ahiara Diocese in two separate instances with fire and brimstone if Bishop Okpalaeke is not installed the bishop of Ahiara. It is our belief that His Eminence, Francis Cardinal Arinze, is at our neck. He has vowed that he will crush the people of Ahiara Diocese. We cannot hide this common knowledge anymore: He hates us because the rejected bishop elect is his "god-son," though he will deny this before you. He is adamantly promoting his own candidate. This appointment has everything to do with the internal dirty church politics in Nigeria. This is why we are hereby appealing to the Pope and his Secretary of State to get involved directly and help clean up the corruption in the Nigerian church. Cardinal Arinze is the one intimidating the bishops of Nigeria, who have feared him like a "god" all these years. His problem with the Mbaize people dates some decades back. On two occasions in the past, he has prevented Mbaize priests from becoming bishops: late Monsignor Ahaji of Umuahia Diocese, and late Mosignor Okoroanyanwu of Owerri Diocese. Has Your Eminence asked why has Cardinal Arinze not visited Mbaize since the creation of the Diocese even when invited by our late Bishop, and since this problem erupted in 2012? The answer is that he hates us. If you are in doubt, send an emissary to come to us and hear us explain further.

H. Our Faithful are in Distress

30. Our diocese has over 90 percent Catholics. And our people are the backbone of the Church anywhere they are in Nigeria. We have already told you above that we are called the "Ireland" of Nigeria because of Catholic concentration and boom in vocations among us. Our indigenous priests and religious are present in almost every region of Nigeria and some parts of the world. Hence, anything that touches the Church in Ahiara Diocese touches the people to the core because it is their "industry of faith."

31. Accordingly, we are sending you the cries of the peasants of Ahiara Diocese; these rural farmers whose only abode of refuge is the church, where they find solace and consolation in the midst of their poverty. *They are so saddened, depressed, and demoralized that the sacraments are now used as a punishment against them.* We are sending you the appeal of our Christian mothers, who believe that even in the midst of poverty that Jesus is still the answer. These Christian women are the mothers of our confirmation candidates, who have been waiting to be confirmed in their faith. They are the mothers of our seminarians, whose future has been made bleak by the embargo on priestly ordinations in our diocese; they are the mothers of the deacons and deacons-to-

be, long approved for ordinations, but no bishop to ordain them because we are under sanction for demanding a pastor close to us. And these mothers are asking: Is this the "Joy of the Gospel" proclaimed by Pope Francis?

32 We do know that Canon 213 stipulates that "the Christian faithful have the right to receive assistance from the sacred pastors out of the spiritual goods of the Church, especially the word of God and the sacraments." Your Eminence, you know that our rights have been violated under this canonical provision. Our candidates are denied ordinations, while our confirmation candidates are denied the sacrament of confirmation. Indeed, under the terms of Pastor Bonus, your Sacred Congregation is expected to "... take steps to *awaken missionary vocations*, whether clerical, religious, or lay, and advises on a suitable distribution of missionaries"(Pastor Bonus Art. 88 - §1). Your Eminence, your letter failed to address this point we have repeatedly raised with you that clerical vocations are dampened in Ahiara Diocese instead of awakening it. This is not consistent with your mandate under the terms of Pastor Bonus. Now, contrary to Canon 385, vocations are no longer fostered in our diocese

