

THE ORDER OF SAINT CHARBEL

161B Koloona Drive Cambewarra NSW 2540 AUSTRALIA

Tel / Fax: +61 (02)44 460263 or 460832 Email: mwoa@shoal.net.au

Website: <http://www.shoal.net.au/~mwoa/index.html>

25 June 2002

MOST REVEREND PETER W. INGHAM, DD
DIOCESE OF WOLLONGONG
PO Box 1239
Wollongong SCMC NSW 2521
Australia
Tel +61 2 4253 0900
Fax +61 2 4253 0977

SUBJECT: REPLY TO YOUR DECREE OF 16 JUNE 2002

Your Grace,

I want to express formally my disappointment in your Decree issued against Mr. William Kamm and all associates dated 16 June 2002. I believe it is a grave offence against justice because of the errors of fact and errors of law – which create a defect of natural justice. Specifically, there has been a lack of procedural fairness – in that Mr. Kamm's two previous Appeals were never acknowledged. Secondly, Mr. Kamm was never given opportunity to provide probative evidence in support of his claims and which could corroborate his claims. Thirdly, the Commission's 63 questions posed to Mr. Kamm on 21 October 2000 were objectively prejudiced – and which were identified subsequently by Mr. Kamm's amended affidavit to the Commission. In the course of this letter I would like to point out the three main criticisms:

- Your **abuse of authority** manifest in your Decree through not allowing Mr. Kamm to corroborate his claims with probative evidence and in an integral presentation – especially their theological basis in Catholic tradition. This defect makes the Decree doubtful within the meaning Canon 14 at the very least.
- Your **rash judgements** based upon your suspicions and promulgated by you as if these judgements were comprehensive, factual and certain. You did not allow Mr. Kamm to answer your objections. The Commission's 63 questions (21 October 2000) were essentially prejudiced as Mr. Kamm's affidavit discloses.
- Your **lack of procedural fairness** in dealing with Mr. Kamm's claims – especially his two previous Appeals within the meaning of Canon 1638. Your failure to ask Mr. Kamm to clarify any relevant issues to which you had a problem – and if there was any other material he would like to present.

I would like to explain myself with more detail. I firmly hold that the judgements upheld by your Decree are seriously based upon suspicions which rashly judge Mr. Kamm – labelling him with grave offences without warrant. You have not – to this day – identified the alleged teachings and actions of Mr. Kamm which you say are against the Church. Furthermore you have not given theological reasons why -- and how you could come to such conclusions. According to the teachings of Saint Thomas Aquinas (*Summa*

Theologica Part II-II, Question 60, Articles 3) rash judgement based upon suspicion is a grave offence against justice.

If I may develop this point as it is central to my point. Suspicion is defined as "evil thinking based upon slight indications" (cf. *Article 3*) Suspicion becomes Rash Judgment when the person makes a judgment based upon these slight indications. I believe this has been the case since 1984 and particularly since September 1999 with the issuance of the first Decree. I believe the Commission fell into this same defect of natural justice when verbally delivering its 63 questions to Mr. Kamm on October 21, 2000. Mr. Kamm was not given these questions in advance, nor was he given sufficient time to write an integral reply. He was made to reply verbally to these questions put to him in an interview of just one hour. What leads me to this conclusion is the actual wording of these questions. If you would please re-read this Commission transcript, it is undeniable, because the questions also contained serious statements of prior negative judgement of Mr. Kamm – within the questions themselves! Ultimately, this is the reason Mr. Kamm would not sign the transcript when it was sent to him to become official. Thus Mr. Kamm amended the Commission transcript (without changing the questions nor his original answers) with his fuller answers to these same questions and signed this amended document as his affidavit which was sent to the Commission. The Commission has never to this day acknowledged acceptance of Mr. Kamm's affidavit.

