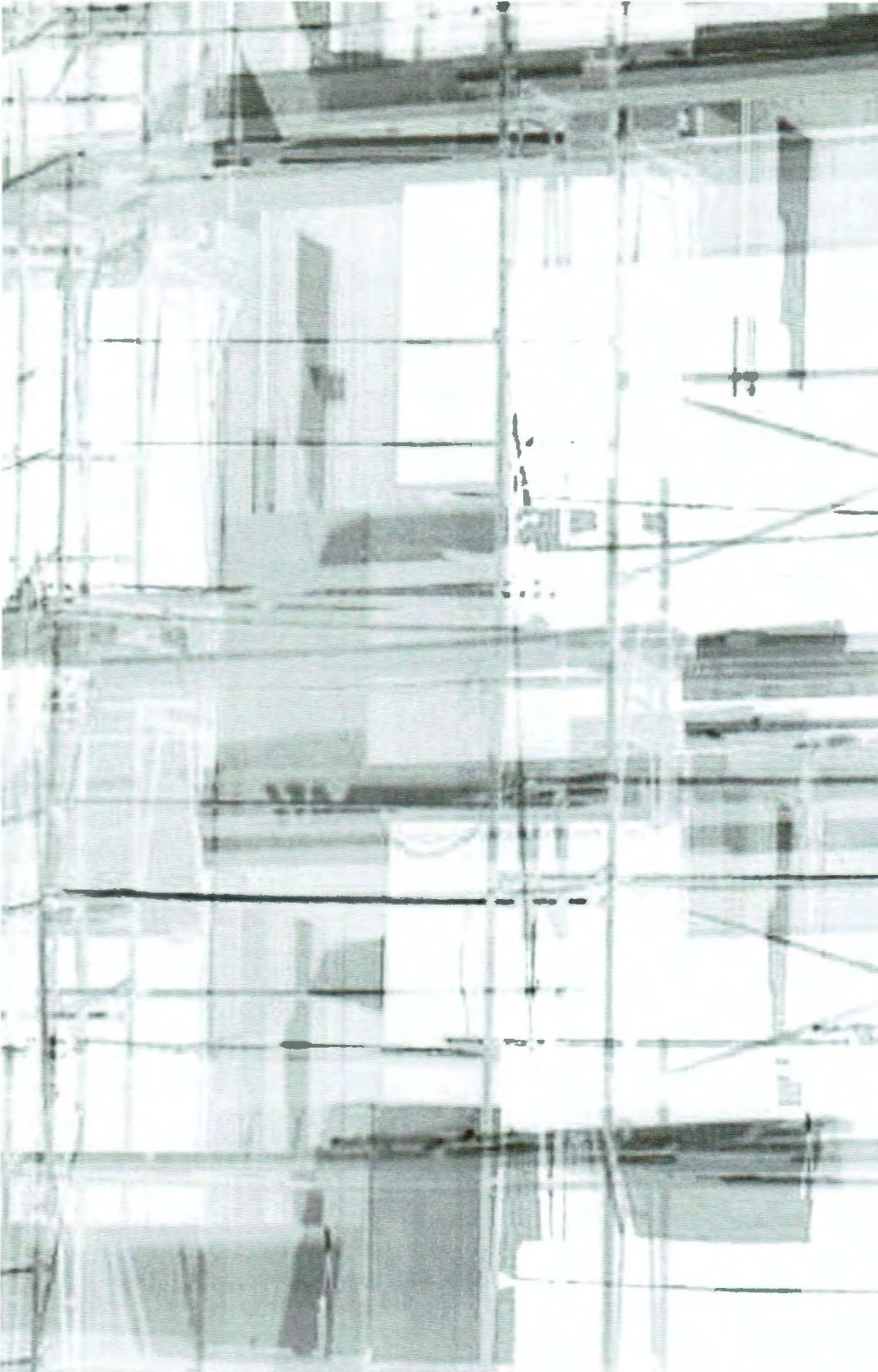




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California Court Decision: Hope for Both Sides



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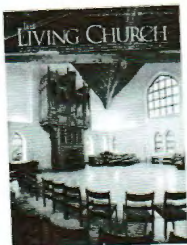
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Volume 238 Number 5

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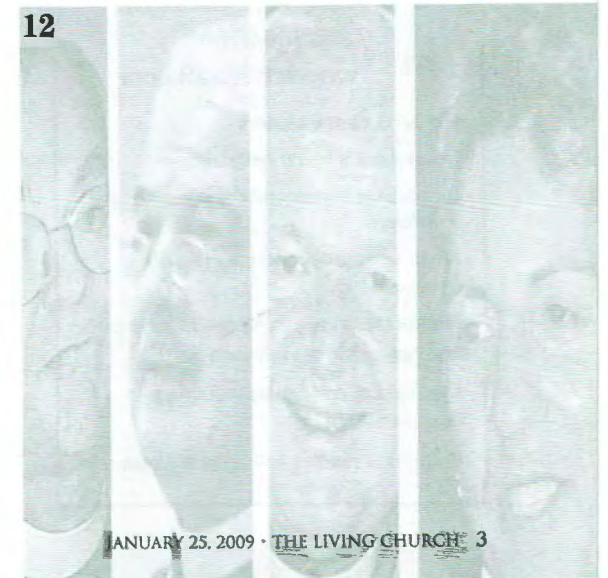
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The California Supreme Court has ruled in the matter of St. James' Church, Newport Beach, Calif.

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SUNDAY'S READINGS

Disciple or Groupie?

'And immediately they left their nets and followed him' (Mark 1:18)

The Third Sunday after the Epiphany, Jan. 25, 2009

BCP: Jer. 3:21-4:2; Psalm 130; 1 Cor. 7:17-23; Mark 1:14-20

RCL: Jonah 3:1-5, 10; Psalm 62:6-14; 1 Cor. 7:29-31; Mark 1:14-20

Clearly, the most outstanding feature of Jesus' call of the first disciples is the speed and suddenness with which it all took place. No pleasantries, no small talk, just "Follow me." And they followed him. They were in the middle of a day's work. Fishing was their livelihood, not their hobby. But they got up, and left nets that were still in the middle of being mended, and followed Jesus.

This is rather threatening to us. It implies a level of commitment that we're not sure we particularly aspire to. We're attracted to Jesus. We find him interesting, but we would rather exercise a safer option, and identify ourselves with a larger but less committed group of people who are referred to in the gospels as the "multitude" or the "crowd." These were Jesus' "groupies." These folks are able to get close, but don't have to get too close. We look at that original group of 12, and we do the math: One betrayed Jesus and then hanged himself. One died as an old man of natural causes, but he was in exile. The other 10 all died as a result of a sharp object being stuck into their bodies. Who needs that? Better to stay a groupie.

Look It Up

Compare the call of the first disciples in Mark to other "call" narratives in scripture, like Abraham (Gen. 12:1-3), Moses (Exod. 3), Isaiah (Isaiah 6:1-8), and Jeremiah (Jer. 1:4-10).

