

An Open Letter to the Editors of:
The National Catholic Reporter
and
The Tablet

From: Peter Elder Hickman,
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Ecumenical Catholic Communion



Subject: A Discussion on
Reconciliation in Catholicism

Introduction:

As the Ecumenical Catholic Communion (ECC) is well launched into its second decade and this fall will elect a successor Presiding Bishop who will take office at the end of 2015, we believe it is time for our beloved Communion to bring the gifts of our common life of faith and our diversity of shared experience to enter into dialogue in an attempt to bring reconciliation to the wider world of Catholicism.

We believe reconciliation is one of the most difficult of processes for anyone. It is difficult enough for individuals – it is especially difficult in the collective life of the institutional Church as a whole. Even though Christ commanded that we reconcile with our brothers and sisters before approaching the table of the Lord, for over the last millennium Catholic Church authorities have had a very poor record of initiating and bringing to realization the authentic reconciliation that the Gospel of Christ requires. Usually this is the result of popes and bishops insisting on their one-sided interpretations of controversial issues — of which the practice of selling indulgences, the immediate cause of the Protestant Reformation in the sixteenth century, and the more recent proscription of the use of artificial contraception in the Papal encyclical *Humanae Vitae*, promulgated by Pope Paul VI in the twentieth century — are prime examples. Sometimes their interpretation is based on a very narrow reading of the scriptures, or lacks context within Catholic tradition, or just plain defies common sense. In this category are rules which inhibit reconciliation within families—such as requirement for an analment after divorce [discussed below]. The net effect has been a series of exclusionary criteria and practices that have forced many of the daughters and sons of the Church – some of whom continue regard themselves as Catholic — to seek sanctuary elsewhere.

Despite this reality, some of the successor communities of the Old Catholics such as ourselves, have hoped for reconciliation with the Roman Catholic Church [RCC]. We believe that Pope Francis' call for two synods on the family in 2014 and 2015 has created a new opportunity for reconciliation for Roman Catholic leaders, their laity, and with other Catholics such as ourselves.

We are gratified that both your publications have devoted considerable attention to the upcoming RC [Roman Catholic] synod.

We, as you, consider this time in the history of the Church to be extremely important. Perhaps, just perhaps, following the initiatives of Pope Francis, Roman Catholics can carry to fulfillment the vision of Pope John XXIII and we in the ECC can work on a parallel track to attempt to bring reconciliation.

Below is a little of our history; our assessment of the stumbles the recoveries the RC Church has made over the centuries as well as the continued obstacles previous the RC Church has thrown up that has prevented reconciliation. By interpreting the surveys of your publications – as well as reflecting on the experiences of our own faithful – most of whom have left the RC church — we describe how we interpret how Catholic spouses and parents are passing on moral values to their children: that is both Roman Catholics who have stayed in their RC parishes as well as those who have left to join the ECC.

We know that our submission of some 30 pages is probably too long for your publications to print but we are sending it to you to use in whole or in part [in print and/or on your websites] because we believe a lengthy case must be made for change. We hope what we send will give you all impetus to being pro-active “defenders of the faithful.”

An ECC history: We are a descendent of the Old Catholic Church and — as our forbearer Catholic bishops discovered during the First Vatican Council in 1870 when they walked out over the issue of infallibility – the ability to reconcile is extremely difficult for Roman Catholic Church leaders. The papal claim of infallibility, in effect, denies collegiality even between the pope and Roman Catholic bishops, undermines the primacy of conscience of everyone else, and has no recognition that the Holy Spirit works as much through all the People of God as through Church leaders – no matter the denomination.

We believe that in order to work towards reconciliation the definition of what makes a community Catholic needs to be broader and much more inclusive, and the response to those at the margins much more compassionate.

Our forbearers – the Roman Catholic Church bishops who left the First Vatican Council in 1870 did not leave Catholicism; they just could not accept the ultramontanist papal attempts to control their consciences. Since then other valid expressions of the Catholic experience have become manifest, not only in the RCC, but more recently in the U.S. with the ECC, with Roman Catholic Women Priests (RCWP), and with numerous Intentional Eucharistic Communities [IECs]. We, in the ECC, do not speak for all of these, but we do believe – as has been demonstrated by the various surveys of the RC faithful of your two publications — that our interpretations of moral teachings more adequately represent how the Holy Spirit is influencing most of today’s Catholics on family issues than do the interpretations of the present male, celibate leaders of the RCC.

Roman Catholic popes and bishops say they look to scripture, tradition, and the Church gathered in synods and councils as the multiple sources of authoritative teaching. Those who have studied the Church since the Second Vatican Council, however, know that, in practice, the pope and his advisors [until recently, only those in the Curia, but now also a new group of cardinals recently appointed by Pope Francis] are really the only sources of authority recognized by the official RC Church.

Despite the Vatican assertion of primacy [universal and absolute jurisdiction over every baptized Christian], RC bishops do not convince the most informed of the faithful that they, by themselves, or even collectively, have an independent, substantive teaching role. For example, formulation of liturgical norms and texts are supposed to be overseen by the RC bishops of their own countries. In the 1990s the English-speaking RC bishops in the world cooperated in bringing forth a new English sacramentary. This work was unilaterally “improved” by a Vatican office in the Curia that imposed its own revisions by pre-empting the authority of the bishops in the English speaking countries. There has been considerable unhappiness by clergy and laity in these countries about the awkwardness of the newly imposed language; nonetheless the English-speaking bishops have been unable or unwilling to reverse these unilateral Vatican changes.

Father John W. O’Malley writes that since Vatican II, popes have dutifully convoked a number of general synods and some extraordinary synods, usually every two years, but bishops often complain privately that in the documents issued after the synods little account was taken of their opinions, and even that at times they were misrepresented. ⁱ

In view of Vatican dominance of RC bishops, most RC laity look to their lived experience and other religious influences in society as the most relevant sources for the formation of conscience regarding the issues that are contested in the Church. As the surveys your publications have published show, most Catholics follow their conscience on family issues – not papal pastorals, pronouncements, or decrees. This is the sense of the faithful that we ask you editors to recognize as being an equal and necessary source of revelation. Thus, when what Catholic laity teach their loved ones diverges from that which RC popes and bishops proclaim, then there is no “authoritative RC Church teaching” on a subject in which there is a conscientious difference of views. For any teaching to be authoritative it must be “received” by all: popes, bishops, and laity.

In our reading of history, it is the Curial officials who are in ultimate *de-facto* control of all official Church matters. In most English speaking countries they have put a halt to the release of the responses of the faithful to the Vatican Survey issued in 2013 and they selectively interpreted the data that was released in the working document, *Instrumentum Laboris* [published by the Vatican in June for the Synod of bishops in Oct. 2014]. Yet it was also they who had the “International Theological Commission” publish the recent paper: “The Sensus Fidei in the Life of the Church.” That paper respectfully mentions Cardinal John Henry Newman’s work on the need to consult the faithful on matters of doctrine as well as the directive of Canon Law 212 #3 that says the laity have both the right and the duty to advise bishops on matters where they have expertise. But, despite these favorable references, the Curia refuses to create the necessary structures that would enable the laity to be heard.

Nonetheless we believe that if used creatively, this document “The Sensus Fidei in the Life of the Church” can provide an important opening to ultimately bring reconciliation to Catholicism. We find the positive statements and the contradictions to those statements in the document to be both fascinating and an inspiration – as illustrated in the quotes and analysis of Tina Beattie and Fr. John W. O’Malley in the Tablet, and Robert McClory, Sr. Christine Schenk, and Eugene Cullen Kennedy in the NCR. ⁱⁱ

These authors write that the document is positive on the role of the faithful in the following quotes:

Tina Beattie writes:

“Describes the document ‘as revolutionary,’ it rejects “authoritarianism,” and reflects the reforming influence of Pope Francis. It is significant for Catholics who ‘yearn for honest and intelligent dialogue.’

“The sensus fidei is a gift of the Holy Spirit by way of which church teaching is formulated and authenticated through a process of discernment by the whole Church. It includes an intuitive capacity for wisdom that is given to the individual believer through baptism [the sensus fidei fidelis], as “a sort of spiritual instinct that enables the believer to judge spontaneously whether a particular teaching or practice is or is not in conformity with the gospel and with the apostolic faith”. . .

“. . .the study argues that the idea of the sensus fidei dates back to the New Testament and the early Church.”

“It [the document] cites Cardinal Newman’s appeal to the sensus fidelium in his writings on the development of doctrine, and Yves Congar’s affirmation of the organic unity between the teaching Church and the learning Church.”

“The study affirms not only the right but sometimes the duty, of faithful practicing Catholics to make their views known, and says they are to be treated with respect and consideration by the Church’s pastors. This process requires ‘humble listening at all levels and proper consultation of all concerned.’ The document sets out the conditions for dis-

cussing tensions between the Magisterium [Church leaders] and the theologians over controversial teachings, and affirms the importance of conciliar innovations such as parish councils.

