

Unity and Peace

The Foundations and Vision of the Constitution of
The Ecumenical Catholic Communion

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*"Make every effort to preserve the unity which has the
Spirit as its origin and peace as its binding force."*

Ephesians 4:3

Preface

As a member of the original committee that drafted the constitution of the Ecumenical Catholic Communion, I am privileged to write this short review of the foundations and the vision (the ecclesiology and polity) of the constitution of the Ecumenical Catholic Communion. A number of us worked for the duration of a year to formulate the canons that were submitted to the constitutional convocation in 2003. At that time the chancellor of the ECC was Allison Sansone. Her talent came from the business world and our Presiding Bishop, the Most Reverend Peter Hickman, recognized her unique abilities for the organization and promotion of the Communion. She and Rev. Giovanna Piazza worked tirelessly to edit draft after draft of revisions to the constitution based upon the continuing work of the entire constitutional committee, which labored for 12 months. The original three parishes of the Communion grew to eight communities by the time the convocation met in October of 2003 to adopt the constitution.

Since October of 2003, the constitution has been amended to address the needs of the Communion - starting with the amendments of the Synod of 2005. It is a living document that reflects both the discernment of the Communion's Synodal representatives and the growth in member communities of the Ecumenical Catholic Communion. The constitution is the written expression of a profound commitment of the communities and members of the ECC. Ours is a commitment to the Gospel of Christ, celebrated in the rich Catholic heritage of Word, Sacrament and Apostolic Tradition. It is also a commitment to the life of prayer and compassion, a continuous call to justice and peace, and a quest to discover the divine presence in everyone and to affirm that dignity.

Such a commitment may sound overwhelming. But Christians are reminded that "My yoke is sweet and my burden is light." (Matthew 11:30) To be a Catholic Christian is to take on this yoke and burden that feels like no burden when we are fed and nourished by a community alive in this Catholic identity. Rev. Giovanna Piazza - a valuable member of the committee that drafted the constitution - said it well when she stated that Catholicism is "in our DNA." Catholicism is so much a part of our heritage and in the fiber of our minds and hearts that the feeling of burden comes when we attempt to

leave our Catholic heritage or when we experience the exploitation and abuse that threaten to destroy this beautiful and nourishing Catholic heritage.

In the following pages I will examine the constitution in two ways, showing that it is a document which truly expresses the vision of the Ecumenical Catholic Communion. First I will examine the historical foundations of the ecclesiology that has formed the constitution. This examination will draw on my own experience of the Old Catholic tradition in America, as well as articles written by Fr. Bjorn Marcussen on European Old Catholicism, by Fr. Anthony Padovano on the history of Roman Catholicism in America and by Fr. Robert Caruso, who recently wrote a paper on the Old Catholic experience. My sources for Catholic and Old Catholic history include the writings of Fr. Richard McBrien in his landmark book and course entitled *Catholicism*, as well as the history of the Old Catholic experience written by an unnamed Benedictine brother in 1941 for the *Catskill Morning Star*. Finally, the work of Father Francis Sullivan, who wrote *From Apostles to Bishops, The Development of the Episcopacy in the Early Church*, will add to the historical perspectives that have developed the Old Catholic tradition and given rise to the Ecumenical Catholic Communion which culminated in the creation of its polity and constitution.

Second, I will examine the polity established in the constitution, giving the background which prompted the original members of the Communion to create such a structure. This will clarify the reasons for the creation of the House of Laity and House of Pastors, the Episcopal Council and the Office of the Presiding Bishop.

It is my hope that these words will bring clarity and inspiration to those who read this short introduction to the polity and constitution of the Ecumenical Catholic Communion. It is also my hope that my writing will inspire women (clergy and laity) in the Ecumenical Catholic Communion to write commentaries on the polity and constitution of the Communion. Their perspective on the development of the Catholic heritage has yet to be fully heard. The writers I have cited are men, who have contributed valuable work to the analysis of the Catholic experience. Yet we will maintain a large deficit in that analysis until the day in which women have an equal share in it. Theirs has been a voice muffled by repression but courageous in leadership. As I write, I think of the religious superiors who led their congregations in

the face of patriarchal control of the Church. These superiors rightly deserved their traditional term of address, which was "Mother."

I also think of the multitudes of Catholic laymen and laywomen who raised their children in the faith of their ancestors but had little to say in choosing the leaders of their Church. They loved their Catholic faith, in spite having little say in its governance. At its worst, Catholic laity were asked to simply "pray, pay and obey."

However, it would be unfair to characterize the entire experience of Catholic governance as simply abusive and repressive. Millions of clergy and religious led their faithful parishioners in prayer, nobly taught their children, cared for their spiritual welfare, fought for justice and compassion in their communities, and listened to the cares and grief of all who came to them. Catholicism brings more fond memories than anguished memories to most of us. In my own memory I recall dedicated priests, sisters and laity who inspired me to believe in Jesus Christ, devote myself to the sacraments and measure my life in terms of compassion and justice. Their lives are now heavily scrutinized because some among their ranks have harmed the household of faith. The vast majority gave their lives generously to the service of their sisters and brothers in Christ. Despite their shortcomings, they "fought the good fight and ran the race." Such people also inspired me to become a priest. It is with profound gratitude, love and admiration that I remember them as I develop this guide to the ECC constitution. Through many generations they have passed and developed a living Catholic faith so that we may enjoy its beauty and its path of peace.

Rev. James Farris, Laguna Beach, California

January 2, 2007

Memorial of Saint Basil the Great and Saint Gregory
Nazianzen, bishops and doctors of the Church

Part One: The Historic Foundations of Our Polity

A Scriptural Archetype

The Acts of the Apostles provides a striking guidepost for the governance of the Church. According to the narrative, the leadership of the Church was the first issue addressed by the tiny apostolic community after the Ascension of Jesus. The community of 120 followers of Jesus met for continuous prayer. It is interesting that the scripture specifically mentions the fact that women were part of the assembly of followers, along with Mary and the brothers of Jesus. There is a feeling of participation and inclusion in the text of Acts.

The assembly of believers came under the leadership of Peter, who urged the group to choose a replacement for Judas, who had betrayed Jesus and had died - presumably by his own hand, according to Matthew 27:5. Peter does not appoint a replacement. In Acts, he is seen as a leader, but does not have authority over the other apostles. Rather, he speaks as a guide - a voice of the Spirit - to the entire assembly - an interpreter of events who assists the assembly in understanding what has happened in the death and resurrection of Jesus, and in discerning the next steps of the Christian community. Peter stands out as a spiritual teacher and guide, and does not come across in this scriptural passage in a juridical position of power. He is the leader of the Apostles, who are communally the leaders of the Christian assembly.