Think About It

What would it look like for you to follow Jesus more closely today? What is holding you back?

Next Sunday

The Fourth Sunday after the Epiphany, Feb. 1, 2009

BCP: Deut. 18:15-20; Psalm 111; 1 Cor. 8:1b-13; Mark 1:21-28

RCL: Deut. 18:15-20; Psalm 111; 1 Cor. 8:1-13; Mark 1:21-28

But it was the "disciples" — not the "groupies" — who, after the resurrection, became the "apostles" and were used by the Holy Spirit to virtually take over the Roman Empire and beyond. The only way we know the word of life in the gospel of Christ is because men and women and children were willing to say, "I have decided to follow Jesus."


The call of the first disciples reminds us what it really means to follow Jesus. Jesus went around announcing the nearness of the kingdom of God. He told his first disciples that they would be instrumental in calling men and women and children into a life-giving relationship with God. If we want to follow Jesus, our mission is to do the same. And because nothing Jesus says or does has any meaning apart from the cross, if we want to follow Jesus, our mission includes taking up a cross, too.

But each generation has to make that commitment. If we all decide just to stay groupies of the gospel, our grandchildren will think Jesus is only a swear word and our churches will be museums and discos. Jesus is walking up to us on the beach today and saying, "Follow me." What's our answer?

SHORT & SHARP


The Anglican Way

THE ENGLISH PARSONAGE IN THE EARLY NINETEENTH CENTURY. By Timothy Brittain-Catlin. Spire Books. Pp. 352. \$60. ISBN 978-1-904965-16-9.




An English architect and historian offers an in-depth look at a time of transition for "one of England's best-loved traditional building types." Offers a large number of photographs, many in color, along with previously unpublished historical drawings.

MERRILY ON HIGH: An Anglo-Catholic Memoir. By Colin Stephenson. Canterbury Press. Pp. 192. \$21. ISBN 978-1-853119-12-5.




England's Canterbury Press has just re-released the Rev. Canon Colin Stephenson's 1972 autobiography, called one of the 20th century's "most amusing ecclesiastical memoirs." In a career that culminated in his position as Guardian of the Shrine of Our Lady at Walsingham, Canon Stephenson is said to have "found plenty to satisfy his appetite for the oddities of high Anglicanism."

BEFORE THE KING'S MAJESTY: Lancelot Andrewes and His Writings. By Raymond Chapman. Canterbury Press. Pp. 224. \$27.65. ISBN 978-1-853118-89-0.



The author is a University of London professor who also serves as a priest in the Diocese of Southwark and as a leader of England's Prayer Book Society. This book serves as a comprehensive introduction to the theologian and scholar whose "influence defines Anglicanism to this day," offering a wide selection of his writings.

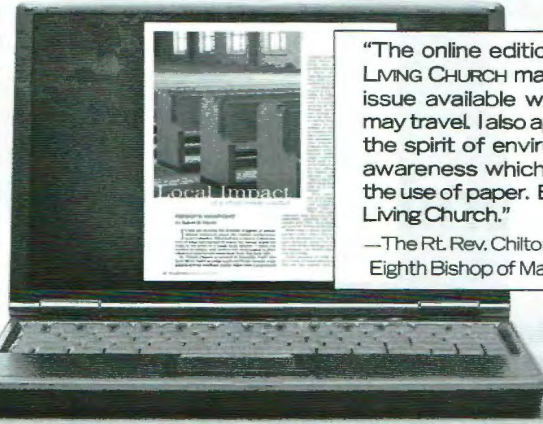
OPENING TO GOD: Childlike Prayers for Adults. By Marilyn McCord Adams. Westminster John Knox. Pp. xv+135. \$16.95. ISBN 0-664-23305-8.



The author, a canon at Christ Church Cathedral, Oxford, writes that the 258 prayers included in this book model adults responding to Jesus' invitation to enter the kingdom of heaven like children. Overall, the prayers seem surprisingly lengthy and occasionally wander a bit. But they are also moving and appropriate.

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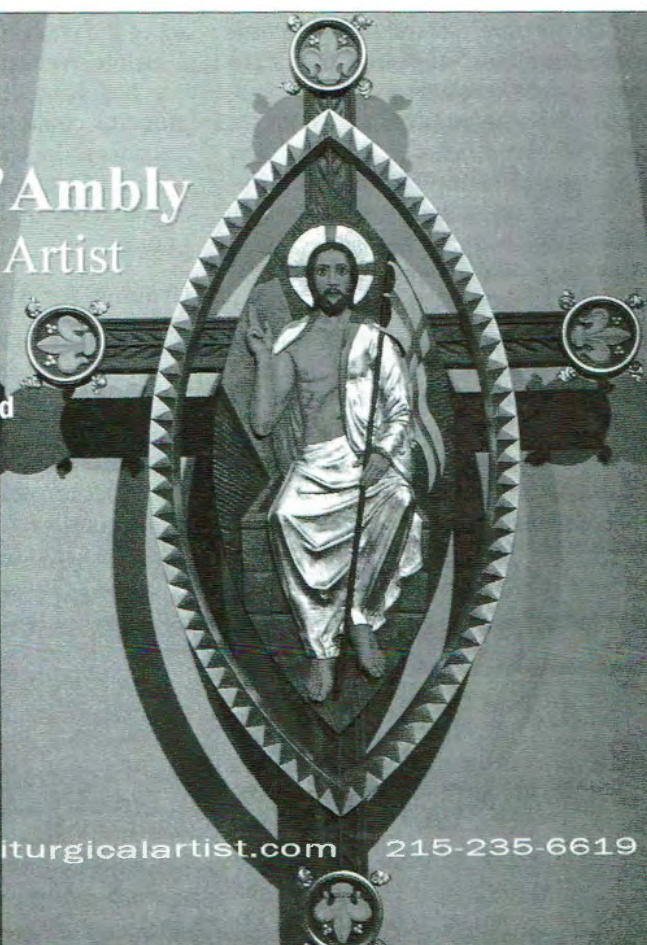
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Analysis

California Decision Gives Hope to Both Sides

The California Supreme Court has issued a double-edged opinion in The Episcopal Church property cases, handing both the Diocese of Los Angeles and three breakaway parishes a defeat in their bids to control disputed church properties.

By a vote of 6 to 0 — with the seventh judge issuing a separate opinion that agreed with the ruling but rejected the legal arguments of the majority — the court rejected The Episcopal Church's arguments that the state must defer to the church in adjudicating church property disputes. The justices held that California courts must use "neutral principles" of law to resolve church property dispute, giving no deference to claims made by the church hierarchy not found in the underlying title and corporate charters.

"[T]o the extent the court can resolve a property dispute without reference to church doctrine, it should apply neutral principles of law," the court held. "The court should consider sources such as the deeds to the property in dispute, the local church's articles of incorporation, the general church's constitution, canons, and rules, and relevant statutes, including statutes specifically concerning religious property."