33. We are sending out this distress call to Your Eminence on behalf of the seminarians and ordination candidates of our beloved diocese, Ahiara; the deacons and deacons-to-be, whose future have been beclouded with uncertainty because of the punishment imposed on our diocese for demanding a pastor close to us. We are kneeling and begging that it's time to promote these candidates so that joy can return to their lives. They have done nothing wrong. We implore you to intervene to avoid punishing the innocent as a way of achieving one's goal. Here, we recall what the Holy Father said in his *Evangelii Gaudium*: "Everyone can share in some way in the life of the Church; everyone can be part of the community, nor should the doors of the sacraments be closed for simply any reason" (*Evangelii Gaudium* 47). Contrary to the Holy Father's expectations and vision, the doors of the sacraments of confirmation and ordination are shut in our diocese. Over and above all this is the denial of Chrism Mass on the 17th April 2014, which presents the Church in a bad light to the already hurt and traumatized faithful of our Diocese. Our people are asking whether sacramental starvation has become a 'weapon of suppression'. This strategy evokes in our people the traumatic experiences which they had during the Nigeria-Biafra War, where the Nigerian government employed starvation as a weapon of war. The image of the 'kwashiorkor children', a consequence of that policy; still haunts many people across the globe. The pastoral care we are receiving does not in any way reflect the vision of the Holy Father and the Church – a Church which brings the gospel of joy. This is why we need the intervention of the Holy Father and his Secretary of State. It is our impeccable belief that His Holiness is the instrument of rendering justice for the oppressed. He is our hope and the one, who can help us experience "*the Joy of the Gospel*" in its fullest.

I. Pentecostalism and being custodians of Catholic memory in Ahiara diocese

34. The sacramental starvation imposed on our diocese has further aggravated the pastoral problem of Pentecostalism in our diocese, though it is a general pastoral problem

in Nigeria. However, ours has acquired a fierce urgency. Our late Bishop Victor Chikwe, was in a constant struggle with the Pentecostals. They are now using the crisis in our diocese as a recruitment tool and “weapon” against the Catholic Church as a whole. Above all, now, they are “poaching” our Catholics day by day, persuading them to turn to their camp. This situation is dire and urgent. Right now, we cannot really confront this urgent pastoral problem without a chief shepherd who knows the pastoral terrain and how to navigate. The greatest threat now is that the Pentecostals are operating in very small cells, or small groups. Their house of worship could be just one room. They are now establishing as many of these “room churches” as possible. Imagine a situation where there is only one Catholic church building in a parish, while the Pentecostals have twenty of these “house churches” spread across in the same parish. These “room or house churches” are used as satellite centres for their poaching activities. They are inducing the people with material things since many of them are poor and hungry. We need a bishop on seat, who knows this problem very well so that we can formulate an effective strategy to begin to reverse this setback.

J. Our Humble Suggestions

35. Your Eminence, we are prompted to make suggestions in this letter, in response to what the Pope has told us in his Apostolic Exhortation, where he said: “It is my duty, as the Bishop of Rome, to be open to suggestions which can help make the exercise of my ministry more faithful to the meaning which Jesus Christ wished to give it and to the present needs of evangelization” (*Evangelii Gaudium* 32). This explains why we humbly make some suggestions in the concluding part of this document because it will help the needs of evangelization in Ahiara Diocese, help to foster *salus animarum*, and bring the “Joy of the Gospel” to the people in this local church.

i) In view of the pastoral needs of the particular church in Ahiara Diocese, we are humbly making this plea:

- We are praying for a pastor close to us.
- We are appealing to you to intervene so that our candidates for ordinations could be ordained, and our candidates for the confirmation, confirmed.
- Help us so that our people are not starved of these two sacraments any further.

ii) **We also feel aggrieved that Your Eminence mischaracterized our humble appeal to the Holy Father to give us a bishop close to us as asking for “son of your Diocese” to be made our bishop. We have always requested that a bishop be given to us from our presbyterium. And there is a reason for that. Our diocese is unique. It is completely rural and poor. We strongly believe that only the priests, who have worked here and learned from the feet of our great chief shepherd, the late Bishop Chikwe, will be able to administer her properly with her lean resources without inflicting harsh taxation and undue hardship on our people. Hence, this second suggestion is about effective apostolate, which led His Holiness, on June 21, 2013 to give the Nuncios the Episcopal nominating guideline to choose “pastors who are close to their people.” *pastori vicini alla gente*. This directive is the bedrock of our request. Some people have tried to present us as making a “tribal” demand. This is wrong. *We cannot support tribalism in the church for whatever reason.***