“The study says that while some teachings are rejected because of lack of faith or distorting cultural influences, sometimes it [the rejection] is because the Magisterium has failed to consult the faithful and take into account their experiences before making decisions.”. . . Yet, Beattie writes: ‘the role of the sensus fidei described in this study entitles us to ask if a teaching might fail to gain assent not because of poor formulation but because it is an inauthentic teaching that fails to resonate with the intuitive wisdom of the people of God in the context of their daily lives.’

“The document also affirms that the sensus fidei is not exclusive to Catholics but in some sense to be found to all Christians. The Holy Spirit sometimes speaks to the Catholic Church through believers in other ecclesial communities.”

Robert McClory has a number of observations:

“I noted a clear contradiction in the document ‘Sensus Fidei’ in the Life of the Church” On the one hand, it was a marvelous endorsement of the sense of the faith, especially among the laity in history and theology. On the other hand, the position of the magisterium crept into the document in several places, as if to reassert its supreme authority. . . . But that misses the real substance of the document. I do not believe anything like it could have been published during the papacies of John Paul II or Benedict XVI. The case for the laity’s role in decision-making is set out as never before — and this with the blessing of Cardinal Gerhard Müller, head of the Congregation for the Doctrine of the Faith.

The document “. . . cited especially [Cardinal] John Henry Newman’s startling conclusion about the settlement of the Arian heresy in the fourth century. Although Arianism had been condemned at the Council of Nicaea, the great majority of the bishops clung to the heresy for some 60 years. The commission document quotes Newman’s finding that during that period, ‘the divine tradition committed to the infallible Church was proclaimed and main-

tained far more by the faithful than by the Episcopate. . . There was a temporary suspense of the functions of the ‘Ecclesia docens’ [the teaching Church]. The body of bishops failed in their confession of faith.

“Newman is cited again in his claim that the tradition of the apostles, committed to the whole church, ‘manifests itself variously at various times: sometimes by the mouth of the episcopacy, sometimes by the doctors [of the church], sometimes by the people. . .’”

“Much attention is paid to the second Vatican Council’s teaching regarding the laity. Liberally cited in the council’s Document on Revelation: ‘All the baptized participate in the prophetic office of Jesus Christ. . . The Holy Spirit anoints them and equips them. . . conferring on them a very personal and intimate knowledge of the faith of the Church. . . As a result, the faithful have an instinct for the truth of the gospel, which enables them to recognize and endorse Christian doctrine and practice, and to reject what is false.

“Perhaps most encouraging, was the section on the *sensus fidei* in the life of believers. . .’ The [habit of faith] possesses a capacity whereby, thanks to it, the believer is prevented from giving assent to what is contrary to the faith. . . Alerted by their *sensus fidei*, individual believers may deny giving assent even to the teaching of legitimate pastors if they do not recognize in that teaching the voice of Christ, the Good Shepherd. . . They recall how strongly theologians emphasized the *sensus fidei* in the life of the church leading up to the Second Vatican Council. “Banishing the caricature of an active hierarchy and a passive laity, and in particular the notion of a strict separation between the teaching Church . . . and the learning Church . . . the council taught that all the baptised participate in their own proper way in the three offices of Christ as prophet, priest and king.”

“The *sensus fidei* is also evoked in the council’s teaching on the development of doctrine, they note, in the context of the transmission of the apostolic faith. “*Dei Verbum* says that the apostolic Tradition ‘makes progress in the Church, with the help of the

Holy Spirit’. ‘There is a growth in insight into the realities and words that are being passed on’, and the council identifies three ways in which this happens: ‘through the contemplation and study of believers who ponder these things in their hearts’; ‘from the intimate sense of spiritual realities which they experience’; and ‘from the preaching of [the bishops]’ . . .

“This [document] is about as close as anything I’ve seen in an official church document approving of legitimate dissent.”

Sr. Christine Schenk points out that:

“Most [Catholics] are surprised to learn the authentic teaching of the church is that whenever there is conflict between one’s conscience and church teaching, one must always obey one’s conscience. St. Thomas Aquinas says: ‘Anyone upon whom the ecclesiastical authority, in ignorance of the true facts, impose a demand that offends against his clear conscience, should perish in excommunication rather than violate his conscience.’” Sr. Schenk has quotes from the document similar to those above but also notes the document says:

“From the beginning of Christianity, all the faithful played an active role in the development of Christian belief. . . . What is less well known, and generally receives less attention, is the role played by the laity with regard to the development of the moral teaching of the Church.

“Those who exercise authority in the Church will take care to ensure that there is responsible exchange of freely held and expressed opinion among the People of God. More than this, they will set up norms and conditions for this to take place.” . . . That is why those who teach in the name of the Church should give full attention to the experience of believers, especially lay people, who strive to put the Church’s teaching into practice.

“The *sensus fidei fidelis* enables individual believers: 1) to discern whether or not a particular teaching or practice that they actually encounter in the

Church is coherent with the true faith by which they live in the communion of the Church; 2) to distinguish in what is preached between the essential and the secondary; and 3) to determine and put into practice the witness to Jesus Christ that they should give in the particular historical and cultural context in which they live.

“The *sensus fidei fidelis* also enables individual believers to perceive any disharmony, incoherence, or contradiction between a teaching or practice and the authentic Christian faith by which they live. ... In such cases, believers interiorly resist the teachings or practices concerned and do not accept them or participate in them.”

Eugene Cullen Kennedy writes:

“Fordham University’s Bradford Hinze describes the document’s “posture of openness,” noting that, in effect, it says ‘that the hierarchy has to recognize that they may not have it right yet’ and that Catholics may ‘deny assent’ to church teachings ‘if they do not recognize in that teaching the voice of Christ.’

“That is also a good description of ‘reception,’ which has been understood as one of the munera, or gifts, of the church from its beginning. This gift is exercised by the People of God who constitute the church and is given to the everyday Catholics who express the *sensus fidei fidelium* and the *sensus fidei* that are the subjects of this Roman instrument.

“‘Reception’ is defined in *The HarperCollins Encyclopedia of Catholicism* as a process whereby the faithful accept a teaching or decision of the church. In the ancient church, confessions of faith, liturgies, and the decrees of councils received general recognition and authority by means of reception. Reception by the believing community has always been the test of whether a teaching is to be regarded as authoritative or not. Furthermore, ‘recognition by reception is a form of consensus formation in a Church that understands itself as a community of local churches.’

“As a historical matter of far greater influence and relevance, the non-reception by the churches of Pope Paul VI’s restatement of the church’s ban of birth control in *Humanae Vitae* (1968) is understood as rejection by the believing majority.

“When non-reception occurs, the teaching in question is erroneous, inadequately expressed or, so to speak, judged unbelievable by the majority of good, faithful Catholics. This gift of reception is a long-accepted expression, then, of the *sensus fidelium*, the “sense of the faithful” with which the present document concerns itself.

Fr. John W. O’Malley calls the upcoming RC synods “A Moment of Truth:”

“In the sixteenth century the Council of Trent – one of the “ecumenical councils” – ordered bishops to hold a synod in their dioceses every year and archbishops to hold a provincial synod every three.

“. . . perhaps the real test for the synod will be whether the collegial style of governance in the Church taught by the Second Vatican Council but stifled in the years since will finally be realised.

“Collegiality was not simply one teaching among many promulgated by Vatican II. It was the acid test of the [Second Vatican] Council. Of all the issues in dispute, it was the one most fiercely opposed by the minority. They realised that something of great importance was at stake. More than any other single provision of the council, it defined how the Church was to operate in the future – not as a monarchy, with all authority flowing from above — but as a collegial body that accomplishes its mission under a servant leader. The Church was to act in a way that would reflect its reality as the People of God.”

All these wonderful words on collegiality in the document – “Sensus Fidei in the Life of the Church” – will be worthless, however, if the Vatican Synods affirm its statement:

that “ultimate doctrinal authority rests with the Magisterium”. As Kennedy says: that is “a qualification that, on its face, means that a genuine sense of the faith and of the faithful depends on accepting

exactly what the magisterium says — a pre-emption, it would seem, of the community’s using the gift of reception except in accord with what the pope and bishops already teach or, as the document expresses it, ‘attentiveness to the magisterium of the Church, and a willingness to listen to the teaching of the pastors of the Church, as an act of freedom and deeply held conviction.’” “Only in the church,” says Kennedy, “must you accept the magisterium’s every word as if you were doing it freely when, in effect, you are being forced to do it, or, as the International Theological Commission paper expresses it, as “an act of freedom and deeply held conviction.”