At the same time, the court rejected the parish's motion to dismiss the suit and upheld an appellate court decision finding in favor of the diocese, arguing that the application of the neutral principles test in this case did not permit the parishes to withdraw from the diocese and keep their property. "When it disaffiliated from the general church, the local church did not have the right to take the church property with it," Associate Justice Ming Chin wrote for the majority.

'Good News' on Both Sides

The court's nuanced ruling prompted widely divergent reactions from the parties. The Rt. Rev. J. Jon Bruno, Bishop of Los Angeles, said the diocese was "overjoyed with the conclusive

opinion" handed down by the court as "we have prevailed in all areas of law addressed in this case."

Canon John Shiner, chancellor for the diocese, said the decision was "final, conclusive, definitive," and ended the litigation in favor of the diocese.

However, the lawyer for the three parishes, Eric Sohlgren, said the "good news" was that the court had "firmly come down on the side of neutral principles of law." He noted the decision would have a "wide and favorable impact for churches throughout California that seek to change their denominational affiliation."

Mr. Sohlgren said he was perturbed, however, that the court appeared to have altered its interpretation of California probate law by accepting the claims of The Episcopal Church's "Dennis Canon" that it could bind property held outright by a parish, by virtue of an act of the church's national legislature.

Before the Jan. 5 ruling, California law had held that an interest in real property could be created only by an instrument in writing executed by the owner of the property following the common law tradition of the "Statute of Frauds."

Grounds for Appeal?

The court's exclusion of churches under the protection of the statute of frauds was "problematic" and "somewhat curious," said Wicks Stephens, chancellor of the recently formed North American province. He noted the California court's interpretation of the U.S. Supreme Court decision *Jones v Wolf* in 1979 that permits states to use "neutral principals of law" could be considered grounds for an appeal to Washington.

Mr. Sohlgren said "no decision" had yet been made whether to file a *writ of certiorari* to the Supreme Court, but noted the parish was weighing all of its options. The California court's decision takes effect in 30 days and the parties had 15 days to file for reconsideration or clarification.



The California Supreme Court ruled on the property of St. James' Church, Newport Beach (above), also applicable to St. David's Church, North Hollywood, and All Saints' Church, Long Beach.

"The facts on the ground won't be changed," Mr. Sohlgren said, and the parishes would remain in the property until a trial court issued a judgment ordering they leave.

While taking great pains to review the law in its 40-page decision, the court's decision was somewhat nebulous in its practical applications, as it affirmed the appellate court's decision in favor of the diocese that the matter be sent back to the lower court for trial, but rejected the appellate court's legal reasoning that the courts must defer to church hierarchies in deciding property disputes. It issued no new judgment in favor of either party, instead vacating the judgment awarded the parishes by the trial court in 2005.

Although the litigation began in September 2004, no testimony or evidence has been presented to the courts, as the abstract question of which legal theory governs the dispute has been under review for the past four years.

"The matter will now return to the Orange County Superior Court for further proceedings, and we look forward to presenting evidence and additional legal arguments that [the parishes] should prevail under neutral principles of law," Mr. Sohlgren said.

(The Rev.) George Conger

Priest Inhibited for Being 'Legend in Clubland'

A priest who reportedly spent thousands of dollars on champagne and tips for cocktail waitresses at nightclubs in New York City has been inhibited by his bishop pending a diocesan investigation.

The Rev. Gregory Malia, 43, a divorced father of two children, was described in a Dec. 28 article in the New York *Daily News* as a "mystery man whose bottomless pockets have made him a legend in clubland." The article quoted a staff employee at the Pink Elephant nightclub, who said that Fr. Malia once paid \$35,000 for a bottle of champagne and then left a \$17,000 tip.

"When people are nice to me, I take care of them," Fr. Malia told the *News*. The article noted that Fr. Malia refused to say how he can afford his lifestyle or to divulge much about his personal life. He later revealed to the Wilkes-Barre (Pa.) *Times-Leader* that his business specializes in providing

medicine and medical services to people with hemophilia and other blood disorders. In the *Times-Leader* interview, Fr. Malia, who also requires medication for hemophilia, described the *Daily News* account of his activities as "twisted" and "misconstrued."

Fr. Malia was ordained priest by the Rt. Rev. Paul V. Marshall, Bishop of Bethlehem, in 2002. Prior to his inhibition, he served as vicar of St. James' Church, Carbondale, Pa., a summer chapel.

"I read the *Daily News* article with deep distress and know its contents will trouble many parishioners," said Bishop Marshall in a statement published on the diocesan website. "The allegations made in the article, if true, constitute a serious violation of ordination vows to be 'a wholesome example' to a priest's people. If true they may also violate other canonical provisions and certainly portray an unacceptable idea of Christian stewardship."

Busy Schedule for Presiding Bishop Jefferts Schori

Presiding Bishop Katharine Jefferts Schori has a full calendar at the end of this month, starting with an Executive Council meeting in Stockton, Calif., Jan. 29-31. This will be followed immediately by a meeting of the primates of the Anglican Communion in Alexandria, Egypt, Feb. 1-5, and a special reorganizing convention in the Diocese of Fort Worth, Feb. 6-7.

In mid-November, Bishop Jefferts Schori told Episcopal News Service

that the Executive Council meeting in Stockton had been rescheduled to avoid a conflict with the primates' meeting. The North Texans Remain Episcopal website notes that a reception in honor of the Presiding Bishop is scheduled in Fort Worth for the evening of Feb. 6.

As a matter of policy The Episcopal Church does not release information in advance about the Presiding Bishop's travel plans, according to Neva Rae Fox, public affairs coordinator. Ms. Fox did confirm that the Presiding Bishop would be attending the primates' meeting, but she said she did not know whether or for how long Bishop Jefferts Schori would be attending Executive Council or the special convention in Fort Worth. If Bishop Jefferts Schori stays until the end of Executive Council and is back in Fort Worth by Feb. 6, she probably would be able to attend less than three days of the primates' meeting and would be unavailable for the final day when the primates usually issue a communique.

BRIEFLY...

In his New Year's message, Archbishop of Canterbury **Rowan Williams** said that in these anxious economic times, particular attention should be paid to caring for society's most vulnerable people, especially children. He urged believers to consider a question throughout the new year: "Does this feel like something that looks after our real treasure, something that keeps our real wealth safe — the lives and welfare of the youngest and most vulnerable?"



Holy Cross Church photo

Fr. Cheney with the commemorative cross.