iii) Our demand to have a pastor close to us as our chief shepherd is solidly anchored in ecclesiology. In the understanding of the Second Vatican Council, the presbyterium is the pivot of the pastoral ministry of the local church, and the salvation of the souls in this same local church. As a result, whoever becomes the head of the presbyterium, as the chief shepherd of the diocese, should have close affinity with this presbyterium in order to foster a more effective ministry in the local church. The Episcopal nominating directive of His Holiness, that a bishop elect should be “a pastor close to the people” is predicated also on this presbyterial premise. Hence, the ecclesiology of the presbyterium does not favour “jetting in candidates” as “standard pastors” to lead the presbyterium of another diocese.

iv) As we know, the presbyterium deals with the priests’ membership in a particular church. In the understanding of the Second Vatican Council, it deals with the college of priests in active ministry in a particular church. (*Presbyterorum Ordinis* 8). This whole idea of a sacramental brotherhood means that the ideal situation is to choose a priest from this presbyterium to lead the sacramental brotherhood of the presbyterium. This pre-existing sacramental bond of brotherhood within the presbyterial context is the optimal condition for the appointment of an effective chief shepherd in our Ahiara context. Hence, *wherever it is already known in advance that a bishop elect cannot work together with the priests, the common good of the church will suffer and the work of the salvation of souls will be hampered as it is the case now in Ahiara Diocese.* Hence, our basic argument is about filling the vacancy in the Episcopal see of Ahiara with a priest of the presbyterium already in this sacramental bond in the local church of Ahiara Diocese. The selection of a bishop should begin with the pool of well qualified priests of about 500 in our local church. This is the third remedy we are seeking to bring our beloved diocese back on her feet once more.

v) Everything put together has raised the problem of the salvation of souls in Ahiara Diocese. As pastors of souls, this is uppermost in our minds right now. And we are those immediately charged to carry out this sacred assignment. Hence, the principle of *salus animarum suprema lex* is the overriding principle that underlines our thinking on the situation in our diocese. This principle has been a universally recognized principle within Catholic jurisprudence and theology. And in this present situation in Ahiara Diocese, Mbaise, it has superb application as a principle of “conflict resolution.” Can. 1752 is the crown of every *salus animarum* or *bonum animarum* argument. The reason why the principle of *salus animarum* is ultimate is seen in the *Catechism of the Catholic Church*, which sees the Church as “the universal sacrament of salvation” (CCC 849). Accordingly, the text of canon 1752 concludes the Codex in this way: “In cases of transfer, the provisions of Can. 1747 are to be applied, always observing canonical equity and keeping in mind the salvation of souls, which in the Church must always be the supreme law.” Hence, we make our submission in the hope that this Canon will be a panacea of our problem. It is our belief that here lies the cure to our “ailment.”

vi) Finally, in the Latin text of canon 1752 above, the use of the word, *semper*, - always, is equally striking for us. This “salvation of souls” is so paramount that whenever it is at stake, as in the situation in Ahiara Diocese, it becomes the supreme law of the

Church. This means that there are no circumstances where “the salvation of souls” is to be ignored or preferred to something else. The reason for this is that the universal mission of the Church is *salus animarum*. And now we are making our appeal based on this law of *salus animarum suprema lex*.

K. Concluding Thoughts

36. Your Eminence, we have done a serious spiritual reflection on the appointment of Msgr. Okpalaeke (now Bishop Okpalaeke) as the chief shepherd of our diocese in the light of the Good Shepherd of John 10. As a result, we have come to some biblically based conclusions. The first is that there is no rapport between shepherd and sheep. Secondly, there is a total communication rupture between shepherd and people. Bishop Okpalaeke does not hear our voice, neither do we hear his. Thirdly, he is like a shepherd without sheep, but he cannot shepherd himself. In this way, he cannot be effective in fulfilling the pastoral function of leading the flock of Christ. He cannot fulfil the mission of the salvation of souls in Ahiara Diocese. This is neither a great pastoral credential, nor a good qualifier to be a chief shepherd. *The biblical parameters for a good shepherd are absent in the current situation, and there is no sign that this could ever change.* He has neither warmed himself to the people, nor shown that he could shepherd the diocese. All the evidence shows that he is more of a careerist than a shepherd of the people. But our diocese needs “a pastor close to the people.”