The scripture goes on to say that "...they nominated two" who would replace Judas. The assembly prayed and then the two "drew lots" to determine who would replace Judas. Matthias was chosen. We may properly ask who "they" were who nominated the two. Does this mean that the Apostles nominated two or that the entire assembly nominated the two? While the first chapter of Acts does not clarify an answer to this question, a later reference does. Acts 6 tells the story of how the first deacons of the Church were chosen. The Christian community was asked to present seven men to act as assistants to the apostles. The community was the group that called forth these individuals. According to the scripture, they were chosen by the community by standards set by the apostles:

The Twelve assembled the community of the disciples and said, "It is not right for us to neglect the word of God in order to wait on tables. Look around among your own number, brethren, for seven men acknowledged to be deeply spiritual and prudent, and we shall appoint them to the task. (Acts 6: 2-3)

The seven were chosen and the appointment took the form of what we would presently call ordination. In Acts 6: 6, we find that the community chose the assistants to the apostles: "They presented these men to the apostles, who first prayed over them and then imposed hands upon them." In these narratives, democratic process was used for choosing both a replacement for Judas and the seven assistants to the apostles. They were chosen by the community and affirmed by the apostles.

The narratives seem to indicate that the process was not simply selection by the community, nor was it simply the appointment by the apostles. Instead, two steps were involved in discerning the leading of the Spirit for the choice of leaders: the selection by the community and the affirmation of the apostles. **The case that the community chose a replacement for Judas is also very strong because Peter addressed the assembly of 120 (according to Acts) to describe the need for another apostle. And the response was that "they nominated two."**

The action of the Christian community of Acts in the choice of their leaders is a striking and powerful statement for the governance of the Church. Already we see an archetypal standard of empowerment of the people in choosing those who will be their leaders. Such an image has as much strength as the doctrinal statements that emerge from *The Acts of the Apostles*. It is a guidepost for the Church that is needed as much as other guideposts of the Catholic tradition concerning the life of worship and sacramental celebrations or creedal formulations.

The Acts of the Apostles shows us an image of the participation of the community in their own governance. The community is asked to prayerfully discern who their leaders will be. And leadership affirms that discernment. Leadership takes the form of the Spirit-inspired wise teacher and authority takes the form of Spirit-guided wisdom teaching. Three elements are

involved: the guidance of the Holy Spirit, the discernment and choice by the community, and the affirmation of the apostolic leadership.

As we continue reading Acts, we see that the apostles also take on a prophetic role. They act as spokesmen for the Christian community. The apostles take on the power of the ancient prophets of Israel - their words are Spirit-filled and powerful. And their actions have the spiritual power to heal - and sometimes eliminate those who would betray the Christian community, as in the case of Ananias and Sapphira (Chapter 5). But this was not punishment in a juridical sense (excommunication). It was by their word - their spiritual authority itself - that the apostles were able to affect both cures and condemnation. Chapter five of Acts gives plenty of evidence for this, as Peter's words themselves destroy Ananias and Sapphira, and as his words and prayers also heal many others.

In Acts, the apostles continuously take a role of communal teachers and spiritual guides for the community. Their authority depends upon their Spirit-gifted teaching, as well as their role as spiritual leaders. They are continuously referred to as "The Twelve" in *The Acts of the Apostles*. This designation gives us the image of collegial authority - the apostles of Jesus teaching in an integrated and communal fashion, so that what they taught seems to be received by the community as a unified doctrine. Acts tells us that the community...

...devoted themselves to the apostles' instruction and the communal life, to the breaking of bread and to the prayers. A reverent fear overtook them all, for many wonders and signs were performed by the apostles. (Acts 2: 42-43)

The Witness of the Early Church

Church historians remind us that the turmoil and danger of the early Church did not allow the Christians of the first 300 years much opportunity to think about Church governance. Early Christians were being persecuted by the Roman government. Christian martyrs, such as Ss. Perpetua and Felicity or St Polycarp, are celebrated as courageous women and men who retained

their determination to believe in Jesus Christ despite the persecution of the governors and emperors of Rome. They were martyrs not only because they retained their faith in Christ, but because they are symbols of the cause of freedom - that people should be able to embrace the faith they choose, as a basic human right. Christians were too busy surviving and had little time to create structures of governance. Often, simply gathering together was an illegal activity for the Christian community. Bishops were often executed and other members of the Christian community were punished. St. Fabian, the bishop of Rome, was executed in the year 250. St. Cyprian, the bishop of Carthage in Africa, went into exile at that time as well. He was escaping the persecution of the emperor, Decius. The historical accounts tell us that priests were tortured and imprisoned, Christian women were raped and children were killed.

Even in the face of persecution and even in the face of doctrinal controversies that were splitting the Church, Cyprian was a champion of governance through the discernment of the People of God. He wrote in his *Letters* (14:4) that:

I have made it a rule, ever since the beginning of my episcopate, to make no decision merely on the strength of my own personal opinion without consulting you [the priests and deacons] and without the approbation of the people.

Fr. Richard McBrien comments on Cyprian and the governance of the Church in his era:

In fact, the whole Church community took part in the election of bishops and the choice of ministers. Even though the early Church already possessed a firm canonical structure, it also wanted to be ready for any movement prompted by the Holy Spirit. And so the intervention of the laity was welcomed as a matter of principle. But the Church also regarded the bishop as possessed of the gifts of the Spirit in a preeminent way. It was because of the apparent presence of these gifts that one was chosen a bishop in the first place. (Catholicism, pp. 744-745)

When Constantine unified the entire Roman Empire and produced an Edict in 313 that legalized Christianity, everything changed in terms of persecution of the Christians. But this also changed the position of those in authority in the Church. They soon became officials (especially in large dioceses in cities) and were invested with civil power as well as ecclesiastical power. Constantine wanted a strong and united empire and saw that religious unity would be one way to ensure the fulfillment of this desire.

Still, the Church functioned in a more democratic way than it would in the centuries to come. In the early fifth century of the Church, Pope Celestine promoted the formula for selecting bishops that would be repeated again and again: "The one who would be head of all should be selected by all." This formula would be reaffirmed at the Council of Orleans in 549, the Council of Paris in 557, and as late as 1140, in the collection of canon law known as the *Decretals of Gratian*.

While Constantine had imposed civil control of the Church that would be further enforced by later emperors, the work of extricating the civil control of the Church was greatly advanced by Gregory VII, the Pope of Rome in the eleventh century. He promoted the idea that spiritual power is given to the Church and civil authority is given to the state. However, the dark side of Gregory's position was to move the authority of bishops and the Pope of Rome away from the idea of moral authority as teacher and guide to that of ruler and prince - to juridical authority. The image of bishops and priests were transformed from a sacramental character to a jurisdictional character, and a fierce legalism was introduced into the authority of the Church. Christ gave power to the bishops and pope and they passed this power to their successors. Fr. Richard McBrien writes about this period:

*And so a legalism was introduced, and it radically changed the original spiritual notion that obedience to God's representative is obedience to God. The presence of grace in the representative was no longer crucial. Episcopal authority was no longer **moral** authority but **jurisdiction**, and it was bestowed even before the sacrament was conferred. The bestowal of grace was secondary. And so the idea developed that a priest "governs" his parish, bishops "govern" their dioceses and "judge" in all matters, and the pope rules as "sovereign" - indeed, is the "Sovereign Pontiff." (Catholicism, p. 747)*

There was a strong reaction to this change in the authority of the Church. And great saints criticized what was happening. St. Bernard wrote to Pope Eugenius in the middle of the 12th century to comment harshly on the pomp and riches of the Papacy: "All this, as well as the claims to prestige and riches, goes back to Constantine, not to Peter." St. Thomas Aquinas promoted the idea of the Church as a congregation of the faithful and not a jurisdiction handed down from Christ. He also promoted authority in the Church as linked to spiritual gifts, not just juridical and legal authority. Aquinas said that the point of authority was to aid in the perfection of Christian charity, and that the "law" of the Church is one of love and service, not fear and coercion.