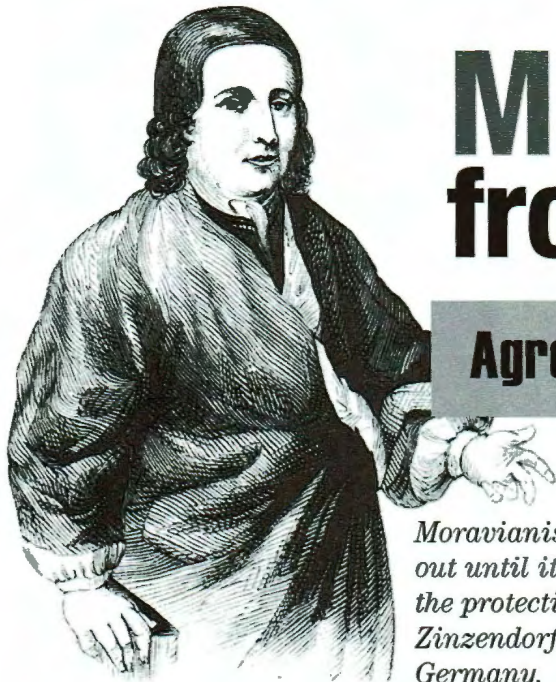
Artwork Commemorates Rebirth After Hurricane

For the past year, the Rev. Bruce Cheney, rector of Holy Cross Church, Olive Branch, Miss., has been "writing" a story using bits of broken glass.

Not long after Hurricane Katrina in 2005, Fr. Cheney, newly ordained at the time, and his wife went to Bay St. Louis, Miss., to visit a priest who was an acquaintance and on the staff at Christ Church. The building was demolished except for the bell tower. Fr. Cheney filled a number of containers with thick chunks of colored glass from a large stained-glass window that had been located behind the altar before the destruction.

The pieces of glass were set in a bed of epoxy and sand. After it set, the congregation of Holy Cross framed the cross and inserted it into the wall of the church.

One section of the glass symbolizes the surge, he told the *Hattiesburg American*. Nine red pieces reflect the international Morse code distress signal. Silvery-white chunks arranged in a swirl represent the hurricane. More blue glass represents sky and at the top using yellow-orange pieces, Fr. Cheney made a cross.



MUCH TO LEARN from the Moravians

Agreement Proposed to General Convention

Moravianism nearly died out until it came under the protection of Count Zinzendorf in protestant Germany.

By Nicholas Knisely

In Anaheim this summer, the 76th General Convention will vote on whether to ratify a document titled *Finding Our Delight in the Lord*. If the vote is affirmative, The Episcopal Church will commit itself to enter into full communion with the Northern and Southern provinces of the Moravian Church in America.

This agreement would represent the first time that a trilateral ecumenical accord has been achieved by The Episcopal Church, as the Moravian provinces are already in full communion with the Evangelical Lutheran Church in America (ELCA). The agreement is in the process of being ratified in the Moravian provinces.

The Church of England entered into a different sort of relationship with the Moravian Synod in Britain and Ireland in 1995 with the intention of moving toward full communion. (Full communion was not able to be achieved there because of Anglican canon law that there be only one bishop per diocese.) The document undergirding that relationship, the Fetter Lane Declaration, has served as a stepping stone to the one being presented to The Episcopal Church.

Some Episcopalians may know that the Moravian Church is one of the many denominations in America, and they may perhaps recall the role that Moravians had in quickening the faith of John Wesley and the subsequent rise of Methodism within England and the

colonies. But unless you have lived in eastern Pennsylvania, western North Carolina, or parts of Wisconsin, you may not be familiar with modern Moravianism and the gifts that full communion will bring to The Episcopal Church.

Moravianism has its origins in the "first" Reformation and the Hussite movement, but modern Moravianism begins with the *Unitas Fratrum* in the 18th century. As a result of proscription during the time of the Counter-Reformation, Moravianism nearly died out until it came under the protection of Count Zinzendorf in protestant Germany. From his lands and with his aid, Moravianism has become a worldwide communion of more than 800,000 members, the majority of whom live in Africa. More than 50,000 are part of the Northern and Southern Provincial Synods in America.

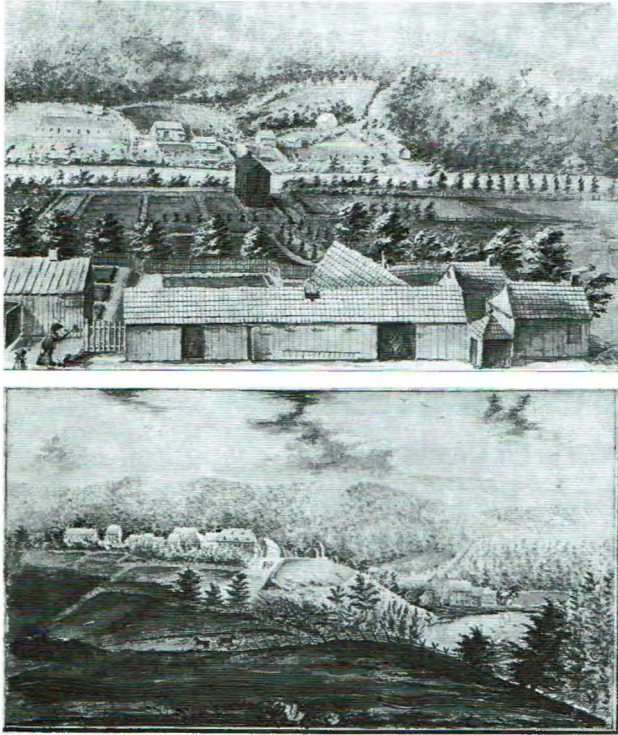
The worldwide Moravian Church is divided into 19 semi-autonomous provinces governed by a synod. In the continental United States, there are two synods.

The Northern Synod is based in Bethlehem, Pa., and the Southern Synod in Winston-Salem, N.C. Alaska, Hawaii, Puerto Rico, and Haiti are not parts of Moravian provinces, and other parts of The Episcopal Church (such as the Diocese of Honduras) are in other Moravian provinces which have not participated in the crafting of the agreement being considered in Anaheim. Every seven years, all the synods send representatives to the Unity Synod, whose decisions are authoritative in doctrine and organization.

The Moravian Church bases its doctrine and beliefs primarily upon the Bible. The Apostles and Nicene Creeds are considered normative. Moravians have, like Anglicans, a three-fold ministry with bishops, presbyters, and deacons,

though the Moravian expression of the diaconate functions primarily as a period of internship for the presbyterate. Deacons have a ministry of word and sacrament just as do the presbyters. A few Moravian deacons have decided to remain deacons and not be

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Views of Bethlehem, Pa., from 1776 (top) and 1780 (bottom). By Nicolaus Garrison, Jr., ca. 1775–1783. Moravian Archives.

ordained as presbyters. Men and women serve in all orders of ministry.

It is the consensus of scholars that the episcopal orders came from a Waldensian elder, and that there have been two breaks in succession over the history of the Moravian Church. But it is clear that Moravians intended, often at great cost and danger, to maintain the succession. There is no office of primate in the Moravian Church as Anglicans would understand it. Rather, Moravians believe that Jesus Christ is the chief elder of the church.

Moravians have a number of unique customs and traditions. One of the most striking is their intentional use of hymnody to express their theological insights and teach them to others within the church. They regularly celebrate the Holy Eucharist, but additionally occasionally celebrate a “Love feast” similar to an agape meal, open to all, featuring hymn singing and the sharing of a simple meal of food and drink, which in the United States is usually a bun and sweetened coffee.