And the RC bishops have consistently failed to consult the faithful on the issues that currently divide the Church. It was not consultation when the bishops of the U.S. and the U.K. sent the results of the Vatican survey to Rome but refused to share them with the faithful in their own countries.

In contrast, we in the ECC conduct our synods with a most attentive ear to the sense of the faithful and we have structures in place – a House of Laity; a House of Pastors; an Episcopal Council; and a synod every two years — to affirm all teachings and legislation.

We are using this experience to insert ourselves into the RC dialogue to present an alternative Catholic view that cannot be silenced by the Curia and may help put a check on the continuation of the pronouncements of the Vatican that result in great harm to Catholics and non-Catholics alike throughout the world. We believe that as long as current RCC pronouncements and policies remain in effect [even if some, such as the prohibition against remarriage] are modified at the synod{s} for a more “compassionate approach”, the injuries and divisions imposed by many RC Church teachings will continue. We in the ECC observe considerable evidence of this injury in our pastoral work in the U.S. and internationally from those Roman Catholics who have joined us.

We also believe that by extending the Vatican Survey, Pope Francis has implicitly requested responses from all who profess Catholicism. Since the goal and duty of all Christians is reconciliation, it is appropriate for

us to state what we believe needs to be done to both bring the RC Church closer to the ECC and other Christian ecclesial bodies.

In the short run, we hope that Pope Francis’ initiatives — in having the Vatican issue a Survey in 2013 and in calling for the two Synods on the Family of 2014 and 2015 – will truly result in an effort by the RC Church to try to discern how the Holy Spirit is affecting the consciences of the Catholic faithful.

In the long run, it is not the desire of the ECC to maintain a competitive branch of Catholicism. Rather we wish for full reconciliation – “that all in the Church may be one.”

We note, however, that from the working document, *Instrumentum Laboris*, published by the Vatican in June, the mindset for the Synods seems to be set. As Fr. Charles Curran writes in the Tabletⁱⁱⁱ: this document “simply repeated and reaffirmed existing papal teaching on contraception, sterilisation, in vitro fertilisation, homosexual relations and unions, cohabitation, and the indissolubility of marriage. The document recognises that many Catholics do not follow these teachings and blames this fact on the individualistic, relativistic and secularistic cultures in which many people live today, and also on the failure to present in its fullness the Catholic teaching on these issues. . . There will be no official change in papal and hierarchical teaching on sexuality as long as the present understanding of natural law and the papal teaching office continues to be maintained.”

Without a significant and sustained new type of intervention, we believe that Roman Catholicism is in for a repetition of the post-Vatican II scenario — a Roman Catholic world populated by bishops who are extremely more conservative than those who were appointed by Popes John XXIII and Paul VI. Even before these synods commence in 2014 and 2015, there are significant questions about the lack of competence of RC bishops to adjudicate the complex issues of human sexuality as well as matters concerning the life of the human family in today’s world.

Below are four powerful criticisms from others that reflect these concerns:

An NCR's editorial of July 2011^{iv} stated:

“. . .the Catholic hierarchy has lost most of its credibility with the wider culture on matters of sexuality and personal morality, just as it has lost its authority within the Catholic community on these same issues. . .even if the bishops had a persuasive case to make [in reference to gay marriage] and the legislative tools at their disposal, their public conduct in recent years – wholesale excommunications, railing at politicians, denial of honorary degrees and speaking platforms at Catholic institutions, using the Eucharist as a political bludgeon, refusing to entertain any questions or dissenting opinions, and engaging in open warfare with the community's thinkers as well as those, especially women, who have loyally served the church – has resulted in a kind of episcopal caricature, the common scolds of the religion world, the caustic party of 'no.'”

A Tablet editorial of July, 2014^v said [in reference to the celibate clergy's blinkered vision on matters of sex]:

“As happened so often [in the damage to victims of sexual abuse], celibate clergy found it hard to grasp what sexuality is all about. It was seen as a source of temptation, not as a vital, intimate and therefore vulnerable element of the whole personality. And on the evidence of the Vatican's *Instrumentum Laboris* published last week and that summarizes the sexual and relationship issues presenting before the forthcoming Synod of Bishops on the Family, this is not about to change. The matters are to be discussed by a roomful of elderly celibates, not by married women and men who know at first hand what they are talking about. Is that not another form of willful blindness?”

An NCR editorial of August, 2014^{vi} — concerning the need to understand the culture in which the synod mentality is rooted — said:

“They have been, without exception, organized by, participated in and interpreted for the world by a tiny representation of humanity, celibate and exclusively male, whose careers have been largely dedicated to maintaining the status quo in a very exclusive fraternity.”

Mary McAleese, the former President of the Republic of Ireland, trenchantly summed up the above when she said: it is “‘completely bonkers’ for celibate men to advise the Pope about family life.”^{vii}

We note that for centuries the Vatican has been trying to make the case that ordination to the priesthood – and living as a male, celibate – “sets priests and bishops apart.” We believe that this is part of growing evidence that male, celibate bishops are so very “set apart” that they have lost touch with the rest of humanity, particularly in these crucial areas of intimate human relationships and family life.

Section I. *This section gives our suggestions for creating a data-base of examples of the active or passive actions of the faithful in previous centuries that led to radical changes in Church teachings.*

In the first century Jesus himself had a limited vision of the breadth of his mission. He believed it was restricted to “only the lost sheep of the House of Israel.” The evangelist, Matthew, however, showed that Jesus was corrected by the Canaanite woman who told him that “the crumbs that fall from the master's table should be extended even to the dogs” – showing to Jesus that his mission was to the whole world. ^{viii}

The role of the faithful in the aftermath of the Council of Niceae: Robert McClory said that the writers of “‘Sensus Fidei’ in the Life of the Church” cited especially John Henry Newman's startling conclusion about the settlement of the Arian heresy in the fourth century. Although Arianism had been condemned at the Council of Niceaea, the great majority of the bishops clung to the heresy for some 60 years. The commission document quotes Newman's finding that during that period, “the divine tradition committed to the infallible Church was proclaimed and maintained far more by the faithful than be the Episcopate. . . . There was a temporary suspension of the functions of the ‘Ecclesia docens’. The body of Bishops failed in their confession of faith. They spoke variously, one against another; there was nothing after Niceaea, of firm, unwavering, consistent testimony, for nearly sixty years.”^{ix}

In the 14th century, St. Catherine of Sienna “worked to bring the papacy of Gregory XI back to Rome from its displacement in [Avignon] France and to establish peace among the Italian city-states.”^x

In the 17th century the Vatican labeled Galileo a heretic because he published the theory that the Earth orbits the Sun rather than the Sun orbiting the Earth. It took three centuries before Pope John Paul II formally recognized the accuracy of Galileo’s theory to have the church withdraw accusations of heresy in 1992. Had not the sense of the faithful ultimately prevailed there would be no space travel.

The Christian faithful also were able to overturn the ban on usury. Based on many biblical quotes, for centuries RC Church leaders maintained that no one could lend money even at a reasonable rate of interest. Had the laity not ignored the Vatican there would be no mortgages or credit cards.

In colonial days, the Catholics of Southern, Maryland, including Jesuits, “became slaveholders as a means of asserting that even though they were shunned by the Protestant majority, they had the same legal rights as any other English subjects. . . The universal [RC] church taught that slavery enjoyed the sanction of Scripture and natural law.”^{xi} In the early 19th century it was the Anglican Church that led the way for this change in doctrine. It was only after the American Civil War that the Holy Office [in the Vatican] changed its position on slavery and stopped legitimizing it. Still, in the U.S., few RC bishops openly condemned segregation [the successor to slavery] until the Congress voted to pass the 1965 voting rights act. Thus, it was the Holy Spirit acting through the sense of the faithful outside of the Vatican that the Roman Catholic bishops stopped the enormous suffering and persecution of African Americans in church and society and ultimately advanced human rights.

Tina Beattie writes that the laity played an important role in the development of the Church’s moral teaching, for example in the transition from Pope Pius IX’s Syllabus of Errors in the 19th century to the respect for religious liberty declared in the Vatican II document *Dignitatis Humanae* in the 20th, which was only possible because of “the commitment of many Christians in the struggle for human rights”. The document also af-

firms that the *sensus fidei* is not exclusive to Catholics but is in some sense to be found among all Christians.^{xii}

It was not until the mid-twentieth century that the RC Church followed the example of Martin Luther — who four centuries earlier said that the mass should be celebrated in the language of the local people.

From the times of the apostles, Christians and Catholics – ordained and lay — maintained that the Jews were to blame for the death of Christ and that the “New Testament” had superseded the “Old Testament.” As a result the Jewish people suffered terribly from the Crusades and the Inquisitions of the RC Church. It was only during the Second Vatican Council in the mid-1960s that these two heresies were repudiated. Popes John XXIII and subsequently John Paul II led this renunciation of anti-Semitism within the RC Church. Nevertheless, during the over nineteen hundred years that these heresies were preached, Christians persecuted the Jewish people.