Soon there were groups that reacted to the strong juridical stance of the Roman Church. Some, like the Hussites, were groups that broke with the authority of the Church and were persecuted for doing so. There were also groups, like the Franciscans, who worked within the structure of the Roman Church to purify it of the legalism, the pomp and the lavish trappings so akin to secular authority.

Contrary to the consolidation of power in the bishop of Rome as Pope, there were also movements among the bishops that tried to move the Church toward a balance of power and greater participation by other Church leaders. The movement called "Conciliarism" held that the Church should be governed in a more democratic and parliamentary way. Bishops were seen as collegial partners in their position of authority, and general Church councils were understood by "Conciliarists" as having the highest authority. (Even the pope would be subject to the authority of a general Church council). Frequent general councils were promoted as normative by this movement. The Council of Constance affirmed the position of the Conciliarists in 1415, and again Conciliarism was affirmed in the Council of Basel. But Pope Eugene IV fought the idea of Conciliarism and took the strength of this movement away from its defenders by suspending the Council of Basel and transferring it to Florence in 1431.

The greatest promoter of Conciliarism was a brilliant German priest and cardinal, named Nicholas of Cusa, who lived in the first half of the 15th century. Aligned with his stance were a number of old religious orders, such

as the Carthusians, who said that general councils were the supreme authority of the Church. They criticized the Pope and his curia (the Papal administrative bureaucracy) by saying that their opposition to Conciliarism was rooted in the fact that they would be held responsible for centuries of evil practices if they were made accountable to a general council. The attack on the Papal position and the curial system would continue through the Reformation and even beyond the Second Vatican Council. But the Roman Catholic structure of absolute power and monolithic authority would prevail to the present day. The spiritual ancestors of the Old Catholicism and the Ecumenical Catholic Communion would emerge as defenders of a more ancient understanding of Catholicism and of the governance of the Church.

The Ascent of Rome

In the year 800 Charlemagne was crowned "Emperor" of the "Holy Roman Empire" by Pope Leo III. In exchange for this honor, the emperor agreed to suppress the ancient local customs and rituals that had been observed in France - known as the Gallican Rite of the Church. This was one of many liturgies that had developed in Europe over the first eight centuries of Christianity. Charlemagne would enforce the exclusive use of the Roman liturgy in his entire kingdom and was successful in his endeavors.

This action was one of many that solidified the power of the Roman bishop over Western Europe. Other efforts had been to replace the monastic form of Catholicism in the British Isles with Roman diocesan government. The Mozarabic Rite of Spain was suppressed and replaced with the Roman liturgy. Clerical celibacy was enforced throughout Europe and finally reached Germany in the 11th century, under Pope Gregory VII.

The Roman bishop was accorded honor through a belief that the line descended from St. Peter. But four other bishops have also been traditionally honored as "Patriarchs" who derive their ancient Episcopal dioceses from the apostles. These are the Patriarch of Constantinople, Alexandria, Antioch and Jerusalem. The Roman bishop, however, has pursued ever stronger power, so as to eventually demand direct authority over every other bishop and every individual Christian in the world. This claim (to having universal primacy) led, in 1054, to a split of into the

Western Church (generally in Western Europe) and the Eastern Church (generally called Orthodox, and located in Eastern Europe and Asia Minor). Further splitting came at the time of the Protestant Reformation, and again in the split with the Anglican Church - both in the 16th century. And in the 17th century the Pope's claim to absolute authority would create a breach with the Archbishop of Utrecht that would eventually contribute to the rise of Old Catholicism in the 19th century.

The Archbishop of Utrecht

St. Willibrord was a 7th century missionary who evangelized the people of the "low country" of Europe - the modern day Netherlands. He and his successors were the Archbishops of Utrecht - a Dutch city. Even in the face of growing Papal power, Pope Eugene III authorized the senior priests of Utrecht (and the neighboring dioceses that were subject to the authority of Utrecht) to elect a successor upon the death of an Archbishop of Utrecht. **[Many historians have claimed this to actually be a right from the very beginning of the diocese of Utrecht.]** The right of the canons (senior priests) to choose the Archbishop of Utrecht was affirmed by the Pope as permanent, but was rescinded in the 18th century because of great political turmoil in which the Papacy was again trying to assert absolute power over all decisions of local Roman Catholic communities. During this time, the canons attempted to maintain faithfulness to Rome, and also maintain their autonomy as a diocese that was allowed to elect its own bishop. While the controversy was raging, bishops were chosen by the canons and consecrated by the French bishop, Dominique Varlet - who was also having political troubles with Rome and became a refugee in Holland. Eventually, the Pope appointed a rival bishop to the diocese of Utrecht, and two Catholic Churches existed in the Netherlands. The episcopal line of the Archbishop of Utrecht continues until today, and the present Archbishop of Utrecht is the Most Reverend Joris Vercammen. In the 19th century, the Old Catholic movement in Europe found a great patron in the Archbishop of Utrecht.

This experience is covered in the 1941 series of newspaper articles written by an Old Catholic Benedictine brother in Woodstock, New York - which can be found on the website of the Ecumenical Catholic Communion. Here is an excerpt from those articles:

Bishop Varlet, a French refugee in Holland, at the request of the Chapter, braved Papal censure by successively consecrating Cornelius Steenoven (1724) and Cornelius Jan Burchman (1725) as Archbishops of Utrecht. The celebrated canonist, Van Espen, defended the rights of the Chapter to elect its own Archbishop. The Church of Utrecht continues to this day in preserving an independent Catholic Episcopate in Holland whose validity has never been questioned by Roman Catholic authorities.

The Old Catholics

Although Pope Pius IX began his administration of the nineteenth century Roman Catholic Church with some liberal reforms, he soon turned to an ultra-conservative style of governance. This was especially true after he lost the territories called the Papal States in 1848. The Pope was left with the small area of the Vatican after the Italian revolution united all Italy - including land previously governed by the Pope. Pope Pius IX set out to condemn liberal democratic reform in the governments of Europe, as well as condemning (in his *Syllabus of Errors*) public education, the separation of church and state, free speech, bible study groups, and ideas called "Modernism" and "Liberalism." In 1868, the Pope called for an ecumenical council, which met from 1869-1870. It was at this First Vatican Council that Pope Pius IX made a political effort to centralize and strengthen Papal power - perhaps in response to his loss of power as a head of state. This culminated in the declaration of Papal infallibility. The Pope put tremendous pressure on the bishops of Vatican I to affirm the teaching that the Pope is not only infallible, but possesses power above the authority of any ecumenical council and having total and immediate jurisdiction (universal primacy) over every other bishop and all individuals throughout the world. A newspaper article by the Old Catholic Benedictine brother of Woodstock, New York, described the initial reaction of bishops of Vatican I on Papal infallibility as such:

...when the dogma was met with its first vote, eighty-eight voted against it, ninety-one bishops refrained from voting, and sixty-two voted yea only conditionally. The opposition departed from Rome before a second vote was taken rather than be called upon either to support the hated dogma or personally offend the Pope by voting negatively.