The Moravians’ great joy is found in missionary outreach and evangelism. Because of this they were instrumental in bringing the gospel to the slave colonies of the Caribbean. Early Moravian missionaries were prepared to sell themselves into slavery so that they would be able to proclaim the gospel more effectively. Small coins are still called “moravians” in parts of the Caribbean because many of the slaves and poor in the region became Moravians through this missionary work, and the small coins were all they had to present

Small coins are still called “moravians” in parts of the Caribbean because many of the slaves and poor in the region became Moravians through this missionary work, and the small coins were all they had to present as offerings on Sundays.

as offerings on Sundays.

Full communion with The Episcopal Church would bring with it a number of gifts:

- First, the Moravian Church’s missionary work in developing countries, joined with that of The Episcopal Church’s, would strengthen both and increase their effectiveness.

- Second, the Moravian understanding of the ministry of a bishop as the person who ordains is focused more on the pastoral care that bishops provide to other clergy than to governance. Bishops often continue to lead congregations, and the leadership and administration of the province is frequently provided by presbyters elected by provincial synods.

- Third, while Moravianism has historic roots in pietism, in the modern church the pietism has a distinctly communal basis rather than personal. This brings a unique mixture of catholic insight to traditional pietistic practice in the Moravian Church.

- Fourth, and perhaps most interesting, the Moravian Church and the Unity Synod provide a model of a worldwide covenant-based communion. As Anglicanism considers its own future, there are lessons to be learned about the implications and ramifications should an Anglican Covenant be adopted.

We are likely to learn much more about the Moravians as this proposed relationship develops. □

The Very Rev. Nicholas Knisely is the dean of Trinity Cathedral, Phoenix, Ariz.

Meeting the Great Mother

Because this magazine publishes book reviews, a large number of books are sent to us by publishing companies in hopes that we will review them. For obvious reasons, only a few are chosen to be reviewed. The rest of them are given to a local book sale that benefits feeding the hungry. The titles of some can be so appealing that I have to spend at least a few moments checking them out.

2012 and the Galactic Center: The Return of the Great Mother falls into this category. Written by Christine R. Page, M.D., and published by Bear & Company, this book is as strange as it sounds. Dr. Page is described as "an international seminar leader on subtle energy and energy medicine." She began her medical practice in London and now lives in California.

On the back cover (I always read the back covers) there is an explanation of what this book is about: "In 2012, for the first time in almost 26,000 years, our sun will be most closely aligned to the Galactic Center. This Galactic Alignment, which began with the Harmonic Convergence in 1987 and will conclude in 2023, presents a 36-year window of opportunity for humanity to participate in the creation of a new era of expanded consciousness."

Huh? Where were you when the Harmonic Convergence occurred in 1987? I was trying to sell important people on the idea of establishing a website where people could get a free credit report. No one was interested. The explanation continues: "Christine Page explains that, as the source of all creation, our galaxy is the Great Mother and its center, her heart. Auspiciously aligning Earth with the heart of the Great Mother, the Galactic Alignment heralds a rebirth of the divine feminine qualities of the Triple Goddess — intuition, emotional creativity, and renewal."

Now we're getting somewhere. It all sounds as if it would be of interest to some groups of Episcopalians I know. Especially when we learn that the author is able to show us "how to connect with and use the sacred spiritual tools unlocked during the alignment to merge with the Great Mother, a spiritual transformation that allows us

to expand our awareness and experience ourselves as eternal beings."

I know what you're thinking. You're wondering who the Great Mother is. The author reveals that, "... the Great Mother gives birth to herself, the Immaculate Conception, and comes to be called the ocean of possibilities, the sea of milk, the Mother, and in modern terms, the quantum plenum, or the phase space." Heh, heh, heh.

I learned that "as the Israelites left the land where the goddess Hathor [the heavenly cow] was honored as the source of continual sustenance ..." they built a golden calf while Moses was away receiving the Ten Commandments. I learned also that in Glastonbury, England, a site of Christian pilgrimage, "the image of the Triple Goddess is revealed naturally in the landscape."

"It is therefore inexplicable that the Christian festival of Easter, which represents the death and resurrection of Jesus, is in fact positioned to take place at the time of a full moon and not a new moon."

The author describes being present at the funeral of her friend, Pat. "As the service proceeded, I watched with fascination as Pat's spirit danced around her coffin."

Elsewhere, the author describes the procession of the Equinoxes, the physical characteristics of the Great Mother, the trinity, which is comprised of the Triple Goddess, the Christian Trinity, and the moon, the matriarchal energy of Taurus the Bull, and how the great Gothic cathedrals of Europe symbolize the sexual organ of the Goddess. The importance of labyrinths to goddess worship is also presented. Who reads this stuff other than washed-up editors who receive free copies?

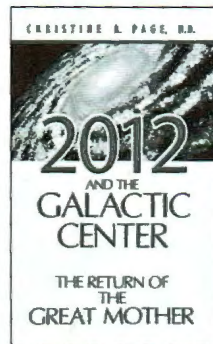
As for what's going to happen in 2012, there is little to offer. Readers can learn that the Mayans, "who were master astronomers," calculated that the day (Dec. 21) would be "the end of the world of their fourth sun and the birth of their fifth world."

Got that? I didn't. Nor do I want to.

David Kalvelage, executive editor

"In 2012, for the first time in almost 26,000 years, our sun will be most closely aligned to the Galactic Center. This Galactic Alignment, which began with the Harmonic Convergence in 1987 and will conclude in 2023, presents a 36-year window of opportunity for humanity to participate in the creation of a new era of expanded consciousness."

Huh?



Did You Know...

The youth group of St. John's Church, Alma, Mich., holds its meetings at the local Burger King.

Quote of the Week

Bobby Jindal, governor of Louisiana and a convert from Hinduism to Roman Catholicism, in *Newsweek* on religion: "If I wanted the aesthetics without the inconvenient morality, I could become an Episcopalian."

Plenty of Room for Newcomers

A recent comment by the dean of the Cathedral of St. John the Divine, New York City, got our attention. The Very Rev. James A. Kowalski seemed sad during the weekend when the great building's organ was rededicated following a fire [TLC, Dec. 28]. "We don't have enough people to fill it regularly," the dean mused. His words provide food for thought.

Billed as the second largest church in Christendom, New York's cathedral has room to seat thousands. What kind of effort would need to be made in order to fill the building with unchurched or lapsed Christians? What percentage of the inactive Episcopalians in Manhattan alone would it take to fill the cathedral? How is St. John the Divine trying to fill the massive church? And what about the rest of our churches? What efforts are we making to fill our churches? In the midst of declining average Sunday attendance throughout the church [TLC, Dec. 28], what strategies are we employing to turn those numbers around?

We aren't picking on Dean Kowalski, for the problem he cited affects all of us. Most of our churches are not filled, and many of us seem helpless to do anything about it. We hope that in 2009 our churches will put forth an intentional effort to increase attendance. If we don't know how to go about it, let us ask someone who knows. Many of our dioceses have evangelism coordinators who would be happy to help, and most likely the leaders of those churches where attendance has increased would be willing to share their knowledge. We have a powerful message to share with the unchurched. Let us not be reticent to share it.