On the positive side, the writers of “‘Sensus Fidei’ in the Life of the Church” cited “public opinion and debate, including informed criticism of the Church, in developing the two modern Marian dogmas” – the Immaculate Conception and the Assumption. According to Tina Beattie “these dogmas “were promulgated only after extensive consultation with bishops in order to discern the mind of the ordinary faithful. In other words, these doctrines were not imposed but rather affirmed the existing beliefs and devotions of millions of Catholics.”^{xiii}

We note from the above that most changes took centuries – and in the case of reversing anti-Semitism — almost 2000 years before RC Church leaders recognized that God’s first covenant with the Jewish people is still valid alongside the New Covenant.

From the above, we in the ECC believe that the development of doctrine in the Church is supposed to evolve out of the dialogical process of Church leaders proposing ideas of moral conduct from scripture, tradition, reason and experience then subsequently getting feedback from the faithful as to whether theory works out in practice; if not there must be accommodation. Jesus showed us a way that Church teachings should be reformed in his parable of the ox that needed to be

rescued on the Sabbath. Even though “keep holy the Sabbath day” is one of the ten commandments that was handed down from Moses, Jesus gave the example that there are circumstances that required exceptions and that compassion must always overcome the letter of the law.

Section 2. In the spirit of Canon Law 212 # 3 we in the ECC have drafted statements of what we believe Catholic spouses and parents do and do not teach their loved ones on the family issues that divide male, celibate Church leaders from the RC faithful. We call these *Catholic Family Teachings*. Our statements include: the definition of marriage and its importance to the effectiveness of ordained ministry; why we in the ECC actively recruit for ordination: women, married [and remarried] people, and gays and lesbians in committed relationships; why Catholics approve of artificial contraception [especially to reduce abortion]; why Catholics welcome the divorced and remarried to communion; and how Jesus and St. Paul empowered women in the Church.

How Catholics define marriage today: We know that RC laity do not teach their loved ones that the primary purpose of marriage is procreation – rather it is the melding of two into one in imitation of the melding of the Three Persons of the Holy Trinity. The meaning of marriage and the meaning of celibacy are well expressed in Professor Anthony T. Padovano’s essay in CORPUS REPORTS.^{xiv} Excerpts follow:

On Marriage: After being a male, celibate priest for three decades, “I met Theresa the great love of my life. . . Marriage has brought me great assets for ministry that celibacy did not. Marriage to Theresa has given me a sense of completeness. It has made me believe that this is the best experience that human life can give. In the Odyssey, Homer observes that there is no greater happiness in life than a marriage that works. . . The very everyday-ness of marriage, as I once saw it, is something I now see as the heart of spirituality. It is not the exotic but the simple that brings me to God. It is making the coffee in the morning for my wife or taking her to dinner or watching a film and discussing it or shopping when I get a chance, that somehow gives me deep satisfaction and reminds me of how the disciples found God and Christ, not in the elaborate poetry and ritual of the Temple but in the breaking of the bread and in the

gathering of friends around the table of friendship and faith. Hospitality has taken on an enormous meaning.

“I shared my life with friends as a celibate priest but I did not know what it meant to share all one’s vulnerability with another person, all the faults and foolishness, all the insecurities and even the shamefulness at times with being human. I never trusted a friend as I do my wife and I never knew what it meant to reveal all the shortcomings and still be loved, all the inconsistencies and still be accepted, all the wounds and still be deemed worthy, all the regrets and still be forgiven.

“And so in all of this, I gained a sense of the magnitude of human existence, a sense that God is in the human heart with a totality I never before experienced.

“Marriage has rooted me in the saving routines of life, making me eager to share how it all went when I return home, finding God in the miracle of our togetherness and experiencing how close God is and how vulnerable God is and how it makes me ache that I might one day have to say a final good-bye to someone. I now see what human love can do or be. And I now want God and people to be not distant and I know that the simplicity of their lives is the way God comes to us.”

On Celibacy: “Celibacy intensified my sense of dedication and gave me a unique openness to Christ. . . It made me, however, too dependent on the Church as a system psychologically so that I did not want to be at odds with it in any way even when I sensed this would be a better thing to do. Celibacy tied me to clerical colleagues. In a positive way, it gave me a rare sense of fraternity. In a negative way, it made me value clerical opinion inordinately and it made me find the contributions of laity and women less significant.

“The institutional Church cannot enforce mandatory celibacy without dishonoring women. To declare that marriage to a woman ends all priestly ministry for a man and that leaving her, either by divorce or death, makes it possible to have that ministry again is simply to imply that women are unworthy. This is heart breaking, soul-wrenching and a violation.

“. . . in a visit with Cardinal Basil Hume of Westmin-

ster, England, he asked why I decided to marry after ordination. We had become friends and I told him he might be surprised to hear me say I was never disillusioned with the Church or with the priesthood or, indeed, with celibacy. All of them enriched my life; all of them worked for me; all of them I loved; all of them were graces I would not have missed. So, he inquired, why did you resign? I resigned because I felt a love for Theresa that was so deep and sacred that to turn away from it would be to lose a gift God had summoned me to receive.

“On a lighter note I conclude here: at times I have been asked about what difference marriage has made for me. I have often replied that I am never on a lecture tour, even for a single day, anywhere in the world, without trying to call or e-mail Theresa and without telling her I love her and miss her. As a seminary professor, I never called the Rector of the seminary to tell him I missed him.”

To us in the ECC, the excerpts we quote above demonstrate that marriage is a virtue and sacrament in, and of, itself. Children, if chosen, are extremely important, but to pledge to have children is not intrinsic to a couple for them to confer the sacrament of marriage on each other. The excerpts above also demonstrate why those who are married or are in committed relationships have a pastoral empathy and a depth of compassion that is invaluable for a priest or a bishop. We quote Anthony Padovano again: “in marriage God is in the human heart with a totality I never before experienced.”^{xv}

Quite simply our experience shows that those in ordained ministry who are married, or who are in committed monogamous relationships, or who are divorced and remarried, or are women priests – make outstanding pastors. Thus we believe RC Church leaders are wasting enormous pastoral assets and cheating the faithful of their pastoral gifts and leadership by mandating that only males who are celibate can serve as priests and bishops. We note that 39 popes were married – including St. Peter. In the era of married clergy there were no major schisms in the Church. In contrast, since mandatory celibacy was imposed on the clergy in the 12th century, there have been at least three

major schisms – fairly convincing evidence that over the last millennium male, celibate RC Church leaders may not have had the skills and freedom necessary to achieve reconciliation.

We in the ECC actively recruit these people for ordination because, by committing themselves to live in intimacy with another person, they have developed crucial interpersonal skills by interacting on an equal basis. This gives them the daily experience in how to reconcile that translates into significant pastoral insights. For males who live in the RC celibate culture, however, these interpersonal skills are difficult to acquire.

On divorce and remarriage: We in the ECC welcome to the sacraments those who have remarried without an ecclesiastical annulment.

Today RC popes and most bishops assert that a previous marriage is “indissoluble.” This means a RC person whose marriage has not succeeded must have their original marriage “annulled.” This process conducted by a “marriage tribunal” that determines whether the original union was [or was not] sacramentally valid in the eyes of the Church. Thus, divorce is not recognized as necessary to marry a second time in the Church because, if annulled, technically the original marriage was never valid in the eyes of the marriage tribunal [but one is required to obtain a divorce from the civil authorities to marry again].

But “indissolubility” was not the practice of the Church in the first millennium when thousands of bishops were married as were 39 popes. Joseph Mar- tos writes that in this period “there were no universal prohibitions against divorce. . . Irish councils in the seventh century allowed husbands of unfaithful wives to remarry. . . Pope Gregory II in 725 advised Boni- face, the missionary bishop to Germany, that if a wife were too sick to perform her wifely duty it was best that her husband practice continence, but if this was impossible he might have another wife provided he took care of the first one. Boniface himself recognized desertion as grounds for divorce, as well as adultery and entrance into a convent or monastery.”^{xvi}

We note that the Orthodox Churches have continued the practice of accepting divorce and remarriage of the early Catholic Church and most all other major Christian denominations have returned to recognizing its necessity. If RC Church leaders are serious about reconciling with other Christians, we believe they cannot do so without also recognizing the reality and practice of divorce and remarriage.

We have a special place in our hearts for step-parents who provide two parents in the same household for the children of divorced families. They are especially heroic if, by doing so, they too are banned from receiving the sacraments in RC Churches. We would ask those who extoll the annulment process why they think the overwhelming number of divorced and remarried Catholics refuse to participate in the process. We believe many of those who remarry without an annulment intuit the further damage the annulment process can cause to the divorced and their families.