As the article stated, many bishops left Rome before the end of the council rather than be faced with such a vote. A great many bishops and other

participants at Vatican I were horrified by this declaration of total Papal power. (In response to this Lord Acton said those famous words that really referred to Pope Pius IX: "Power corrupts, absolute power corrupts absolutely") Encouraged by a liberal press (which promoted such beliefs as the freedom of conscience and basic human rights of speech, religion, etc.), hundreds of laity and clergy in Europe repudiated the teaching of the infallibility of the Pope as contrary to the ancient teaching of the Church. In 1871, the first Old Catholic Congress met in Munich, Germany to support the teaching of an Older Catholicism (and were thus called Old Catholics). The leaders of this Congress were excommunicated for their rejection of the doctrine of Papal infallibility. The Old Catholic movement embraced such ideas as the participation of the laity in the governance of the Church and the affirmation of basic rights for all Catholics, the removal of rule of celibacy for clergy, adherence to the ancient Catholic faith, the reform of the training of the clergy, and the move toward the re-unification of the Christian denominations.

Bishops, priests, theologians and lay leaders around the world repudiated the doctrine of Papal infallibility. The Woodstock Benedictine brother continues in his article about the Old Catholics and the doctrine of Papal infallibility:

In America, Archbishop Kenrick of St. Louis, whose speech against the new dogma was suppressed in Council, expressed the unspoken feelings of many of the bishops in the following memorable sentence. "Notwithstanding my submission, I shall never teach the doctrine of Papal Infallibility so as to argue from Scripture or tradition in its support, and shall leave to others to explain its compatibility with the facts of ecclesiastical history to which I referred in my reply. As long as I may be permitted to remain in my present station I shall confine myself to administrative functions which I can do the more easily without attracting attention, as for some years past I have seldom preached."

Soon the movement became solidified through the creation of another ecclesial body - united by a declaration that came to be known as *The Union of Utrecht*. Bishops were ordained through the autonomous Catholic Church of Holland (the Archbishop of Utrecht and those bishops in union with him). And the renowned German scholar, Dr. Johann Joseph Ignaz von Dollinger, participated in another congress of Old Catholics in the formulation of guidelines for the governance of the Church. The Benedictine brother of Woodstock, New York commented in 1941 about the guidelines:

In Cologne, Germany, the following year, another congress under the direction of Dr. von Dollinger went still further in a practical direction. Under the lead of Dr. von Schulte the determinative features of the Old Catholic Church order were fixed. The Bishop was to have all rights common to his office, but the clergy and laity were given a voice in the direction of legislation and discipline. The Bishop was to be presiding officer of the Council but elected by it. No pastor was to be appointed who was not first acknowledged by the members of the local parish. No taxes for dispensation and appointments were to be raised. These formed the fundamental principles of the movement, apart from its allegiance to the traditional faith of the Church, which in opposition to "Roman" or "Vatican" Catholicism began to take form ecclesiastically under the name "Old Catholic."

The Old Catholic movement soon spread throughout Europe, into the countries of Austria, Czechoslovakia, Italy, Switzerland, France, Yugoslavia and Poland, and Bishops were consecrated at Utrecht, Holland, for the Old Catholic communities of almost all these countries. Soon the Old Catholic Movement would find support in England and make its way to America.

The American Experience

Before any discussion of the arrival of Old Catholicism in America, it is best to recall that the Roman Catholics had a tradition of democratic process in the earliest days of the United States. Fr. Anthony Padovano provided a short but excellent overview of this history in 2003, when he addressed the Call to Action conference in Milwaukee, Wisconsin. I will draw heavily from that address.

John Carroll was a Roman Catholic priest from a wealthy and distinguished family. His cousin Charles was a signer of the Declaration of Independence. In 1782, John Carroll wrote a constitution for the clergy of the new nation that was the product of three meetings held by the clergy over a two year period. The constitution outlined the rights of the clergy in determining their ministries and their leaders - reflecting the democratic process of the American government.

In Rome the Pope was seeking a new bishop for the American nation. Benjamin Franklin suggested John Carroll for the position. (It was customary for national governments to suggest names to the Pope in that era). John Carroll was approached for this position of leadership, but declined unless he should be elected by his fellow priests. He was almost unanimously elected

and continued to create a system of governance that included the voices of those under the bishop's leadership. In this system the liturgy was in English and both clergy and laity were a part of the governing councils of parishes. Additionally the bishop had a limited right to dismiss a pastor, the laity chose their pastors who were then appointed by the bishop, and disputes were settled by an arbitration board made up of clergy and laity. The Catholic Church in America was also open to ecumenical dialogue with Protestants under the leadership of Bishop Carroll.

Bishop John England of Charleston, South Carolina, continued this great heritage of democratic process in the Church 34 years after its beginnings under the leadership of Bishop John Carroll. Bishop England wrote a constitution for the Roman Catholic Church of South Carolina that was based upon the belief in "Conciliarism" affirmed by the Ecumenical Council of Constance in 1415. This council affirmed the authority of an ecumenical council over that of the Pope.

Bishop England's constitution affirmed that bishops were not deputies of the Pope any more than governors of the states were deputies of the American president. It added that "We are not required by our Faith to believe that the Pope is infallible." Each parish had a vestry (lay council) that administered the finances, including the salary of the clergy. It also settled the salary of lay personnel hired by the parish and made decisions about their hiring and termination. Any disputes or problems with the clergy were discussed by the vestry and reported to the bishop, who would be asked to settle the matter. On the diocesan level, a board controlled diocesan funds - which was composed of two clergy appointed by the bishop, a vicar and three clergy chosen by the clergy, and six laity who were chosen by the laity.

The constitution continued the legacy of Bishop Carroll by affirming the participation of the clergy and laity in Church governance, a written constitution and a diocesan convention that would take place every two years. The diocesan convention was made up of a house of clergy and a house of laity, and every act that was passed by the convention required the harmonious agreement of the two houses and the bishop. Any disputes would be appealed to Rome.

The democratic process was evident on the national scene as three councils were held for all the American bishops in 1855, 1866 and 1884. These national councils of Roman Catholic bishops took place in Baltimore, and produced the well-known Baltimore Catechisms (very dated in language and style, but important as the work of the American bishops). This collegial effort was unmatched until after the Second Vatican Council, which called for just such national conferences.

At Vatican I the American bishops initially opposed the doctrine of Papal infallibility, knowing that it would inflame Protestant fears of foreign interference in the nation, as well as suppress free speech in the Roman Catholic Church. And the bishops were so ecumenical that (against the desires of Rome) three of them attended the first Parliament of World Religions in Chicago in 1893 - Cardinal James Gibbons of Baltimore (from the North), Bishop John Keane of Richmond, Virginia, the first rector of Catholic University (from the South), and Bishop John Ireland of St. Paul, Minnesota (from the Midwest).