The Cathedral of St. John the Divine, New York City.

What percentage
of the inactive
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Better Preaching

When the church celebrates the feast of St. John Chrysostom this week, it reminds us of the importance of good preaching. John, who became Patriarch of Constantinople in 397, was known for his preaching and teaching, particularly on the Eucharist and the priesthood. Many of his sermons were never found, but a moving homily delivered one Easter is heard occasionally in Anglican churches during Eastertide. John Chrysostom is especially revered in the Orthodox Church, where the liturgy of St. John Chrysostom is the liturgical norm.

The church could use leaders like John Chrysostom today — preachers who are able to share the word of God clearly week by week. The Anglican Communion has its share of fine preachers, to be sure, but in too many of our churches the sermon is treated as an afterthought, with little preparation and thought being given to the content. Faithful church members deserve better.



POWER

PROBLEMS

Presiding Bishop's actions go beyond constitutional authority

READER'S VIEWPOINT By Philip Turner

The consecration of V. Gene Robinson in 2003 presented The Episcopal Church [TEC] with challenges its instruments of governance are incapable of addressing. As a result, solutions are being improvised with inadequate thought. My concern is that the measures being taken by the office of the Presiding Bishop and the House of Bishops are contrary to the Constitution and Canons. As a result, TEC's polity is being subverted and, in the process, it is increasingly ordered by the will of those in power rather than by constitutional and canonical provision.

Three series of events display a strategy on the part of the office of the Presiding Bishop to pursue goals by subversion or misuse of either the constitution or the canons: the replacement of the standing committee in San Joaquin, the deposition of Bishop Robert Duncan of Pittsburgh, and the Presiding Bishop's acceptance of the supposed renunciation of orders on the part of Bishop Jack Iker of Fort Worth.

The actions of the Presiding Bishop in response to San Joaquin breach TEC's constitution in several ways. In a recent article, "Is the Episcopal Church Hierarchical", on the Anglican Communion Institute website, Mark McCall reminded Episcopalians that, according to its constitution, neither the General Convention nor the Presiding Bishop stands in a hierarchical relation to the various dioceses that comprise TEC's membership. The

absence of a hierarchical relation between national church and diocese has a number of implications. Chief among them is San Joaquin's right to withdraw from TEC should the diocese decide to do so.

Save for the withdrawal of southern dioceses during the Civil War, there is no precedent as how best to address circumstances such as these. *Ad hoc* solutions are to be expected, but the ones sought by the office of the Presiding Bishop lie beyond the powers accorded that office by TEC's constitution. She sought to use her office to reconstitute the Diocese of San Joaquin by dissolving the standing committee, calling for a special convention, placing clergy from other dioceses to serve in what she took to be the continuing Diocese of San Joaquin, and appointing a retired bishop to serve as interim.

Even if one makes the highly questionable claim that San Joaquin had no right to leave TEC, neither the constitution nor the canons gives the Presiding Bishop such authority. In fact, according to TEC's constitution, what had been the Diocese of San Joaquin became no more than an unorganized area that could, if sufficient support could be found, create a diocese and then apply for membership as a constituent diocese of TEC.

Instead, the Presiding Bishop decided to reclaim the departed diocese. If her efforts are allowed to stand, TEC's constitution and canons will have been both violated and changed in a way that reverses their clear terms. The dioceses of TEC will, in fact, have been ren-

dered creatures of the General Convention and the office of the Presiding Bishop rather than, as is now the case, the reverse.

A similar example of the illicit expansion of executive authority can be seen in the way in which Bishop Duncan was deposed. Bishop Duncan was deposed under Canon IV.9 for "having abandoned the communion of this church." There are, however, well-known objections to this action that concern both the procedure followed and the meaning of the canon itself. First, what does the canon mean?

1. The canon originally applied to a person who left the church and joined another not in communion with TEC. Critics point out that Bishop Duncan has not attached himself to a church with which TEC does not consider itself in communion.

2. Later modifications of the canon allow charges of abandonment for one or more of three separate reasons (doctrine, discipline, or worship). These need not be connected with joining another church. Critics point out that Bishop Duncan's move to the Province of the Southern Cone hardly involves abandonment of the doctrine, discipline, or worship of this church if, as TEC claims, it remains in communion with the Southern Cone.

Second, were proper procedures followed? They were not.

1. A vote was taken to depose Bishop Duncan for "abandonment" prior to the time he actually had done so.

2. The necessary steps required before a vote to depose were not taken.

a. The recommendation of the review committee to depose did not receive the approval of a panel of the three most senior bishops.

b. Bishop Duncan was not, as the canons require, first inhibited.

c. The matter of deposition was not placed on the agenda of the House of Bishops in the required time prior to the meeting in question.

d. The judgment against Bishop Duncan was not given, as the canons require, by a majority of bishops entitled to vote. It was given only by a majority of the bishops present at the meeting in question.

In a haphazard and inadequate manner, justifications for all these actions have been offered. However, all have been subject to fatal criticism. In this process, the House of Bishops did not show due diligence, and the Presiding Bishop pursued her goals in impermissible and highly dubious ways. Further, the process reveals a lack of adequate constitutional and canonical means to settle constitutional and legal disputes. As a result, these issues are now settled by the exercise of political power rather than by legal argument, judgment, and due procedure.

The means the Presiding Bishop used to remove Bishop Iker from holy orders show a similar pattern of

**The means
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canonical abuse and contortion. Her original intent had been to bring charges of abandonment. However, in a sudden shift, she announced, citing Canon III.12.7, that she would accept Bishop Iker's "renunciation" of his ordained ministry. Her judgment was based upon a diocesan press release containing a statement by Bishop Iker that she judged to be a renunciation of his orders.

Bishop Iker has responded that he did no such thing. The issue is Canon III.12.7. This canon requires that a person wishing to renounce orders do so in writing. Bishop Iker clearly made no such submission. In this instance, a press release becomes a declaration in writing, and something that does not

even mention renunciation becomes a declaration of it.

There is considerable irony attached to the way in which the Presiding Bishop has sought to remove Bishop Iker from TEC. It has been pointed out that by using Canon III.12.7 rather than Canon IV.9, the Presiding Bishop has admitted that Bishop Iker has not violated the constitution and canons, is no longer subject to TEC's discipline, and has effectively and canonically withdrawn from union with the General Convention. Canon III.12.7 states that it does not apply to someone who, under Canon IV. 8 is "amenable for or under a Presentment" for offenses defined by TEC's disciplinary canons.

At best, this legal *faux pas* suggests incompetence; at worst cynicism about uses to which the canons can be put. However, no matter what the case may prove to be, the issue before the church is neither incompetence nor cynicism. The issue is failure to understand and respect TEC's constitution and a cavalier use of its canons. If the strategy so clearly adopted by the office of the Presiding Bishop goes unchallenged, TEC will find itself governed by the will of those who hold power rather than constitutional and canonical order. Power will trump good order, constitutional order will be changed apart from due process, and canon law will have become no more than a tool for achieving political purpose.