I believe you have rashly judged Mr. Kamm by your Decree. On the last page, in the last two paragraphs you indicate that Mr. Kamm is in grave sin, when you write (emphasis mine):

“This decree will remain in force until such time as Mr William Kamm and his associates, for the sake of their eternal salvation, renounce all their manifestly false claims to legitimacy within the Catholic Church and until Mr Kamm and his associates permanently cease all activities contrary to the teachings, authority and discipline of the Catholic Church. (Decree, page 4)

For the good of their souls, with deep pastoral concern and as Chief Pastor of the Particular Church of Wollongong, I exhort Mr William Kamm, his associates and all those who have followed him or his various movements and associations to disassociate themselves from all that is contradictory to the teachings, authority and discipline of the Catholic Church, to seek God's forgiveness, and to re-establish their communion with the Catholic Church.” (Decree, page 4)

In several other places in the Decree you make these assertions (emphasis mine):

- The Holy See has declared that there is nothing supernatural about the alleged visions of Mr William Kamm. (Decree, page 3)
- Mr William Kamm has chosen to spread false teachings, to make false claims to authority, and to establish himself and his activities in clear contradiction to the teachings, discipline and authority of the Catholic Church. (Decree, page 3)
- Mr William Kamm's assertions, teachings and actions are dangerous and harmful to Christ's faithful. (Decree, page 3)

And further you add:

1. Mr William Kamm, through his alleged visions and in his various writings, communications and personal actions, is spreading teachings contrary to the divinely revealed teachings of the Catholic Church, in both faith and morals. (Decree, page 3)
2. Mr William Kamm, personally and through his associates and activities, is acting in contradiction to the divinely established authority and discipline of the Catholic Church. (Decree, page 3)

These statements of the Decree are made gratuitously without any substantial proof. To write that Mr. Kamm's teachings and actions are "dangerous and harmful" is a grave defamation. These are very serious allegations which are presented as if they were facts – when in reality – there has been no teachings or actions of Mr. Kamm worthy of these labels. According to Canon 128 you are obliged to repair this damage to Mr. Kamm's good name. Mr. Kamm's defence of himself relies heavily upon the authentic teachings of the Catholic Church, in particular the writings of Saint Thomas Aquinas and the relevance of Divine precedent in Sacred Scripture as interpreted by the Angelic Doctor. At no time in the past has the Commission nor yourself asked Mr. Kamm to present his integral explanation with all of its theological weight, probative evidence and fruits in his best possible light.

I believe your Decree has failed in what Saint Thomas refers to as the three degrees of suspicion:

"The first degree is when a man begins to doubt of another's goodness from slight indication. This is venial and a light sin ... The second degree is when a man, from slight indications, esteems another man's wickedness as certain. This is a mortal sin, if it be about a grave matter, since it cannot be without contempt of one's neighbour ... The third degree is when a judge goes so far as to condemn a man on suspicion: this pertains directly to injustice, and consequently is a mortal sin" (**Summa Theologica, Part II-II, Q.60, article 3**)

I believe the Decree of 16 June 2002 – as well as the previous two Decrees – violate this definition of Saint Thomas. Finally Saint Thomas explains why we should always think well of a man when all we have are doubtful indications:

"I answer that, as stated above (A.3, Reply Obj. 2), from the very fact that a man thinks ill of another without sufficient cause, he injures and despises him. Now no man ought to despise or in any way injure another man without urgent cause: and consequently, unless we have evident indications of a person's wickedness, we ought to deem him good, by interpreting for the best whatever is doubtful about him." (**Summa Theologica, Part II-II, Q.60, article 4**)

According to this teaching of Saint Thomas -- you should have informed Mr. Kamm that you were about to deliver a negative judgment against him – so could he please provide additional clarification and corroboration of his claims. You should have presented to him the exact examples of his teachings and actions which were allegedly against the Teachings of the Church. You did not do this – nor was this done before any of the Decrees were issued. This is a grave defect of natural justice. We see no way for you to avoid this charge because of your actions against Mr. Kamm.

