

<i>Documentation</i>

Law Protects Church Rights

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(The following is taken from the magazine, Catholic China in China, No. 2, 1997, p. 39).

An article entitled “An Account of the Return of Church Property in Wuhe,” appeared in *Catholic Church in China*, 1996, issue number 5. It reported how the Catholic Church in Wuhe County, Anhui Province, defended its legal rights. After mature consideration the church took the local police station to court to recover the church building, which had been occupied for 16 years. The church won its case. After reading the article, I have taken the lesson of their experience to heart: the church must know how to use the law to protect its legal rights.

The article recounted how, in May 1993, Sr. Qin Fengyi, then 76 years old and in charge of the Catholic Church in Wuhe County, went to the local police station in the course of a legal dispute over property. She requested Zhang Hongbing, a young lawyer from the Commercial Affairs Attorney’s Office of Anhui Province, to serve as her legal advisor for that year. When Sr. Qin died in 1994, Bishop Zhu Huayu of the Diocese of Bengbu also formally requested Zhang Hongbing in writing to serve as his legal advisor for that year. Bishop Zhu then assigned a young Sister, Li Zhiji, of the Wuhe County Catholic Church, to give lawyer Zhang her undivided attention and cooperation. These two took full advantage of the law, relying upon the *Regulations Concerning the Administration of Venues of Religious Activities* and related statutes and continued to press for the return of the church property. The local government also gave them great support. Finally in 1996 they won their case.

One reason the Wuhe County Catholic Church was able to win its lawsuit against the local police station over a piece of property

is that the policy of the Party and the government on religious freedom has actually been implemented. A second reason is that the church hired lawyer Zhang Hongbing, who knows how to use the law to protect the legal rights of the church. All persons are equal before the law.

The Chinese Catholic Church is involved in no small number of legal disputes over property throughout the nation. But when we see what can be achieved when the matter is put into competent hands, Catholics no longer have much to fear. Thus I hope that clergy and laity everywhere will learn how to use the law to protect the legal rights of the church.

Finally, I have obtained a copy of the contract through which Bp. Zhu named Zhang Hongbing as his legal counsel for that year. The following part is provided as a reference:

Certificate of Power of Attorney

Feb. 13, 1994

Zhu Huayu, Bishop of the Diocese of Bengbu, the Chinese Catholic Church, hires lawyer Zhang Hongbing of the Third Commercial Affairs Attorney's Office of Anhui Province as his legal counsel for this year. From this date, all matters of the diocese which require legal service are entrusted to the legal counsel. The legal counsel has the authority to represent the Diocese in signing all legal documents, and his client will endorse all such documents.

The following limited powers are delegated to attorney-at-law Zhang Hongbing:

- 1.) In the name of his client, to participate in all matters related to the legal process.
- 2.) On behalf of the client, to confirm, yield or amend matters being pleaded.
- 3.) To represent the client in effecting a negotiated settlement.
- 4.) On behalf of the client, to initiate administrative reviews, litigation, countersuits or appeals.

The Client Organization
Diocese of Bengbu, Anhui
Its legal trustee
Bishop Zhu Huayu