It is the responsibility of the bishops who guard the order of the church, no matter what their theological commitments may be, to step forward and say in whatever way is most effective that these abuses must cease. It is my hope and prayer that our bishops will do so. □

The Very Rev. Philip Turner is the retired dean of Berkeley Divinity School at Yale and is vice president of the Anglican Communion Institute.

The Reader's Viewpoint article does not necessarily represent the editorial opinion of THE LIVING CHURCH or its board of directors.

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LETTERS TO THE EDITOR

Not Appropriate

In regard to the article by the Rev. Canon Elizabeth Beasley [TLC, Dec. 28], I can only shake my head in wonder at how much we still have to learn about alcohol at church functions.

As a one-time member and board officer of what is now called Recovery Ministries, I know that in 1979, the church promulgated policies on alcohol through General Convention that are still dusted off from time to time, but apparently aren't having much effect. Using the possibility of insurance risks or potential relapse of someone in recovery is not the appropriate approach to the use of alcohol at church-sponsored functions. Business should never be conducted over alcoholic beverages, nor should alcohol be the featured event of a social gathering (e.g. a "wine-tasting"). But incorporating the gift of alcohol in life is an important part of recovery for those of us who are fortunate enough to know we have an allergy to the substance.

At our parish coffee hour, refreshments are labeled as to whether they can be enjoyed by people with life-threatening allergies. Likewise, if alcohol is present at a church function, there should be attractive alternatives, clear labeling of ingredients, and clear control over serving the alcohol to prevent inappropriate consumption. If these guidelines are not being followed, then I would agree with Canon Beasley, that alcohol should not be served.

Rejoicing in the hope of reaching my 23rd year of sobriety, I write in gratitude for all who have helped me remember the grace that has greeted me each sober day.

(The Rev.) Mary Elisabeth Rivetti
St. James' Church
Pullman, Wash.

One-Man Band

Thank you for the cover picture from Benson [TLC, Dec. 21]. I was delighted to see the two bagpipers viewing and piping the nativity of Jesus.

I pipe with the Baltimore City Pipe Band. Pipers represent the common people or "blue-collar" class in Flemish and German paintings of the Renaissance. Clear references to pipe music are found in the Pastoral Symphony in Handel's Messiah, the pastoral section of Bach's Christmas Oratorio (oboes d'amore and English horns in pairs) and Beethoven's sixth in the folk dance.

Are TLC readers aware of any other references in the canon of classical music to the bagpipe style of tunes performed over a contant ground or drone? The bagpiper is the classic one-man band.

(The Rev.) Robert Speer
Grace and St. Peter's Church
Baltimore, Md.

Stubborn Insistence

In a letter, a clergyman rejoices that The Episcopal Church [TEC] is "... beyond BCP 1928 and Hymnal 1940,"

and is also "... happy not to have to lick postage stamps or drive a car without power steering or power brakes" [TLC, Dec. 28]. This equation of temporal conveniences with fundamentals of our traditional faith is erroneous and harmful to our church.

As noted in the Editor's Column in the same issue, "During the last five years (2003-2007) not one domestic diocese had an increase in average Sunday attendance." Another distressing statistic is the 12-percent loss of average Sunday attendance during that period.

The continuing decline in TEC membership can be attributed to a stubborn insistence to update our liturgy and convert our services into Rotarian fellowship. Be it noted that constructive progressivism is not served by stubbornly insisting that changes are inevitable.

Joseph W. DeBragga
Islip, N.Y.

letters to the editor
tlc@livingchurch.org

PEOPLE & PLACES

Appointments

The Rev. **Colin Belton** is rector of Trinity, 18 Trinity Pl., Plattsburgh, NY 12901-2933.

The Rev. **Peter Champion** is rector of St. John's, 5555 Clayton Rd., Clayton, CA 94517-1013.

The Rev. **Lawrence Crumb** is interim vicar of St. Andrew's, 1301 W Main St., Cottage Grove, OR 97424-1802.

The Rev. **John Henry** is rector of St. George's, 912 Rte. 146, Clifton Park, NY 12065.

The Rev. **Robert Holman** is rector of St. Luke's, 2563 Foothill Blvd., La Crescenta, CA 91214.

The Rev. **Luke Jernagen** is associate at Christ Church, PO Box 1558, Ponte Vedra Beach, FL 32004.

The Rev. **Ben Rockwell** is curate at St. Paul's, 4051 Old Shell Rd., Mobile, AL 36608-1399.

The Rev. **Donald M. Smith** is curate at St. James', 860 N Section St., Fairhope, AL 36532-6376.

The Rev. **Nancy Threadgill** is rector of Good Shepherd, 605 Donald St., Mobile, AL 36617.

The Rev. **John Paul Thompson** is rector of St. John's, PO Box 180, Copake Falls, NY 12517-0180.

The Rev. **Susan Waldron** is curate at St. Peter's, 107 State St., Albany, NY 12207-1683.

The Rev. **Frank Wallner** is priest-in-charge of St. John's, 404 Levering Mill Rd., Bala Cynwyd, PA 19004.

The Rev. **Ronnie Willerer** is assistant at Our Saviour's, 12236 Mandarin Rd., Jacksonville, FL 32223.

Ordinations

Deacons

Easton — Penny Morrow.

Retirements

The Rev. **Adelaide Clarke**, as rector of St. Joseph's, Elmsford, NY.

The Rev. **Gerald J. Gallagher**, as rector of Mesiah, Rhinebeck, NY.

The Rev. **William Hinrichs**, as rector of St. George's, Clifton Park, NY.

The Rev. **Leslie Hughs** as supply priest at St. John's, Cohoes, NY.

Deaths

The Rev. **Beth Anne Findlen**, deacon of the Diocese of Maine, died Dec. 29 of cancer. She was 56.

Deacon Findlen was born in Fort Fairfield, ME. She was ordained in 2002 and served the Aroostock Cluster, Caribou, ME. Trained as a nurse, she spent recent years as a nurse at the Long Creek Development Center in South Portland. She is survived by her son, Matthew; her parents, John and Natalie Foster, of Fort Fairfield; and two brothers, Dan and John.

Next week...
Think Positively

CLASSIFIEDS

BOOKS

ANGELICAN BIBLIOPOLE: theological booksellers. Saratoga Springs, NY. (518) 587-7470. AnglicanBk@aol.com/www.AnglicanBooks.klink.net

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MUSIC POSITIONS OFFERED

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The position is available May 1, 2009. Salary and benefits are negotiable, depending on qualifications, and consistent with AGO guidelines. To learn more, please visit our website: www.ststephenschurch.com, contact Ann Hine, Search Committee Chair, at annmoorehine@nc.rr.com, or write to P.O. Box 984, Goldsboro NC 27533.