37. Finally, the problem in Ahiara Diocese is about justice and the salvation of souls. It is also about the lopsidedness of Episcopal appointments in Igboland, Nigeria. Bishop Lucius Ugorji in his homily on the ordination of Bishop Okpalaeke outside of Ahiara diocese recognised this anomaly and highly called for “equity”, “fairness” and “balancing” in Episcopal appointments. Thus he states, **...however, given the strong ethnic sensitivities in certain areas, and considering that Church unity, which does not necessarily imply uniformity, gives room for diversity, some respectable persons are of the opinion that a process that takes into consideration the principles of “equity”, “fairness” and “balancing” in episcopal appointments may be a way of giving a sense of belonging to a people in a particular situation and forestalling agitation.** It is about ecclesiastical domination by one group. It is about justice and fairness in the appointment of bishops in Igboland and Nigeria as a whole. We are writing because it is our belief that there is cronyism, where the bishopric is reserved only for the “pre-anointed” ones. This is what the Ahiara case is all about. We are praying for a quick solution for the problem in our beloved diocese of Ahiara because this whole saga is negatively impacting the faith of our people.

L. Ahiara Diocese Solemnly Appeals to His Holiness, Pope Francis

38. According to Art.85 of *Pastor Bonus*: “It pertains to the Congregation for the Evangelization of Peoples to direct and coordinate throughout the world the actual work of spreading the Gospel as well as missionary cooperation.” It is our belief that the imposition of a bishop elect on a diocese, where he is overwhelmingly rejected, is not consistent with this sacred job description. First of all, it does not help in spreading the Gospel in our diocese. And secondly, it does not bring the “Joy of the Gospel” to us. And

thirdly, it does not help in promoting the main mission of the Church, which is *salus animarum*. The whole case in our diocese now hinges on the salvation of souls. It seems that our preoccupations are parallel. Your Eminence seems to be maintaining that the appointment of a chief pastor for a diocese supersedes the overriding importance of *salus animarum* in Ahiara Diocese. At no time have you addressed this issue, even though it is a prerogative of your Sacred Congregation. Your insistence appears to underline the principle of “might is right,” while our belief is that *salus animarum suprema lex*. This is our first ground of appeal to our Holy Father because we feel that souls are endangered in our diocese.

39. It is our understanding that obedience to the Pope, as outlined in Conciliar documents and Canon Law is in matters of faith and morals. However, Your Eminence seems to imply that even an appeal to the Pope to rescind a decision constitutes disobedience to him. In arriving at your conclusion, you seem to have overlooked the relevance of Canon 212 and other related texts that contain the freedom of expression clause. Hence, you seem to believe that there is no legitimate disagreement in the Church. This discrepancy is our second ground for appeal to His Holiness, Pope Francis.

40. Thirdly, in your letter of February 27th, 2013 (N. 983/13) to us, on page 2, you rhetorically asked us: “are you better in your faith than the candidate named by the Pope? Have you not read what Saint Paul wrote to the Galatians, who became “stupid” because they reasoned not according to Christ, but according to human and ethnic categories that were completely different than what Saint Paul himself had taught them (Gal:6; 3:1-3)?” Since that time, we have remained “stupid” in your eyes and you have never even replied any of our appeal to you nor even sent an independent person to come to listen to us. You have not even sent for us to come to dialogue with you. Your recent letter of June 29th 2014 seemed to suggest to us that we have continued to remain “stupid” in your eyes. This is the third reason for our appeal to His Holiness, Pope Francis, because under the terms of the law we are not stupid and are in no way comparable to the “stupid Galatians.” Whereas doctrinal dispute was at the centre of the Galatian controversy, there is nothing contrary to faith in our request for a pastor close to us. There is nothing contrary to faith in our demand for a chief shepherd that will factually help to foster the task of *salus animarum* in our local church.