Please take note of the following specific points in your Decree which are mistaken or wrongly applied:

1. The CDF letter to you dated 22 March 2002 writes that Bishop Murray set up a Commission (Decree, page 3) -- this is contradicted by your earlier reference on page 1 which refers to the Pastoral Letter of Bishop Murray dated 2 December 1984 (Decree, page 1). There is a big difference between a Pastoral Letter and a Diocesan Commission. In 1984 Mr. Kamm met with Bishop Murray for 30 minutes in his Office and he was given (3) Messages of which Bishop Murray submitted to a Priest for evaluation. There can be no Commission without a Notary to authenticate the documents and testimony. Secondly, Mr. Kamm was not asked to take an oath in witness to the truth of his conversation. There was no such Notary present for Mr. Kamm as it was clear it was not a Commission meeting. Thirdly, Mr. Kamm was not asked to sign a transcript of the meeting to authenticate his testimony.
2. You make a vague reference to one of the most important elements in defence of Mr. Kamm – namely, the Appeals. You write:

“whereas William Kamm took recourse against this decree to the Bishop of Wollongong on 30 September 1999, to the Archbishop of Sydney on 2 November 1999 and to the Holy

Father on 8 December 1999, wrongly claiming that his recourse automatically suspended the execution of Bishop Philip Wilson's decree" (Decree, page 1)

This recourse (Appeal) of Mr. Kamm is very important. In fact Canon 1638 says that the Appeal suspends the execution of the Decree. It is not wrongly attributed because the Commission is dealt with under these Canons. Secondly, it is clear that Bishop Wilson established an Ecclesiastical Investigation – not just a simple commission! Mr. Kamm's claims in his Appeal were substantial and essential to the justice of his case – how could such be ruled out by simply stating that Mr. Kamm wrongly claimed his recourse suspended the execution of the Decree? This is an abuse of power and an abuse of procedural fairness and is thus a defect of natural justice owed to Mr. Kamm. The reason being that it cut off any recourse for Mr. Kamm's claims that the Decree was unjust!

“whereas acceding to William Kamm's request to be interviewed, Fr Kevin Matthews, one of the Commissioners, interviewed him on 21 October 2000, during which the matter of recourse was raised as an objection; and

whereas when the acts of the interview were sent to William Kamm to be signed, Mr Kamm produced a document, dated 17 November 2000, in which he gave his own version of the interview with additional material” (Decree, page 2)

Yes, the objection was from Mr. Kamm! Again Mr. Kamm questioned the Commission (21 October 2000) about his Appeal and objected that his Appeal had not been responded to. In the transcript of the Commission's interview on 21 October 2000 Fr. Kevin then responded as follows:

Fr Kevin: Canonically there is just a side question as to the status of that appeal - it is my belief that Rome wants us to solve things at the local level so we will investigate that side question.

Mr. Kamm: But have you been advised by Rome?

Fr Kevin: I would have to go through the correspondence.

This is truly amazing! It became clearer -- the Commission was not aware of the Appeal of Mr. Kamm! This is totally unjust. This shows a lack of procedural fairness (natural justice) which is unacceptable to say the least. The method of the Commission is essentially flawed. Your Grace, how do you reply to this abuse of power. Do you realise that the Appeals of Mr. Kamm have never been acknowledged within the meaning of Canon 1638? His last Appeal to the Pro Nuncio – as advised to Mr. Kamm by Fr. John Woods – was sent by registered mail, yet Mr. Kamm has never received an acknowledgment nor reply! Yet this Appeal was essential to Mr. Kamm's claims! This is a terrible indictment against your procedures!

Furthermore, the Commission failed to give to Mr. Kamm the 63 questions in advance. It required that he answer on the spot under oath when each question was designed to place Mr. Kamm in an unfavourable light. To go into this point would require many more pages so I will omit this for now. However, I wish all who read this letter from me would see for themselves the prejudice in the 63 questions to which I refer (see our Website). Mr. Kamm's signed Affidavit to the Commission clearly highlights this prejudice. Continuing on with your Decree:

“whereas on 24 January 2001 Archbishop-elect Philip Wilson wrote to the Congregation for the Doctrine of the Faith in support of his action taken against William Kamm and the so-called Order of St Charbel and in respect of Mr Kamm's subsequent recourse,

presenting the Diocese's case subsequent to its investigation and as outlined in the Commission's report" (Decree, page 2)

Again, you refer to Mr. Kamm's Appeal but with no clarity. For the fact is you issued your Decree (27 September 1999) before you convened the Commission (5 May 2000)! Does that not justify Mr. Kamm's Appeal even on this basis alone? We are absolutely amazed at the unfairness of your procedures which effectively cut-off Mr. Kamm from any dialogue with you. He has never been permitted to present an integral case for himself – this is a terrible defect of natural justice limiting his rights which are guaranteed to him within the meaning of Canon 221.