The damage of the process is described by “Anonymous” in the America magazine article: *The Anguish of Annulment*.^{xvii} One of the significant problems of the annulment process is that can exacerbate what already may be an adversarial relationship between the divorced spouses by requiring one or the other to testify that they or their families are responsible for the circumstances that led to the previous marriage “to not be sacramental in God’s sight.” After the trauma of the divorce process itself, this is unnecessary piling on. For ultimate reconciliation, the divorced realize one of the best outcomes that can occur is for their former spouse to be able to reconnect with another and be happy in a new intimate relationship — if living in intimacy with another is their vocation.

An NCR editorial of August, 2014^{xviii} said it well: “The men making the rules [the male, celibate bishops] really don’t understand the profound joy and endless implications of conjugal love in an enduring, committed relationship. They don’t understand in any ongoing, experiential way, that fundamental “community of love.” Although this editorial was written in the context of sexual love in marriage, we, in the ECC, believe the editorial’s felicitous expression: the desire to create a “fundamental ‘community of love’” applies to the search for happiness of those seeking remarriage as well as to gays and lesbians seeking to marry.

RC parents who have divorced — and understand the annulment process — reject the process for another very basic reason. In providing proof to a RC marriage tribunal by the divorced that their previous marriage “was not sacramental,” in effect, this means parents must say to their kids that their parent’s original marriage was illegitimate in God’s sight. And, as a consequence, their children are illegitimate in God’s sight [but not illegitimate in the eyes of the state]. This is what a declaration of nullity means.

Most parents who seek remarriage, however, are loathe tell their children that their parents original marriage was not sacramental in God’s sight. Yet, from the remarks of the few RC bishops in the U.S. who have revealed how the laity in their dioceses have responded to the Vatican Survey, these male, celibate bishops seem uncomprehending that this fundamental parental understanding of not wanting to cast aspersion on their children’s status with God keeps parents from the annulment process.

And, since the ministers of the original marriage were the spouses themselves, we believe they are also the ones to subsequently determine whether or not they are still married. Designation of whether one’s original marriage is still valid is not the role of the Church. Marriage tribunals should be abolished; canon lawyers, bishops, and priests have better things to do than cause continuing anguish to those who have divorced and keeping the remarried from the sacraments.

We again agree with Clifford Longley that on the subject of the ban on Holy Communion for those who remarry without an annulment: “whatever the synods this year or next have to say on this vexed question, people in the parishes have stopped waiting for answers and have gone their own way. And talk of speeding up the annulment process and of wider sanction for the ‘internal forum’ solutions will make little difference. There has been a power shift in the Church, and little by little, over the years, bishops have ceased being the ones calling the shots.”^{xix}

In the future we would hope that all RC priests would say the following to the divorced who seek their guidance about remarriage:

“since popes and RC Church councils in the early centuries of the church recognized the necessity of divorce and remarriage, so do I.”

In sum, we believe the annulment process and marriage tribunals should be allowed to die a natural death from benign neglect. All should be welcome to the sacraments. Sacraments, after all, are supposed to be a source of grace and strength to those whose souls are troubled; they are not to be reserved only to those “in a state of grace.”

On contraception: We in the ECC in no way consider contraception to be “intrinsically evil” or that every act of sexual love must be “open to conception.” Since, as Anthony Padovano says [above]: “sexuality is a vital, intimate and therefore vulnerable element of the whole personality,” we believe contraception is a great boon to the extent that it brings much greater opportunity to exchange grace between couples through sexual love. We do not understand why RC Church leaders can claim to be intellectually honest when they condemn what they call “artificial contraception” while, at the same time they promote Natural Family Planning [NFP]. Both have the same intent – to prevent conception – but artificial contraception allows significantly more opportunity to exchange that grace while enormously reducing the anxiety of a possible pregnancy that might endanger the marriage. Artificial contraception enables spouses to choose to make love at a time that fits their schedules without being tied to the rigidities of the calendar. One need only to read Robert Blair Kaiser’s book, *The Politics of Sex and Religion*,^{xv} that discussed the Papal Birth Control Commission [of the 1960s] to see the testimony of the dedicated Catholic couples who bore witness to the gross inadequacies of NFP. We believe that Catholics reject the RCC ban on contraception – not because they do not understand the pronouncements of the RC Church. Rather Catholics reject the ban because they understand the pronouncements only too well. They also know that artificial contraception dramatically reduces the spread of AIDs and the number of abortions. We believe it is fair to ask: How can RCC leaders say they really want to reduce abortion, if they are against contraception?

Elizabeth Price puts in perspective the problem of RC bishops understanding of sexuality [or their lack of understanding of sexuality]:

“Were any of the 150 bishops who are to advise Pope Francis old enough to remember that the Pontifical Commission on Birth Control, which gave its findings to Pope Paul VI, stated that the ban on contraception could not be defended from natural law?”

“Alas we laity know that one of the essential criteria for selection to the episcopate is conformity to the teaching of *Humanae Vitae*. Knowing these facts and having studied the understanding of sexuality to be found in *Casti Connubii*, the Address to the Midwives, *Humanae Vitae*, and the Theology of the Body, I filled in my answer to the [2013 Vatican] survey with despair in my heart.

“The basic tenet of all these [papal] documents is that at the Fall, humankind was smitten in the genitals. It is lust, not love, that causes us to have intercourse far in excess of procreative need. This lust must be thrashed out of us by conjugal chastity, not understood as the mutual sexual fidelity expressed in our marriage vows, but by continence. Thus, since the 1933 discovery of the ovulation cycle, [sexual love] is a thermometer based matter.

The injustices heaped on innocent married couples by teaching arising from Augustine and later by Aquinas is horrendous. Will any of the bishops [at the Vatican synods] know this?”^{xxi}

Clifford Longley points out that:

“...a vast gulf that by all accounts has opened up between Catholic theory and Catholic practice regarding marriage, sexuality and family life.” He believes that “Clearly there is no consensus in the Church behind any available solution to the two most neuralgic issues that the pre-synodical consultation process brought to the fore: contraception and access of the divorced and remarried Catholic to Holy Communion”.^{xxii}

We in the ECC agree that there is a vast gulf between the RC bishops and the laity. At the same time, we believe the laity have, amongst themselves, reached a consensus on these issues. They have listened to the voices of other Catholic spouses and parents; to the voices of their Protestant and Jewish neighbors; and to their own consciences — as a consequence they are acting as their conscience tells them. In the case of contraception, the faithful welcome it; in the case of remarriage, the faithful accept it.

On Abortion: We, in the ECC have not had a conversation on the subject but we believe most consider abortion to be a moral choice that must be determined by an individual's informed conscience. Our watchword would be compassion: compassion for the mother and the family as well as compassion for the potential child in the womb. We know in certain circumstances that abortion must be available — particularly in the case of rape, incest, or when a woman's life is in danger.

Patricia Miller writes: “The Catholic hierarchy has consistently condemned abortion as the taking of human life.” She believes most Catholic women reconciled the tension between what church officials condemned in public by quietly having abortions in private. And she points out that “the U.S. Catholic bishops spearheaded and heavily influenced anti-abortion public policy initiatives over the past four decades.” As a lay initiative, she says: “the organization Catholics for Choice [CFC] in the U.S. has served as an effective counterbalance to the bishops in the public arena”. . . She writes CFC asserts two big points: that Catholics might tenably be pro-choice, and that the bishops did not represent lay Catholic opinion in public policy debates about abortion. ^{xxiii}

On gays and lesbians in committed relationships: Since it is clear that God makes a consistent percentage of the population gay and lesbian, we know God would want our sisters and brothers to fully experience the gift of being able to love and be loved in the way that Anthony Padovano describes above for heterosexuals. We believe the labeling by RC bishops that marriage of committed relationships for gays and lesbians is “intrinsically disordered” has become alien to the consciences of most Catholics.

The Holy Spirit is at work raising the moral sense of the faithful just as She did in previous centuries on slavery/apartheid/segregation as well as the persecution of the Jews.

The experiences of gays and lesbians of being marginalized and at times persecuted by the RC Church may give them special pastoral instincts in caring for others. In our experience, for the most part these people of God make exemplary parents and excellent pastors and bishops. Therefore we welcome these lesbians and gay sisters and brothers freely into our communion, we have no hesitation in ordaining those who are appropriately qualified, trained, and called by their communities.

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Peter Stanford writes:^{xxiv}

“. . . I couldn't help remembering how the Catholic Church rejects such ceremonies [marriages of homosexual people], and the intense campaign that it led to try and derail this reform, up to and including taking the extraordinary step of sending out materials to all Catholic schools. I can't recall the last issue when our bishops [in England] worked so hard to mobilize us as a faith community.

“So I tend [probably simplistically] to return to the notion of a God of love who made each and every one of us as we are, with love, and with the potential to love.”