41. Your Eminence, our confidence is shaken. Since 2011, the same time our diocese was vacant, you have recommended three bishops from Awka Diocese (Bishop Paulinus Ezeokafor (2011), Bishop Peter Okpalaeke (2012) and Bishop elect Benson Jonas Okoye (2014), but you have turned a blind eye to our hues and cry that we need a pastor close to us. Those of us in Ahiara Diocese wonder why one diocese in Nigeria is always getting bishops, while the rural ones cannot even afford to get a pastor close to them? **From the same Awka Diocese you have appointed another bishop leading us to wonder what kind of rapport you have with a diocese that has already five bishops and now the sixth, when one diocese (Ahiara) is still begging and pleading to get one.** We do not understand this “favored treatment” as universalism. The grumbling is getting louder and louder and questions are being asked in the whole Owerri province: How could this be?

Now, a total of six bishops have been appointed from among the priests from Awka Diocese, while Ahiara Diocese is labeled as “disobedient” for pointing out that there is injustice in the system. This is why we are appealing to the Pope and his Secretary of State to intervene and adjudicate. We have impeccable confidence in them.

42. Accordingly, we, the priests, religious, and laity of Ahiara Diocese hereby invoke our right of appeal to the Pope pursuant to Canon 1417 §1, which says: “*By reason of the primacy of the Roman Pontiff, any member of the faithful is free to bring or introduce his or her own contentious or penal case to the Holy See for adjudication in any grade of a trial and at any stage of the litigation.*” We may not be literally dealing with a penal situation; yet, it is our belief that the spirit of this canon applies to our own case since good of the local church in Ahiara and the *salus animarum* of our people are in peril. Also, we make this petition in accordance with our God-given right to appeal to the Supreme Pontiff - a right defined by the Second Council of Lyons in 1274 and the First Vatican Council in 1870. This is further codified in Can. 221 §1, which says: “*The Christian faithful can legitimately vindicate and defend the rights which they possess in the Church in the competent ecclesiastical forum according to the norm of law.*”

43. In the light of Canon 1417 §1, Your Eminence, respectfully, we hereby appeal our case directly to Pope Francis and His Secretary of State. We await for their further intervention. Before the Pope and his Secretary of State we believe that we are in the “Sanctuary of Justice” and we believe that justice will be rendered. This is now our utmost faith and confidence. Our belief is that we will not be disappointed. Hence, we are appealing to our beloved Pope Francis to possibly send an independent Vatican Visitator to visit our diocese and have a tête-à-tête with us. We are neither rebellious, nor disobeying the Pope. On the contrary, we are crying for justice to be done in the Church of the Holy God. We are appealing to the Pope to intervene in Nigeria so that the rich and powerful dioceses will stop consuming the poor and weak dioceses.

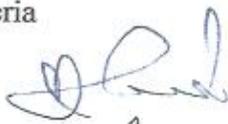
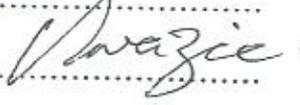
May the Holy Mother Mary, Mother of the Church and Patroness of our Diocese intercede for us!

Laudetur Iesus Christus!

From the Priests of the Presbyterium of Ahiara Diocese, Nigeria

Signed:

1. Rt. Rev. Msgr. Theophilus Nwalo
2. Very Rev. Msgr. Vincent Uwazie
3. Rev. Fr. Dominic Igwe
4. Very Rev. Msgr. Paul Amakiri
5. Rev. Fr. Christian Egege


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