3. Regarding the personal letters from the CDF to Bishop Philip Wilson (3 February 2001) and the letter from the same CDF (22 March 2002) to you. It is clear that these are not public documents to the whole Church, rather personal letters to assist you in the matter. It is clear that the CDF did not have an integral presentation of Mr. Kamm's substantial defence of his case. The reason being, that Mr. Kamm was never asked by you nor the Commission to provide more probative material in his defence nor was Mr. Kamm asked to clarify certain issues which would have benefited Mr. Kamm's presentation. Nor did Mr. Kamm have the benefit of substantial and relevant counsel from his Advocate – Fr. Woods. Please take note of the following paragraphs from the CDF letter in your Decree:

"It is quite clear that his so-called Order of St Charbel has never had any legal existence in the Catholic Church. Mr Kamm himself admits that its recognition was done by a schismatic Prelate. Hence your Decree of September 27, 1999, is perfectly valid and binding." (Decree, page 2)

"In relation to the diocesan investigation, it is clear that the multiple absurdities contained in the two books published by Mr Kamm and the information collected by the commission offer sufficient grounds for a decision in relation to the clearly non-supernatural origin (the classical equivalent is: *constat de non-supernaturalitate*) of the "apparitions" and "messages" promoted by Mr Kamm. I suggest your diocesan investigation come to a speedy close and the commission present to you a signed written report of their conclusions on this subject. The Congregation for the Doctrine of the Faith would be pleased to receive and support your decision on this issue." (Decree, page 2)

The reason the Order had no legal existence is because of the failure of the Diocese to give a fair hearing to the Order's repeated appeals for recognition under Canon 605 going back to 1988. No, it is not quite correct to imply recognition by a schismatic Bishop. Bishop Bartholomew Schneider was consecrated by Bishop Athanasius Maria Seiwert-Fleige in the Thuc Line. We understand that Bishop Athanasius has received a regularisation of his status from the Holy See since October 2001. Bishop Bartholomew Schneider affiliated with us by accepting us as an Order under his care – to the extent possible. His Franciscan Congregation has always remained distinct from the Order of Saint Charbel. He simply agreed to be our Advocate to the extent possible under his limitations. Therefore, the comment about Bishop Schneider from the CDF quote (above) does not prove that the Decree of 27 September 1999 was valid and binding! On the contrary, how could this Decree be issued against Mr. Kamm before Mr. Kamm had a chance to present his case? As already stated, the Commission was not set-up until 5 May 2000. Again this is misinformation.

4. Regarding my status as a Catholic Priest. I received faculties from Bishop Bartholomew Schneider a few years ago to say the Tridentine Mass. He has become the advocate of the Order. The Bishop's of Wollongong have always refused to acknowledge our request for approval of the Order of Saint Charbel within the meaning of Canon 605. Consequently, we are very happy that Bishop Schneider can help us even in a limited way.

Regarding my priestly faculties. When I am able to present my case to the Tribunal under the protection of Canon Law for contentious issues – I will gladly explain the circumstances which led to my arrival in Australia to join the Order of Saint Charbel. I will further explain the “necessity” concerning my faculties in relation to Canons 1323 and 1324. Until then, I will remain silent on this issue and continue my priestly ministry within the Order of Saint Charbel.

In conclusion, I would like to appeal to your Grace for fairness regarding Mr. Kamm’s rights to a fair hearing and presentation of his claims in their integrity and in the best possible light. You must forward his Appeals to the higher Tribunal. In spite of all, we still hope in your pastoral care for Mr. Kamm and all associated with him.

I thank you for your time to read this long letter. I hope it is helpful to your continuing investigation of Mr. Kamm and his claims.

May Jesus Bless you and Our Lady love you tenderly,

Sincerely yours in Christ,

A handwritten signature in cursive script that reads "Fr. Malcolm Broussard". The signature is written in dark ink and is positioned above the typed name.

Fr. Malcolm Broussard