On Women: The causes of the estrangement of women from the male, celibate bishops of the Church can be understood from an essay by the theologian, Sr. Elizabeth Johnson. She writes:^{xxv}

“Christianity took shape in a culture of the Roman Empire where elite men held power over lesser men, women, children, and slaves. . . As the church grew and became established its leaders adopted this pattern for its own internal life. Within this system some men may be very respectful of women and even love them. But women are of necessity placed in unequal, predetermined roles. Men teach and decide; women listen and obey. . . The church reflects this inequality in all its aspects.” In contrast to this Roman culture that was gradually incorporated into Christianity, Johnson says that studies of Jesus’ relationship with women during his public life reveal:

“. . . Jesus had a strong interest in the flourishing of women and he never sets out one way of acting for men and another for women.

“Besides healing women of their infirmities, enjoying their friendship and speaking of God the image of women, Jesus went further and invited them into the circle of his closest followers. . . They absorbed his teaching and joined him at joyful community meals where there was a foretaste of the coming kingdom of God. The wealthy among them bankrolled his ministry, providing for the needs of the community out of their own pocket.

“Women’s discipleship during the ministry of Jesus did not cease at the end of his life. They accompanied him up to Jerusalem, becoming the moving point to the witness of the passion. Each of the four gospels recounts that while the male disciples ran and hid when Jesus was arrested, the women kept vigil with him at the cross. In fact the only person named by all four gospels as having stood at the cross is Mary Magdalene. Because it was the women who stayed, they knew where the tomb was and were the first to discover it empty when they went to finish anointing his body on the first day of the week. There they encountered the risen Christ and were commanded to ‘Go and tell’ the others. Mary Magdalene, whom the church later called the ‘apostle to the apostles,’ and the other women did so, even though the men did not believe them, thinking they were just hysterical women. Nevertheless, scripture shows that both in his earthly life and risen life Jesus Christ included women in his community, not as subordinates to men but as sis-

ters to their brothers and, in the case of the resurrection proclamation, even as those first entrusted.

“In the early decades of the church there is strong evidence for a vigorous ministry of women spreading the gospel as colleagues with men.. From the Acts of the Apostles and letters of Paul, we get the picture of women as missionaries, preachers, teachers, prophets, apostles, healers, speakers in tongues, and leaders of house churches. They are co-workers with Paul and the other men, gifted with all the charisms which were given for the building up of the church. Scholars are now trying to piece together what forces brought this public ministry of women to a diminished state. But that Phoebe, Prisca, Junia, Persis and many other women preached the gospel in the early days of the church, there is no doubt [see especially Paul’s letter to the Romans, chapter 16].”

Gary Macy writes that women were ordained in the early Middle Ages: “...and historically, there can be no question of the validity of such ordinations. There are rites for the ordination of women; there are canonical requirements for the ordination of women; there are particular women depicted as ordained; and a number of roles limited to women are included in lists of ordained ministries. The evidence is simply overwhelming.”^{xxvi}

In contrast, we note that in the RC Church today bishops and priests generally have no close women advisors, missionaries, or heralds of the gospels — as did Jesus and St. Paul. Women are forbidden to preach and priests are barred from ministry if they marry. From the perspective of those in the ECC, the witness of and talent of women are being deliberately excluded in the RC Church. Moreover, we are particularly distressed by the current Vatican campaign against the orders of sisters — the Leadership Council of Women Religious [LCWR] — and, in particular the campaign against Sr. Elizabeth Johnson. Tina Beattie quotes Johnson as saying that the bishops “had not represented her work fairly, nor had they sought any dialogue with her about her book, *Quest for the Living God*.^{xxvii} This campaign against her by the Congregation of the Doctrine of the Faith — and the RC bishops refusal to respond to Johnson’s protestations that her work has been misrepresented — drastically undermines the credibility of the document “The Sensus Fidei in the Life of the

Church” that claims to present ways to resolve contentious issues. We also note that Johnson’s complaint – that her work had been misrepresented — is similar to the complaint [above] of RC bishops who were distressed that their work had been misrepresented at synods held under the two previous popes.

In the ECC, however, we know the witness, talent, and unique pastoral gifts women bring to ordained ministry that enriches our ministry. We are blessed by having as pastors: women, married people, and gays and lesbians in committed relationships. In the future, we expect one of our diocesan regions to choose an ECC woman priest to be their bishop.

Section 3. Why reconciliation in Catholicism is impossible without major structural changes.

In their writings: Fr. Hans Kung, Pope Pius IX, Fr. Thomas Doyle, Margaret Nutting Ralph, and Gary Wills describe why reconciliation is so difficult for RC Church leaders:

Hans Kung^{xxviii} writes that: “The Roman System [of the Roman Catholic Church] is characterized by a monopoly on power and truth, by legalism and clericalism, by hostility to sexuality, by misogyny and by clerical use of pressure on the laity. This system is not exclusively responsible for [though it does bear the main responsibility for] the three great divisions or schisms of Christianity: first, the East-West schism in the eleventh century dividing the Western from the Eastern branches in the Church; then, the Reformation schism in the sixteenth century, dividing the Western [i.e. Roman Catholic] Church from the Protestant churches; and, finally, in the eighteenth and nineteenth centuries, the separation of Roman Catholicism from the enlightened modern world.”

To protect against the possibility of involving the faithful in choosing their priests and bishops or of listening to the laity on theological issues, most RC bishops seem to be following Pope Pius IX’s 1906 encyclical *Vehementer Nos* that said: “It follows that the Church is essentially an unequal society, that is, a society comprising two categories of persons, the Pastors and the flock, those who occupy a rank in the different degrees of the hierarchy and the multitude of the faithful. So distinct are these categories that with the pastoral body only rests the necessary

right and authority for promoting the end of the society and directing all its members towards that end; the one duty of the multitude is to allow themselves to be led, and, like a docile flock, to follow the Pastors” [quoted in Fr. Thomas Doyle’s address to the Voice of the Faithful Conference of 5 April, 2014]. Previously Fr. Doyle had written that the Vatican continues to deny what Doyle considers the fundamental issue: “the nature of the clericalized, monarchical structure of the institutional church and its role in the systematic dismantling of the reality of church as People of God.”^{xxix}

Even when RC priests themselves do not agree with dogmas promulgated by the Vatican [such as the encyclical banning artificial contraception], Pope Paul VI commanded them: “not to persuade others that its teaching is true by presenting cogent reasons to support its conclusions, but to implore everyone to accept the teaching authority of the Magisterium” [the pope and the bishops]. The encyclical says: “. . .the pastors of the church enjoy a special gift to the Holy Spirit in teaching the truth. And this, rather than the arguments they put forward, is why you are bound to such obedience.”^{xxx}

Gary Wills^{xxxi} writes that without addressing structural issues in the Vatican, meaningful action to restore trust in the priesthood and church authority cannot get far. He notes that there are four such interlocking problems: celibacy, homophobia, patriarchy, and clericalism:

Celibacy. “Yes, celibacy does not directly and of itself lead to sexual predation. There are many unmarried men and women who are not predators. But Catholic celibacy is not simply an unmarried state. It is a mandatory and exclusive requirement for holding all significant offices in the Church. This sets up a sexual caste system that limits vision, empathy, and honesty. It enables church rulers to be blithely at odds with the vast majority of their own people. . .celibate priests tell us they know what sex is really about [by their expertise in “natural law”], and in their view it absolutely precludes birth control. There is an induced infantilism in such cloistered minds, an ignorance that poses as innocence. This prevents honesty at so many levels that any trust on sexual matters begins in a crippled state, handicapping all treatment of sexual predation in the Church.

Homophobia. “Pope Francis is often hailed for asking, “Who am I to judge” gay men. . . There are many gay priests, some who remain celibate, some who don’t. The fact that they have to hide their “disorder” does not mean they are not being judged. If they felt they were not being judged, they would not be hiding. Now, when Catholics are agreeing with their fellow Americans that being gay is not a disgrace, and marrying is a gay right, the Vatican cannot even get into the conversation, much less lead it in a useful way.

Patriarchy. “The Vatican is not only the West’s oldest monarchy, but its most entrenched patriarchy. For long its official teaching was Thomas Aquinas’s assertion [taken from Aristotle] that ‘the female is a defective male.’ Though the Vatican has tried in recent years to back off from that position, as late as 1976 Pope Paul VI’s Curia said that there can be no women priests because women do not look like Jesus: they lack “this ‘natural resemblance’ which must exist between Christ and his minister.’ Pope John Paul II said in 1994 that if Jesus had wanted to ordain women, he would have begun with the best of them, his mother. He ignores the fact that Jesus in the Gospels ordained no priests, male or female. The investigation of American nuns for daring to have opinions of their own shows how far Vatican officials are from understanding women. [How could they understand them?]