POSITIONS OFFERED

FULL-TIME DIRECTOR OF CENTER FOR SPIRITUALITY and CHAPLAIN, Seabury, Bloomfield, CT. Seabury, a faith-based, not-for-profit life care community, is seeking an ordained (M. Div.) priest with excellent interpersonal and communication skills to be our chaplain and direct our Center for Spirituality. Reporting to the CEO, and as a member of our management team, we look to the chaplain to be a pastoral presence for all, helping staff and residents to cope with a variety of life-changing events. Our candidate must have pastoral experience and also have provided care and counseling in a health care setting.

Our chaplain will have the intuitive ability to recognize unfulfilled spiritual needs and to respond accordingly on a personal and organizational level through counseling, education, and various programs run through the Center. Experience and comfort with issues around aging, death and dying are a must to relate comfortably on a one-to-one basis as well as with groups. Flexibility required in response to resident events and to sustain a regular presence on Sunday mornings to plan and lead interfaith worship services.

Seabury, located on 66 beautiful rural acres, is an active life care community located 20 minutes from the capital city of Hartford. Our 400 residents enjoy a host of cultural offerings including quality symphony, opera, and theatre. We are an affiliate of the Episcopal Diocese of Connecticut, with the bishop serving as the chairman of our board. We are dedicated to providing exceptional housing for older adults in Connecticut in combination with the highest quality of life, ongoing wellness and continuing health care. Please email resume and cover letter to: Vice President of Human Resources, karensprout@seaburyretirement.com Phone: (860) 243-6049. Fax: (860) 242-4552. For additional information about Seabury, we invite you to visit our website at www.seaburyretirement.com.

POSITIONS OFFERED

FULL-TIME RECTOR: St. Luke's Episcopal Church, East Hampton, NY. St. Luke's Episcopal Church is in the process of seeking a full-time rector to serve a vibrant and diversified 450-member parish, located in East Hampton, New York, on the eastern end of Long Island, within the Diocese of Long Island. St. Luke's is in full accord with the policies and practices of the national Episcopal Church. This excellent and unique opportunity would be ideal for a candidate that has a minimum of 5+ years parish experience, who has the ability to engage, lead and motivate a broad yet diversified community.

We are seeking an energetic, passionate person with strong personal faith. The candidate should be a dynamic, inspirational and motivational preacher who has the ability to enhance the spiritual life for all members. It is important to have the ability to touch hearts through sermons by associating the scriptures to current affairs of daily life.

The person must be a leader that is able to motivate, be compassionate and possess excellent interpersonal skills with a sense of humor. This person must be able to delegate and will be responsible for effective parish performance in planning, program design and implementation, communications, organization, general administration with management oversight abilities of parish fiscal/administrative operations. The ideal candidate should have ministry specialty strengths in stewardship, youth program development, and new membership initiatives. He/she should encourage worship, offer spiritual guidance, pastoral care, counseling, and nurturing the youth of our community through children's education and youth formation. It is important for this leader, who will integrate and foster the diversity of our parish and community (which includes St. Peter's Chapel, a summer chapel open from Memorial Day through Labor Day, is an integral part of St. Luke's parish), to love and reach out in service to the community.

Located 100 miles east of New York City, St. Luke's Church sits in the center of picturesque East Hampton village, facing Town Pond and is in the National Historic District. A safe and peaceful environment, a true gem situated by the sea, established in 1648, is a curious blend of cosmopolitan urbanity and rural charm. It is a village proud of its heritage. We are enriched by cultural, religious and linguistic diversity and enjoy a wealth of talents. We are proud of our strong choir, the giving nature of our parishioners, and strong sense of community.

For copies of parish profile and position description, please e-mail the Transition Committee Member, Deb Gillikin at stlukesearch@optonline.net.

Please send resumes to stlukesearch@optonline.net.

For more information about St. Luke's and photographs, please visit us at www.stlukeseasthampton.org.

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Thurs 7 & 6; Fri 9:30; Sat 9

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ST. RAPHAEL'S 5601 Williams Drive (239) 463-6057
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The Rev. Alice Marcrum, r
Sun H Eu 9; Tues Taize 7; Thurs Rosary 4 (Chapel)

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ST. MARY'S 623 E. Ocean Blvd. (772) 287-3244
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Thurs H Eu 10, Sat 5

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4 (1S, Oct-May) Daily: MP 6:40 (ex Sun) Masses 7, 6:20
(Wed), 10 (Sat); EP M-S 6, Sun 4; C Sat 5:30-6, Sun 10:30-
10:50 Rosary 9:30 Sat

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Wkdy Eu Tues 7, Wed 7, Fri 10:30. Sacrament of Reconcilia-
tion 1st Sat 4-4:30 & by appt., Rosary 4th Tues 8:45, A/C

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M-F 12:15. Sat 9:30

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Sun Low Mass 8, Sung Mass 10:30, HD anno.

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Patrick Allen, assoc
Sun Mass 8 (Low) 10:30 (Solemn High)

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Rev. Paul Gilbert, assoc; Dr. Scott Bennett, organist &
choirmaster; Jodi Bennett, children's choirs; Julie Walters,
children's ministries; Mac Brown, youth & young adults
Sun H Eu 8 (Said), 9 (Sung), 10:10 (Christian Formation), 11
(Choral); Wed H Eu & LOH 5:30; Mon-Fri MP 8:45

DALLAS, TX

CHURCH OF THE HOLY CROSS 4052 Herschel Ave.
The Rev. Will Brown, r
Best little choir in Texas!
Sun Mass 8:30 & 10:30 (Sung)
Call (214) 528-3855 for daily masses.

MILWAUKEE, WI

ALL SAINTS' CATHEDRAL (414) 271-7719
818 E. Juneau Ave. www.ascathedral.org
Sun Masses 8, 10 (Sung). Daily Mass, MP & EP as posted

LUTHERAN

BORON, CA

RESURRECTION Sr. Citizens Ctr. 20 Mule Team Rd.
Sun Eu 8

MOJAVE, CA

HOPE CHURCH K and Inyo Streets (909) 989-3317
The Rev. William R. Hampton, STS
Sun Eu 10

To place a church directory listing,
contact Amber Muma at
amber@livingchurch.org

CHURCH DIRECTORY KEY

Light face type denotes AM, bold face PM; add, address; anno, announced; A-C, Ante-Communion; appt., appointment; B, Benediction; C, Confes-
sions; Cho, Choral; Ch S, Church School; CP, Contemplative/Centering Prayer; c, curate; d, deacon, d.r.e., director of religious education; EP, Evening
Prayer; Eu, Eucharist; Ev, Evensong; ex, except; 1S, 1st Sunday; hol, holiday; HC, Holy Communion; HD, Holy Days; HS, Healing Service; HU, Holy Unction;
Inst, Instructions; Int, Intercessions; LOH, Laying On of Hands; Lit, Litany; Mat, Matins; MP, Morning Prayer; P, Penance; r, rector; r-em, rector emeritus; Ser,
Sermon; Sol, Solemn; SD, Spiritual Direction; Sta, Stations; V, Vespers; v, vicar; YA, Young Adult; YPF, Young People's Fellowship. A/C, air-conditioned; H/A,
handicapped accessible.