These efforts were eventually suppressed by the opposing efforts of the Papacy, beginning after John Carroll with the cessation of episcopal elections and the direct Papal appointment of all bishops. The American bishops were also no longer involved in the choice of bishops after the initial selection of John Carroll. At most, they were secretly polled prior to the selection of a bishop. Pope Pius IX directed his efforts against any democratic process in the Church, and his successor, Pope Leo XIII wrote against the American understanding of the separation of Church and State (in the encyclical *Longinqua Oceani* of 1895). Finally, in 1899, Pope Leo XIII condemned "Americanism" as described by Father Anthony Padovano:

The second letter, "Testem Benevolentiae" (1899) took direct aim at American Catholic culture. It found American Catholics:

- *Too eager to accommodate doctrine to modernity (change)*
- *Too willing to think and say whatever they wish and indeed to express these thoughts to readily in print (free speech)*
- *Too individualistic and too willing to rely on the direct influence of the Spirit in their spiritual lives rather than following the "well-known path" laid out by the Church (conscience)*
- *Too enamored with active and practical virtues, to the neglect of passive and contemplative values (pragmatism)*

- *Too dismissive of vows and formal religious life (initiative)*

The encyclical condemns these characteristics as "Americanism," a general tendency to suppose that the "Church in America" can be "different from" the rest of the world.

Cardinal James Gibbons objects to the encyclical in a sharp letter to the Pope on March 17, 1899.

If one looks carefully at the encyclical letter "Testem Benevolentiae," the five criticisms of Leo XIII go to the heart of American culture. He dislikes, as we have noted: change, free speech, conscience, pragmatism and initiative.

The efforts of Catholics who opposed these Papal efforts to establish absolute and immediate authority over all other bishops and people resulted in the formation of an Old Catholic Church in England in 1908. Dr. Arnold Harris Mathew, de jure Earl of Llandoff, who had left the Roman Church, was consecrated in that year by the Archbishop of Utrecht, assisted by all the continental Old Catholic Bishops, at the Cathedral Church of Saint Gertrude, Utrecht, on April 28th. Placed in charge of the English mission, he was elected as the Old Catholic Archbishop and Metropolitan of Great Britain in 1911, the feast of St. Paul.

Archbishop Mathew was soon embroiled in controversy, as certain elements of the Old Catholic movement claimed false statements against him. The Dutch bishops investigated these claims and found them baseless. His principle detractor even withdrew his statements against the bishop. To show their confidence in Archbishop Mathew, the Dutch Bishops had him participate in every ordination of Utrecht establishing a new episcopal jurisdiction on the Continent of Europe until he died in 1919. It is through the episcopal line of Archbishop Mathew that most independent Catholic bishops in America have received their own ordinations. [The first Presiding Bishop of the Ecumenical Catholic Communion, the Most Reverend Peter Hickman, received his ordination through three bishops who trace their lines: 1) through Archbishop Mathew, 2) through the Independent Catholic Church of Brazil and 3) through the Anglican Church.]

We return to the Benedictine brother who wrote in 1941 to understand how the Old Catholic movement was established in America:

Stemming out of the dissatisfaction of several foreign-born groups of Roman Catholics for the temporal administration of their ecclesiastical superiors the Old Catholic Movement soon developed in America into three channels each dominated and limited by its own language. Belgians under the guidance of a former Roman Catholic, Pere Joseph Rene Vilatte, were centered chiefly in Wisconsin near Green Bay, where several parishes had been organized. Under Monsignor Jan Francis Tichy and several assistant clergymen a movement of Czech people with its headquarters at Cleveland, Ohio, was in the process of formation as early as 1890 while under Father Kozlowski in Chicago, Illinois, the largest group, mostly of Polish extraction was making rapid progress. Anton Kozlowski had accepted the Old Catholic faith along with 15 other priests who had left the Roman Church with him to guide the movement amongst American Poles. He was elected to be their Bishop and in 1897 he was consecrated in Berne, Switzerland, by Bishop Herzog, who was assisted by Archbishop Gul of Utrecht and Bishop Weber of Bonn, Germany.

The largest group of Old Catholics in the United States belonged to the Polish National Catholic Church, which was organized in America. They, like the other Old Catholics, celebrated the liturgy in the language of the people and eliminated the requirement of celibacy for priests, so that married men could be ordained.

The Old Catholics soon entered into intercommunion with Anglican and Orthodox Churches. The European Old Catholic bishops published joint encyclicals of various doctrinal issues. And independent Catholic movements arose in many countries outside Europe - such as Brazil and the Philippines. The Brazilian independent Catholic Church began as a reaction to the alignment of the Papacy with the fascist governments of Europe at the start of World War II.

In 1914, Bishop Mathew appointed Bishop Rudolph Francis Edward Hamilton de Lorraine-Brabant, Prince de Landas Berges, to establish the Old Roman Catholic Church in the United States. Fr. Carmel Henry Carfora, an Italian Franciscan Friar, was elected to succeed Bishop de Landes Berghes as Archbishop of the Old Roman Catholic Diocese of America and ordained many priests and bishops who would establish other independent Catholic faith communities. Many other bishops and communities were created from the initial efforts of the various bishops who brought the Old Catholic movement to the Western Hemisphere.

The movement grew in America, but became dormant after World War II. Then, in the 1980's the independent Catholic movement was again energized, and hundreds of independent Catholic communities were established. Most of them are small, and the entire movement awaits a unification process that will both respect the freedom of each faith community to govern itself, yet unite the independent Catholic movement for the sake of mutual support and a leadership which can bolster the efforts of local faith communities. This is the greatest challenge of the independent Catholic movement in America: (1) to create a communion for mutual support and as a refuge for Catholics (and others) who seek the beauty of Catholic sacramental life and worship; (2) but want to reform the Church governance to create an inclusion of the voices of the people and clergy, and establish the "transparency" of the decisions of Church leaders.

Part Two: A Vision of Inclusion, The Polity of the Ecumenical Catholic Communion

Part two of Unity and Peace will be presented in a question and answer format.

Q: Why does the Ecumenical Catholic Communion need a Constitution? Couldn't we just connect with each other as member communities of the Catholic faith, full of love and support for each other?

Our intention is to connect with each other out of a sense of love and support. But it is important for people to agree on a vision and direction. First, it is important to find out who agrees with our vision. This is a question of justice. People need to know what we believe, why we believe it, and how we connect with each other. There are very concrete questions that the constitution answers. Here are a few examples:

1. How do communities and clergy join the Communion?
2. Who selects your Presiding Bishop and how is she or he selected?
3. How do parishes financially support the administration of the Communion?
4. Do the lay people have a voice in the governance of the Communion?
5. How is a parish connected to the Ecumenical Catholic Communion?