Clericalism. “The previous three problems converge on the clerical mindset that afflicts all bureaucracies, but especially sacred ones. Advancement of one’s career involves deference to those above, adherence to corporate loyalties, and a determination not to hurt the institution [demonstrated by signal loyalty]. Questioning “church teaching” is subversion. This leads to support of one’s own in all ways possible—as far as one can go, for instance, in denying sin among one’s colleagues.”

From the mid-1960s when the Second Vatican Council ended, the split in Roman Catholicism has grown ever-wider, and on many moral issues RCC authorities seem unable to reconcile with their own faithful in the pews – much less with other Christians. Essentially, we, in the ECC, believe the primary reasons for the inability to reconcile are:

Contemporary RC Church leaders refuse to follow the more ancient Catholic tradition of clergy and laity electing their own bishops within their dioceses. This has led to a lack of accountability by their bishops to their own people. Bishops are focused on the concerns of those who placed them in office rather than on the needs of their own dioceses. In the year 450 Pope Leo I anticipated this when he warned: “He who is to rule all [a bishop] should be elected by all.” Most recently, RC bishops have also proven ineffective in removing from their own ranks fellow bishops who have been enablers of pedophile priests. They have not been able to attract sufficient numbers of male celibates to the priesthood, [thereby depriving many of the faithful of the sacraments], they have resorted to the recruitment of foreign-born priests [many of whom do not know the local culture or the language], and because they say they do not have enough priests, bishops have unnecessarily closed many churches. As pointed out above, bishops are not independent of Vatican pressure. All this demonstrates that RC bishops lack the full legitimacy of office because they cannot make decisions in their own right.

After having been appointed to a diocese [generally in which they have previously not resided], bishops often do not know the local people or their customs, their pastoral issues, and their needs. They may not stay in a diocese long enough to develop a deep understanding of the needs of their diocese. This undermines the effectiveness of their episcopal ministry and leaves many local churches without leadership that is sensitive to and responsive to their particular issues. [It is interesting to recall that through at least the first millennium, when their local clergy and laity elected bishops, the latter spent the rest of their lives serving that diocese. A bishop leaving his diocese for a larger diocese was regarded as a violation of the bond between the bishop and his flock.] Yet today, many appointed bishops want to be promoted to larger dioceses – repeating the cycle again.

In case priests, sisters, and bishops still do not get the message, Pope Francis has allowed the Vatican to continue its chilling “investigations” of orders of sisters as well as the silencing of some of the prophetic voices of priests and bishops. These actions are in contrast to the wildly popular and dramatic change in tone of the current pope’s pronouncements — as compared to his two predecessors.

Perhaps to forestall any unilateral actions that would undermine the independence of the RC bishops coming to the Vatican Synod in the fall of 2014, Henry Chu reports that:

“The RC bishops in Germany have released their summaries of the responses of their own laity to the Vatican’s survey in both German and English. ‘The German bishops reported that many of their parishioners view the church’s teaching on sexual morality as “unrealistic,” its prohibition on artificial contraception as “incomprehensible” and its treatment of remarried divorcees as pitiless.

“The survey reflects Pope Francis’ desire for less centralized and more responsive decision-making, mirroring his own self-described evolution from a rigid, authoritarian leader as a young man into one who consults and empathizes. . . Nobody at the Vatican will be surprised to learn that vast numbers of Catholics disobey its ban on premarital sex and birth control, or that some are in gay partnerships. Setting down those realities irrefutably on paper, however, could strengthen a bid by Francis to soften the church’s official line and put pressure on bishops inclined to resist, including some in the United States and many in Asia and Africa, conservative areas where the church has been growing.

“So, although Pope Francis almost certainly will not call for ditching the church’s policy of denying communion to Catholics who have divorced and remarried, his emphasis on pastoral care and compassion could offer local priests a work-around, with greater flexibility to address individual circumstances. That would fit with the pope’s vision of the church as a ‘field hospital’ that triages people’s spiritual wounds rather than aggravates them.”^{xxxii}

If this indeed turns out to be the strategy of the Vatican – ignore what the laity said in response to the survey – it replicates the strategy of Pope Paul VI when he banned birth control in 1968. Paul VI disregarded the witness of the laity who testified to the Papal Birth Control Commission as well as the recommendations of the Commission that had urged accepting contraception. The upshot has been that while RC bishops still talk of the evils of birth control, many RC priests are smart enough to hardly ever mention it. Neverthe-

less the divide between the bishops and laity on this issue – as well as mandatory celibacy, the ban against marriage equality for gays and lesbians, and the sex abuse crisis – have significantly undermined the credibility of both bishops and papacy with laity and priests.

But this strategy of “maintaining the official teachings” on the issues that divide their bishops from their laity while perhaps putting in some compassionate exceptions to allow the reception of the sacraments to the divorced and remarried, in effect denies the capability of the RC Church to recognize: that it is not compassion that is needed but a fundamental examination of the underlying reasons why many RC Church teachings are flawed. As important is the need for those independent of Vatican control to formulate teachings on issues in which the faithful have expertise and then propose to coordinate drafts with RC bishops. The latter might then adopt the recommendation of Cardinal Newman who said bishops should first consult their faithful. [This would also incorporate the spirit of the document “The Sensus Fidei in the Life of the Church” as well as of Canon Law²¹². 3]

Finally, perhaps the most significant reason why many bishops of the curia are not open to listen to how the Holy Spirit is prompting the faithful to refuse to accept their pronouncements is that these bishops have no interest in doing so. Massimo Faggioli wrote the following on Vatican politics:

“Arguments against [Cardinal Walter] Kasper’s proposal that some divorced and remarried Catholics be admitted to communion appear in Italian publications with ties to bishops who consider it ‘doctrinal change.’ They worry that it would amount to a betrayal of the Wojtyla-Ratzinger [Popes John Paul II-Benedict XVI] legacy in sexual ethics. After Kasper delivered his proposal to the consistory in February – at the pope’s behest – Cardinal Gerhard Muller, prefect of the Congregation of the Faith, and Cardinal Caffarra of Bologna were repeatedly interviewed by *Il Foglio*. They presented Kasper’s argument as a disavowal of centuries of moral theology on family and marriage. They failed to mention that rethinking these pastoral practices would also mean rethinking language that [Caffarra specifically] drafted for John Paul II. They are not just fighting for John Paul’s legacy. They’re fighting for their own.”^{xxxiii}

Section 4: Our [ECC] recommendations for reconciliation in Catholicism over the long term:

1.] There must be a recognition by Church leaders that the Holy Spirit works through everybody. There is no authoritative Church teaching in Catholicism without all being in agreement on a subject, popes, bishops, and faithful — agreement such as finally reached after the Council of Nicaea. Therefore the main job of bishops is to *discern* how and why people’s consciences are being motivated – not to *dominate* the discussion. Discernment is only possible when Church leaders refrain from removing dissenting priests from ministry, from investigating orders of sisters, and from forbidding speakers to make presentations in colleges and parishes that criticize Vatican positions. In addition, bishops must make good faith efforts to recognize how the Holy Spirit is motivating the faithful’s sense of right and wrong. Clifford Longley points out that there is “a vast gulf that by all accounts has opened up between Catholic theory and Catholic practice regarding marriage, sexuality and family life. . . So bishops everywhere have reason to fear that this [lack of a consensus at the synod] will trigger a crisis in the relations between the official Church and the Catholic laity not unlike the car crash that cause such strife and anguish in 1968 after the publication of the anti-birth control encyclical *Humanae Vitae*. ”^{xxxiv}

In this way the NCR and the Tablet can do what RC bishops would do if they were elected, not appointed: that is your publications can both discern and defend the consciences of the faithful. In this way you editors would assume the mantle of: “Defenders of the Faithful.”

Initial first steps to achieve discernment would be to inaugurate *elected* parish and diocesan councils. If the members of the parish and diocesan councils are elected, then the bishops can’t control their responses and, if the meetings are open, then bishops would have to respond directly to legitimate questions.

Such initiatives would allow the replication of the dialogue between the faithful and Church leaders similar to: Jesus’ acceptance of the criticism of the Canaanite woman who told him to expand scope of his ministry beyond the Jewish people; St. Peter ac-

cepting St. Paul’s criticisms at the Council of Jerusalem; the realization of bishops after the Council of Nicaea that the laity had the better interpretation of Jesus’ nature than did those who espoused the Arian heresy; and the positive response of Pope Gregory XI to St. Catherine when she wrote to persuade him to leave Avignon and return the papacy to Rome.

2.] There must be a return to the Catholic tradition of electing bishops by the entire membership of a diocese — clergy and laity — without interference from the Vatican. As noted above, Pope Leo said in the year 450: “He is to govern all should be chosen by all.” On the other hand, appointed bishops are vulnerable to the commands of the Curia. The lack of elected councils and elected bishops continues to shut the faithful out of any meaningful dialogue in matters concerning Church teaching or practice: when you refuse to listen to the faithful, you can’t hear how the Holy Spirit is motivating their consciences.