The constitution outlines how the people of the Communion will have a voice in the governance of the Ecumenical Catholic Communion - hearing the voices of both lay and ordained members of the ECC. The constitution is like the instruction manual that describes how an automobile works. Only it is an "agreed upon" instruction manual. The constitution may also be compared to a "map" that describes how we come together and how we live as a united group of Catholic Christians. The constitution is the description of **how we have agreed** to different ministries in the governance of the Communion. The Presiding Bishop has one function, and the Episcopal Council has other functions, as do the House of Pastors and the House of Laity. And individual dioceses and their bishops [yet to be defined and created] will also need to understand how they participate in the polity of the Communion. This takes

place through discussions that involve the laity, the clergy and the episcopacy. All three are needed for true consensus, and all three contribute to a vision set forth in the constitution

Q: Why are there separate houses of governance for the clergy and the laity? Shouldn't we all just meet together to discuss the issues that arise?

The founders of the Communion met in 2003 to agree upon the understanding of the role of the Presiding Bishop, as well as the role of the clergy and laity. The people have a guaranteed voice in the governance of the Church - as they should. They are mature Christians who support the Church and live their faith daily through prayer, compassion and activities for justice. They have a separate house of governance because they will then be able to have a clear voice that can speak their concerns. Often, when the clergy and the laity are mixed, the laity tended to defer to the clergy because the clergy are their leaders in parish life. Practically speaking, the House of Laity provides a forum from the perspective of the layperson.

But an even deeper concern is addressed by the separate houses. The laity are a great source for the discernment of the Spirit. In the past, their concerns were often forgotten in the pronouncements of Church leaders. The Church must listen to the laity to hear the voice of the Spirit in its direction and concerns. This *sensus fidelium* (sense of the perspective of the faith-filled people) includes listening to all voices in the Church, but focuses on the people - the laity. The people have an affinity to the leading of the Spirit. They discover the Spirit in the everyday world of work and family life. While clergy may also have this experience, the sense of listening to the leading of the Spirit really centers on the corporate mind and heart of the laypeople of the Church. Wise leaders of the Communion will always be attentive to the voice of the laity.

Q: Don't the clergy also have the ability to hear the Spirit and follow her lead?

Yes, of course they do. In the Church we recognize that the gift of one group or person does not negate a similar gift in other groups or individuals.

But the roles and gifts are distinct and serve to bring a unity to the Church. The Church mirrors the Holy Trinity: one God, but three persons. Each person of the Trinity is distinct, and each has a role. One is the Source, one is the saving divine presence become incarnate, and one is the dynamic agent of transformation. In traditional language they are called Father, Son and Spirit. The Trinity is the model for the Church of diversity in unity - three persons in one God. We are one, with multiple roles and ministries. Because we are made in the image of God, we also manifest diversity in unity. We intentionally promote this perspective in our life together as a family of faith - the Ecumenical Catholic Communion.

An ancient model in the Church is that the clergy are a living icon (image) of Christ for the people they serve. This does not negate our belief that every Christian is an icon of Christ for the people she or he meets. Both are true. But we see that each reflects the image of Christ in a different way. There is great wisdom and beauty in this diversity, and it should be represented in the polity of the Church.

Q: What is the purpose of the House of Pastors? And why isn't it called the House of Clergy?

The House of Pastors is principally made up of clergy, and has a unique perspective of pastoral care in our faith communities. This pastoral work reflects the teaching and healing ministry of Christ and the apostles. This does not mean that laypeople do not share the ministry of Christ. They most certainly do because that is at the heart of being a Christian. But the pastors and pastoral staff of faith communities are leaders and teachers in the faith communities. Like a director in a play, they lead by sharing a vision and much training and experience. But the actors are the focus of the action in a play, just as the members of the faith community are the focus of the sacramental ministry and the ministries of justice and compassion. The pastors are leaders, but the focus of the life of a faith community is the community itself - its worship and its outreach.

However, the House of Pastors also includes some individuals who are on the pastoral staff of a parish and share a pastoral perspective with the clergy, as well as pastoral responsibilities. The pastoral leaders of religious orders or of specialized ministries can also be members of the House of Pastors,

whether or not they are ordained. This is because they share with others in the House of Pastors the perspective of pastoral care for a faith community. Thus, it is called the House of Pastors rather than the House of Clergy. Not all clergy are in the House of Pastors. The constitution stipulates that each faith community may send the pastor (or senior pastoral leader in the case of a religious order or specialized ministry) and one ministerial representative. The ministerial representative is usually another priest who is serving the parish (e.g. an associate pastor). In the absence of another priest, a member of the pastoral staff is often chosen to represent the faith community, but this is to be determined by the parish.

Another example of representation in the House of Pastors is the Chaplain's Association of the ECC. The chaplains are not pastors in parishes, but they are represented in the House of Pastors by its senior officer and one other chaplain because they share a pastoral duty by caring for people in hospitals, schools, prisons, the military, etc. Generally (but not always), chaplains are clergy - ordained priests or deacons of the Church.

Q: What is the role of the Presiding Bishop? And does the bishop have less authority in the Ecumenical Catholic Communion than a bishop of the Roman Catholic Church?

The Presiding Bishop is also an icon of Christ for the entire Communion. Again, this does not mean that others are not the image of Christ for us and for all they meet. [One sense of imaging Christ does not negate the other, but only adds to a greater sense of the presence of Christ among us.] It does mean that the Presiding Bishop fulfills the role of leadership as an image of Christ for the entire ECC. She or he leads, teaches, inspires and sanctifies (through the sacramental life). This is why the Holy Synod of the Communion becomes an electoral college to choose the Presiding Bishop every four years. The Synod seeks, through prayerful discernment, to choose someone as Presiding bishop who has already shown Christ-like wisdom and dedication in another role (such as the role of pastor of a parish or vicar of a region).

The Presiding Bishop and the other bishops of the Communion do not have less authority than the bishops of the Roman Catholic Church. But the authority of bishops in the Communion is specifically focused on creating

unity and discerning the call of the Spirit for the community they lead. [In the case of the Presiding bishop the community is the whole of the Ecumenical Catholic Communion.] This understanding of authority is different from an understanding which emphasizes the role of juridical power in the assignments of clergy, the determination of who is right or wrong in the practice of faith, the full control of Church finances, etc. In the Ecumenical Catholic Communion the great goal of episcopal authority is not the exercise of power, but the imitation of Jesus' ministry which emphasized teaching, healing and reconciliation. If we look at Jesus' ministry (or even the ministry of the apostles), the rare occasions in which he exercised authority through power were when there was a serious threat to an individual or to the community of faith. Bishops are called in the ECC to follow this example.

In this discussion of authority, it is important to note that the Communion has given a voice to the laity and clergy, not reduced the voice or authority of the bishops. Bishops are called to foster unity and to speak with a prophetic voice to the members of their own faith communities and to others in the larger communities around us.

This means that bishops of the Communion must include these qualities of leadership in their episcopal ministries:

1. The skill of listening to the voices of the clergy and laity they serve and responding as a spiritual guide who aids in their discernment of the Spirit.
2. The skill of finding consensus in making decisions that reflect the concerns of all - including the skill of reconciliation when people or communities are at odds.
3. The skill of interpreting the Gospel for the concrete and everyday situations in which their people find their lives.
4. Dedication to the life of prayer and meditation upon the Gospel of Christ - especially so others may be taught and directed in following the Gospel.
5. Dedication to the prayerful and meaningful celebration of the sacraments as the source of the Christian community's life of faith and compassion.

6. Dedication to ever more closely identifying with Christ, seeing that identity in others, and helping others to also identify with Christ - the essence of our Christian spiritual life.
7. Embracing and promoting the core outreach ministry of the Church to those marginalized, forgotten, suffering prejudice - *the least of our sisters and brothers*.
8. Inspiring others to the ministries of the Church and cultivating vocations to the ordained ministries of deacon and priest.
9. Strengthening the ministries of all in the Church - especially the pastoral leaders - through wise counsel, awareness of their activities, and prayerful gatherings.
10. The skill of wise determination and swift action when a threat arises to a community of faith, and a bishop is required to exercise strong episcopal authority. [Excellent examples of this are when there is the allegation of financial or sexual abuse in a community and the strong leadership of the bishop is required to protect the community.]

In a way, the role of the bishop in the ECC may seem more difficult. But it is actually easier if the bishop is faithful to the fulfillment of the qualities listed above. The emphasis for a bishop in the ECC is not governance, but pastoral leadership. The bishop does not so much seek from her/his people compliance with the rules of the Church as inspire in them a commitment to the Gospel. There may be times when the bishop protects a faith community from harm through swift and decisive decisions - such as in a case of alleged financial or sexual abuse. But generally, the bishop should truly follow the leadership style of Jesus in the gospels as he taught, healed, counseled and blessed the many people he encountered. Such a ministry fulfills the words of Jesus that, "My yoke is sweet and my burden is light." This is not so much an exercise of power, but of true spiritual authority that has no need for coercion. Such spiritual authority is recognized by the people, and fulfill the words of the Gospel of Mark: "The people were spellbound by his teaching because he taught with authority, and not like the scribes." This is creative authority that brings inspiration, reconciliation and guidance to those who are served. It is "servant leadership" in the imitation of the Christ.

Finally, we may consider our response to the servant leadership of the bishops. Just as servant leadership is the mark of true episcopal ministry, the response to that authentic ministry is counseled again and again by the

early Christian writers. One early writer, St. Ignatius of Antioch (martyred between 98 and 117 A.D.) asks the Christian community to respect the bishop as one would respect a mentor:

Shun divisions, as the beginning of evils. All of you follow the bishop, as Jesus Christ followed the Father, and the presbytery as the Apostles; respect the deacons as the ordinance of God. Let no one do anything that pertains to the Church apart from the bishop or one whom he has delegated. Wherever the bishop shall appear, there let the people be; just as wherever Christ Jesus may be, there is the Catholic Church.

(Letter to the Smyrnaeans, 8)

Q: What are the responsibilities and duties of the Presiding Bishop?

The Presiding Bishop fulfills the role of senior bishop and pastoral leader for the entire Communion. If we may use the gospel image found in John 10:11, the presiding bishop is a shepherd who gives her/his life for the sheep. [We cannot be too literal about this, because Catholic Christians are not "sheep" in the sense of being herded.] The point of this passage is that of giving one's life for the People of God. The Presiding Bishop fulfills the office that every bishop fulfills for her or his diocese - but as the leader and spokesperson for the entire Ecumenical Catholic Communion.

The Presiding Bishop has specific duties:

1. Establish the central administration of the Communion, including naming a Chancellor as the leader of the operations for the Office of the Presiding Bishop.
2. Appoint vicars as needed for various ministries of the Communion - especially when a leadership need arises in a geographical area or with a specific population.
3. Be chief negotiator of all intercommunion agreements with ecclesial jurisdictions.
4. Affirming all legislation of the synod to become canon regulations of the ECC.
5. Presiding as the senior clergy at large gatherings of the Communion.

6. Establishing guidelines, with the Episcopal Council, for ordinations and the reception of new faith communities into the ECC.
7. Cultivating vocations to the ordained ministries and celebrating the ordinations of the women and men called to this sacrament.
8. Cultivating the various ministries of the faith communities throughout the ECC.
9. Providing leadership through sermons, speeches and pastoral letters that address the spiritual life and the ministries of justice and compassion of all people and communities of the ECC.

Q: What role does the Episcopal Council have in the governance and leadership of the Ecumenical Catholic Communion?

At the beginning of this discussion of the role of the Episcopal Council, it is important to acknowledge and affirm the hard work of the episcopacy commission that was formed in 2005 at the Holy Synod in Las Cruces, New Mexico. This study group has reviewed the Old Catholic theology of the episcopacy and has also reviewed the vision of the Communion in terms of the choice and role of bishops. It has affirmed the tri-fold polity that is the hallmark of the Old Catholic tradition and a strong model of governance often seen in the ancient Church. The voices of the laity and clergy are evident in this tri-fold model of polity, so that the bishop governs by consensus - not as a sole ruler. This is in line with the injunction of the Gospel of Mark: 10-42-45...

Jesus summoned them and said to them, "You know that those who are recognized as rulers over the Gentiles lord it over them, and their great ones make their authority over them felt. But it shall not be so among you. Rather, whoever wishes to be great among you will be your servant; whoever wishes to be first among you will be the slave of all. For the Son of Man did not come to be served but to serve and to give his life as a ransom for many."

A "servant leader" is inclusive and attentive, listening more than speaking, advising rather than coercing, guarding against anything that will harm those she or he serves, and speaking the vision of the Gospel those who have chosen her/him as bishop.

While we await the study report of the episcopacy commission, we may depend upon the constitution to inform us of the duties of the Episcopal Council. This Council will serve in two capacities: 1) to affirm the legislation assigned to its oversight according to the constitution, and 2) to act as a court of deliberation for disputed legislation or claims of impropriety submitted by faith communities.

Two key principles are important in determining the role of the Episcopal Council:

1. Those decisions that affect the Episcopal Council as a body should originate from or require the vote of the Episcopal Council in the decision. Thus, changes in liturgy or sacramental policy (including ordinations), doctrinal statements, intercommunion agreements and the admission of new bishops to the Episcopal Council should start with the Episcopal Council or be confirmed by the Episcopal Council. The Episcopal Council also administers the admission of new communities to the Communion, and may adjust those guidelines according to the constitution, especially between the meetings of the Synod, since the bishops are the senior administrators of the Communion and its jurisdictions.

[A bishop who heads a diocese or religious order may also be making decisions for that diocese or order, but this is separate from the joint decisions of the Episcopal Council.]

2. Those decisions in which the bishops play a role as teacher or senior sacramental minister should be made by the Episcopal Council. For instance, the Episcopal Council may issue a pastoral letter or change the guidelines for ordination. These two areas involve the bishops as teachers and as guides for the formation of clergy and the review of individuals who seek ordination in the Communion (or incardination into the ECC, if already ordained).

Disputed legislation by the two houses of the Synod or disputes in local faith communities may also be submitted to the

Episcopal Council for a decision. The Episcopal Council is a court of appeal in such cases - fulfilling both of the principles given above.