3.] Ordination must be open to all who are qualified. It is clear from the sections above that the male, clerical culture is focused on its own survival and is deaf to other voices. Church leadership suffers from the lack of the diversified talent that women provided to St. Paul and to the early Church; that the spouses of married popes, bishops, and priests provided during the first 1100 years of the Church; and that gays and lesbians in open committed relationships could provide today. Women need to have women pastors; married people need to have married pastors; and gays and lesbians need to have gay and lesbian pastors. Not all this talent needs to be in every parish. But the talents of these diverse ministries need to be in every diocese; they need to be represented at national Church councils and synods. They need to be represented at Vatican councils and synods. The Holy Spirit speaks through all.

In her address to her fellow sisters at the Leadership Council of Women Religious [LCWR] Sr. Elizabeth Johnson said that historically, there have always been tensions between religious communities and the hierarchy because one is based on a radical living of the Gospel and the other is based on administration, which requires order. “The church did not start out this way, but as an institution, it has

evolved a patriarchal structure where authority is executed in a top-down fashion and obedience and loyalty to the system are the greatest of virtues.”^{xxxv} We, in the ECC, believe the damage this causes to orders of sisters is equally damaging to the Church as a whole.

4.] There must be reform of the curia. If bishops are elected, their independence would override the dominance of the curia to enable reforms to be carried out. No reform by any pope can last, however, as long as bishops continue to be appointed. If there is no reform, after Pope Francis departs the scene the College of Cardinals would almost certainly try to elect a successor pope who would keep in place the current system that allows the curia to continue to appoint RC bishops who will be compliant to their policies.

Factors inhibiting reconciliation in the short term:

On Dialogue: Hopefully, by the time the RC synods of 2014 and 2015 will have closed there will be a recognition that Catholicism is “a house divided against itself.” As Abraham Lincoln observed: “such a house cannot stand.” The division takes a number of forms:

At the same time as the publication of the publication: *The Sensus Fidei in the Life of the Church* — that talks about the role of the faithful in forming Church teaching — Chris McDonnell writes of the various efforts by bishops to stifle discussion in the Church. “In recent years, groups have been formed in various parts of the world seeking dialogue, bringing together people whose commitment to the Church is faithful, but

who also recognise real problems that cannot, must not, be ignored. Such groups should not be seen as a threat, for their giving voice to current issues is all part of their pilgrimage as Christian people. They often meet with resistance from many directions, from those who seek the holy comfort zone of what used to be, or are fearful of where we might be heading. . . The Association of Catholic Priests in Ireland has raised serious questions over the last three years and have often been castigated for it. In the US, the Leadership Conference of Women Religious, who met this week. . . has had its integrity challenged by the Congregation for the Doctrine of the Faith. Here in the United Kingdom, the establishment of the group a Call to Action

[ACTA] in 2012 . . . raised concern in some quarters when the only wish of those involved was to establish open dialogue for the good of the Church. Likewise, the Movement for Married Clergy, has, since 1975, sought an honest discussion on the “necessary” relationship between ordination and celibacy. Sincere discussion should be welcomed by both the hierarchy and the laity, for the good of the Church.”^{xxxvi}

But dialogue is not welcomed. In the U.S. we in the ECC meet regularly with over 20 Roman Catholic reform groups whose objectives are probably similar to those in the U.K. The suggestions of these groups to the RC bishops in the U.S. are not only ignored but many of the people who speak to the meetings of these groups are subsequently banned from RC forums controlled by the bishops.

On requirements for Ordination: Due to their insistence that priests be only male and only celibate, the decline in numbers of priests continues. With their numbers destined to be reduced drastically in the future due to deaths and retirements, the current inability of priests to provide pastoral care will become overwhelming. In Ireland, for example, Fr. Brendan Hoban, the co-founder of the Association of Catholic Priests, claims the underlying problem in the fall in vocations is that the Catholic community has lost confidence in an exclusively celibate priesthood.”^{xxxvii}

On the value of marriage vs. celibacy: There must be a recognition of the esteem with which Catholics value marriage and committed relationships vs. the lack of esteem for celibacy:

Thousands of priests have left ministry in the RC Church in order to marry – some have joined us in the ECC.

Thousands of deacons have joined the RC Church because they can be both ordained and married.

Many, many thousands [millions?] of Catholics who have divorced refuse to live a life of celibacy; they also refuse the hypocrisy of the annulment process to remarry – even though some priests withhold the sacraments from them.

In many cases this refusal of the sacraments drives the remarried out of the RC Church. Forced to choose between the hypocrisy of the annulment process [that would allow them to receive communion] vs. remarrying without an annulment and being denied the sacraments, they seek the grace that comes from the exchange of intimate love.

On the alienation of young Catholics: In addition to the above, another set of factors is described in the 2014 book, *Young Catholic America: Emerging Adults In, Out Of, And Gone From The Church*.^{xxxviii} It foretells “a long era of ‘institutional weakening’ of the Church.” The reviewer says the book’s conclusions “about the future of young adults in Catholicism are fairly grim. . . Lapsed Catholics are highly likely to remain lapsed for a lifetime, whereas lapsed Protestants are not.”^{xxxix}

Our suggestions to you the editors of the NCR and the Tablet for initiatives that could lead to reconciliation:

We ask that both the Tablet and the NCR print this open letter in your publications prior to the October 2014 meeting of the Synod on the Family.

In the future, after the reporting and analyzing the results of the Vatican 2014 synod, we also ask that your websites provide for your readers a version of our sections above:

Section I that shows it was the sense of the faithful who stepped in and saved the Catholic Church from error when RC Church leaders were maintaining positions such as: there should be no lending of money for interest, that the sun revolved around the earth, that slavery was morally acceptable; that Jews could be persecuted for the death of Christ, etc. In this section, we noted how long it took for change in Church teachings to occur – in the case of the persecution the Jewish people – the correction took almost 2000 years.

Section II in which we quote the Vatican document “The Sensus Fidei in the Life of the Church.” That section shows how Catholic Church leaders should reconcile differing positions between bishops and the rest of the Church.

Section III that shows the radical divisions in beliefs on moral issues between the male, celibate RC bishops and the sense of the faithful – and the reasons for the differences.

If the websites of your publications allowed free access to any reader to these databases, your periodicals could become the go-to sites for Catholics on these issues.

Subsequent to reporting on the RC synod in October, 2014, we would ask your publications set up a panel to revise our above essays. These revisions would reflect what your publications believe Catholic spouses and parents do and do not teach their loved ones on the morality of family issues and invite your readers to comment. By having all Catholics able to reference these essays, the needed dialogue will begin.

Your essays would be particularly welcome in Catholic colleges and parish discussion groups because anyone can download the material and introduce it without it being censored.

In the future on any moral issue in which there is a significant division between a pronouncement of RC Church leaders and the sense of the faithful, these essays of your publications can be used as a reference point for your readers to write to their bishops and to the secular media to say: “what Bishop _____ has proclaimed [on issue ‘X’] is not authentic Catholic teaching for any of the following reasons:

The pronouncement has not been “received by the faithful,”

The pronouncement offends our conscience;

The pronouncement is damaging to families for the following reasons: . . .

Therefore in accordance with Canon Law 212 # 3, as well as the “International Theological Commission’s” paper: *The Sensus Fidei in the Life of the Church*, I [we] consider it my [our] duty to present what we believe Catholics teach their loved ones on this subject.”

If these essays are continued in your publications leading up to the 2015 synod, and readers used them to comment to the media, these could have a significant influence on the debate next year.

Your publications can also indicate that these essays will undergo revisions before and after the 2015 Synod. These continuous revisions will be in response to the statements of the Synods and the responses of the faithful. This will *de facto* start the needed dialogue in the Church. In the beginning the bishops may ignore the effort, but if the press and others start quoting these essays – while at the same time contrasting them to the pronouncements of the pope and the bishops — RC Church leaders will have to respond.

This will provide an alternative voice for the faithful until the bishops start meeting openly with their own pastors and laity on these issues on a regular basis.

In our view, what is really needed, however, are not synods to examine the family, but – to reflect Fr. John W. O’Malley [above] — a Church meeting [synod or council] “with the collegial style of governance taught by the Second Vatican Council but stifled in the years since.” In our view this can only be done by setting up structures in the Church specifically designed to pay attention to the Holy Spirit acting through the consciences of the faithful and by returning to the RC Church tradition of clergy and laity electing their own bishops.

For more information on the ECC check out our website [www.ecumenical-catholic-communion.org] or contact our PR Director, Rev. Tom Altepeter [contact information below.]

May the Holy Spirit continue to guide and bless our endeavors,

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