Q: Are there plans to develop dioceses and elect diocesan bishops for the ECC?

The episcopacy commission has studied the role of bishops in the ECC and the development of not only the process of selecting other bishops, but also the process of developing dioceses in the Communion. Their report - the culmination of much hard work - will be complete prior to the next Holy Synod in 2007. The episcopacy commission deserves the gratitude of the entire Communion for its contribution to the study of the tri-fold polity (bishop-clergy-laity) of the Old Catholic tradition that can also be traced to the early Church. Its recommendations for the Communion will form the basis of various efforts to develop dioceses and elect bishops to head these dioceses.

However, this is only part of the answer in addressing the need for other bishops. The other part is on the local level. One of the key principles of the Communion is that its leadership is chosen by the people who will be served by that leadership. (For instance, parishes choose their own pastors.) Therefore, the people of the local regions will determine who is elected to be bishop of the region. They will contribute their own efforts to the development of their own polity and leadership - assisted by programs and people from the entire Communion.

Q: Why does the constitution of the Ecumenical Catholic Communion change? And what is the difference between the "canons" and the "subcanons" of the constitution?

The constitution of the Ecumenical Catholic Communion includes two sections: canons and subcanons (or bylaws). A good way to approach this division is to think of the canons as the policies of the Communion and the subcanons as the Communion's procedures. Canons set out the understanding of the Communion over its political structure and governance, and subcanons are bylaws that explain the practices which put the policies into effect. An example is that canons 24-32 establish the principles by which parish faith

communities are established and function as a part of the Communion. These canons relate to subcanon 1 of the bylaws because subcanon 1 outlines the process of applying to the Communion for membership as a faith community and for participating in the polity of the ECC.

The constitution is a living document by which the Communion and its members explain the character and function of the ECC. It will therefore always change and adapt according to the needs of the Communion. The constitution was never meant to be "set in stone" as an unchanging and rigid rule of law. It is based upon both the understanding of the founding members of the Communion as well as the needs of an ever-growing membership.

One example of this is the need for new bishops. **One guiding principle of this effort is that the bishop is primarily meant to be a spiritual leader, not just an administrator. To accomplish this aim, the people and priests of a region must have easy access to their bishop.** She or he must meet regularly with the clergy to support and strengthen their pastoral efforts and spiritual growth. The bishop must also recognize the character and needs of each parish and its people to be able to offer guidance to each congregation. To do this, he or she must be familiar with its leaders and be familiar to its people.

The work of the episcopacy commission will aid the Synod in creating legislation and guidelines to support the communities of each region in the formation of dioceses. The aim is to truly address the needs of each region in the choice of their leadership. This legislation will have the intention of supporting the process of discernment that each region undertakes for the choice of a bishop, as well as the direction of the diocese.

Other areas will arise as the Communion grows. All these needs could not be addressed ahead of time because this would presume some sense of knowing what needs would arise, as well as knowing the mind of people and communities long before these needs arise. New constitutional legislation is a balance between the direction set by the founders of the Communion and the needs of a larger Communion. The founders established basic structures for the Communion at the time of the constitutional convocation in 2003, and then invited all like-minded communities to join the ECC. Yet, the members

of the Communion also need to be flexible in building the vision for each successive generation. Therefore, the constitution maintains its own revision through the amendment process. This is a way to make agreed-upon changes that address the needs and the ever-renewed vision of the Ecumenical Catholic Communion.

Q: The writers of the constitution seem to have an Anglo-American or European-American perspective. Isn't this slanted toward one experience of Catholicism?

The writers of the constitution were from a European-American or Anglo-American background. Yet the Communion is very aware of the need to include other perspectives. Two faith communities of the Communion have large Latino populations. Holy Trinity, in Lakewood California, is predominantly made up of Latino people and most liturgies are in Spanish. St. Matthew's, in Orange, also has a large Latino population and Spanish liturgies. The Communion also has a Lithuanian faith community in Minnesota, and several ECC priests are originally from the Philippines. Some priests of the Communion are from Latino backgrounds, but do not serve in predominantly Latino parishes.

These cultural groups have not yet been adequately represented in the gatherings of the Communion. And they are presently working to develop lay leaders - both men and women. This will be a long-term project and will require changes that are similar to the changes that have been happening in the English speaking faith communities: namely, the development of the laity in the ministries and polity and leadership of the Church.

In June of 2006, Fr. Francisco Morales, in collaboration with his spouse, Coral Andino, wrote a comprehensive article on the distinct experience of Catholicism in Latino cultures. Their contribution is but the first analysis that will be needed in a program to increase other cultural voices into the mission and vision of the Communion. The Communion will be enriched and be more balanced by more inclusive efforts.

Q: Some parishes of the Communion have women priests, active outreaches to divorced or gay and lesbian people, social justice ministries or strong advocacy and material support of the poor.

Some seem more traditional in that they are more centered on the clergy's ministry and not seeming as progressive in the outreach to gay and lesbian people, developing deacons for the community, encouraging women in leadership and women's ordination, etc. Why are there differences in the parishes of the Communion?

When you visit the parishes of the Communion, you find great diversity. Most have a very recognizable Catholic Eucharistic celebration, but there are even some differences in the liturgy that reflect the character of the parish. The members of the ECC welcome this diversity because they realize that unity does not mean uniformity. Each parish also responds to the needs of its community. The issues mentioned in the question are very strong issues for some communities and not the issues at hand for others.

For instance, there has been no emergence of a strong movement for the ordination of women in the Latino community. Some priests have called for this, but the efforts seen in the English-speaking community for the ordination of women have yet to be duplicated in the Spanish-speaking population of the ECC. In a larger context, efforts for the ordination of women are much stronger in the lands of Europe, the U.S. and Canada than they are in Latin America, Africa or Asia.

To be fair, there are many efforts in Asia, Africa, or Latin America that do not have a parallel commitment in Europe, Canada and the U.S. These are mainly efforts at re-defining the theology of Christianity. Americans and Europeans often downplay issues that are important to Christians in Asia, Africa or Latin America. For example, for Africans the issue of the ancestry of Jesus Christ is central to their own models of spiritual ancestry - the heart of African theology. For Asians, the re-definition of theology requires ecumenical efforts at understanding how Christianity aligns with other world religions - rather than emphasizing the differences. And in Latin America and Africa, special attention is paid to the very important practice of exorcism - something nearly forgotten by the European and American Church.

Additionally, such issues as the ordination of women require a process of the inclusion of women in Church leadership long before the question of women's ordination arises. And such a development of women's leadership presumes

the development of lay leadership in general. Every faith community of the Communion begins at some level of need in terms of the development of lay leadership and the inclusion of women in this leadership. Following upon this, it becomes more evident that women leaders may also be called to ordination. It is up to the senior leadership of the ECC - both lay and ordained - to develop the education needed for various faith communities of the Communion, as well as opportunities that address other pertinent issues (such as the rights of gay and lesbian people, the policies of the ECC toward the divorced, ecumenical issues, etc.)

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