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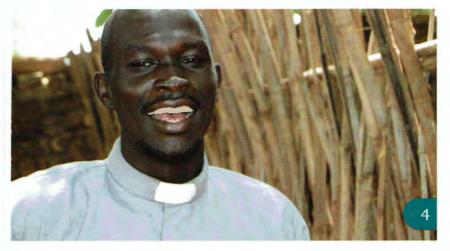
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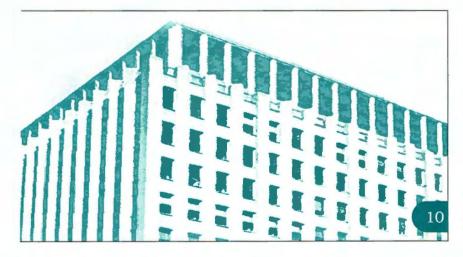
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December 6, 2009





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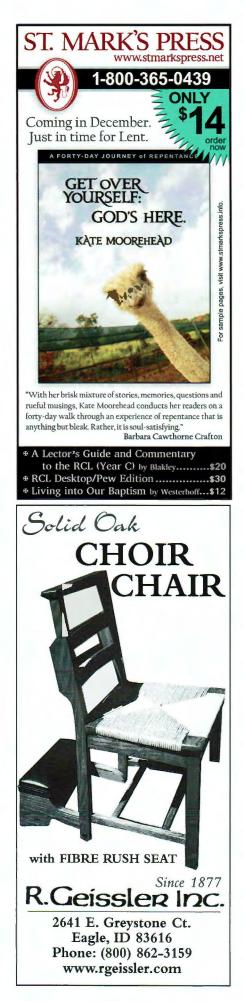
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THE LIVING CHURCH magazine is published by the Living Church Foundation, Inc. The historic mission of the Living Church Foundation is to promote and support Catholic Anglicanism within the Episcopal Church.



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news

Five Talents International Begins Second Decade of Helping the Poor

Five Talents International, an Anglican ministry supported by two successive archbishops of Canterbury, is celebrating its tenth year of helping the poor through microfinance initiatives.

The organization's 11 programs provide loans to entrepreneurs in 10 nations. Each loan — Five Talents has granted about 8,000 since its inception — creates an average of 1.7 jobs and improves the lives of six family members. Overall, 20,000 people around the world are building businesses with the loans.

The organization has trained 5,000 entrepreneurs and 1,000 pastors around the world. In partnership with the Chalmers Center, the organization has developed training materials for parish out-

(Continued on page 17)

Bishop Marshall of Bethlehem Approves Same-Sex Blessings

Priests in the Episcopal Diocese of Bethlehem (Pa.) may now provide church blessings of same-sex couples. The Rt. Rev. Paul V. Marshall, Bishop of Bethlehem, announced his decision in a Nov. 16 email message to clergy.

Without mentioning Resolution C056 specifically, the bishop wrote that General Convention "empowered bishops to make 'generous provision' regarding pastoral and liturgical ministry to same-sex couples."

Bishop Marshall wrote that such blessings should occur in church and that the Holy Eucharist should be celebrated when that's appropriate. Other requirements are similar to those for couples preparing for marriage: One person must be a baptized Christian and the couple should receive counseling.

The bishop cautioned his priests not to confuse blessings and marriage rites.

"People whose unions are blessed need to understand that in Pennsylvania they are not married, and that your holding yourself out as doing a 'marriage' without a license to perform it is a legal offense," Bishop Marshall wrote. "So, all questions of theology aside, it is best to avoid the word



Bishop Marshall

in this commonwealth and at this time."

Writing five years ago, Bishop Marshall endorsed the idea of blessing same-sex couples in his book *Same-Sex Unions: Stories and Rites* (Church Publishing). He encouraged priests to consult that book as they discuss blessing services with their vestries. The bishop's book includes a rite prepared by the Episcopal Diocese of Washington, and the bishop said priests should use that rite for couples not already joined in a marriage or civil union.

"For persons already legally joined in another state (whether by marriage or civil union) the BCP blessing of a civil marriage, including the prayers that begin on p. 428, should be used, with the language adjusted as necessary," the bishop wrote. "The Nuptial Blessing is always used. The Holy Eucharist may be celebrated."

Two Fort Worth Bodies Tout New Unanimity

Now that the Episcopal Diocese of Fort Worth and the Episcopal Diocese of Fort Worth (Southerm Cone) are separate entities, they are both reporting unanimous decisions by their respective legislative bodies. The decisions move the dioceses away from one another and toward their respective theological commitments.

The convention of the diocese remaining with the Episcopal Church voted unanimously Nov. 14 to:

• Call the Rt. Rev. Wallis C. Ohl as its next provisional bishop. Bishop Ohl succeeds the Rt. Rev. Edwin "Ted" Gulick, who has served as the provisional bishop for 10 months.

• Pledge 21 percent of the diocese's operating budget to the wider Episcopal Church. The diocese expects a budget of about \$600,000.

Delegates also voted to make diocesan constitution and canons conform to those of the Episcopal Church, and declared that 47 parishes that left the Episcopal Church with the Rt. Rev. Jack Leo Iker are not compliant with the Episcopal Church's canon law. The convention redefined 15 parishes as missions because portions of their membership wish to remain in the Episcopal Church.

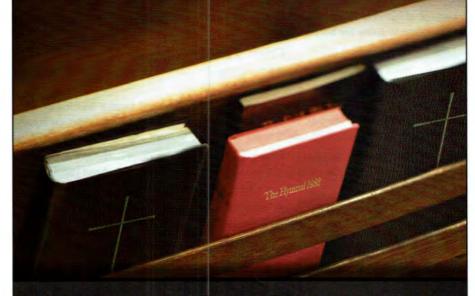
Bishop Gulick ordained the diocese's first female priest, the Rev. Susan Slaughter, 67, on Nov. 15. Bishop Ohl installed the newly ordained priest as rector of St. Luke's in the Meadow Episcopal Church in Keller, a suburb north of Fort Worth.

The ordination prompted letters of congratulations from Presiding Bishop Katharine Jefferts Schori and from Bonnie Anderson, president of the House of Deputies.

The Episcopal Diocese of Fort Worth (Southern Cone) unanimously agreed Nov. 6 and 7 to:

 Accede to the constitution and canons of the Anglican Church in (Continued on next page)

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The Venerable Christopher Hewetson: Former Vicar of Headington Quarry (the C. S. Lewis parish) and now serves as Archdeacon Emeritus Diocese of Chester.

Mr. Ian Boxall: Mr. Boxall is Senior New Testament lecturer at St. Stephen's House and a member of the theology faculty at Oxford University.

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news

(FORT WORTH, from previous page)

North America, while also remaining a member diocese of the Province of the Southern Cone, based in Buenos Aires.

• Adopt the proposed Anglican Communion covenant.

• Express its intention to work toward "full, visible, and sacramental unity" with the Orthodox Church in America.

• Dissolve its relations with Trinity, Fort Worth; St. Martin's, Keller; and St. Luke's, Stephenville. Bishop Iker, with the consent of the Standing Committee, already had released all property to the rectors and vestries of those congregations.

• Praise both Bishop Iker and the Most Rev. Kevin Vann, Bishop of the Roman Catholic Diocese of Fort Worth, for their friendship and efforts for unity between their dioceses. The same resolution praised Pope Benedict XVI for the Vatican's expanded welcoming of sojourning Anglicans.

• Authorize Bishop Iker to welcome more affiliating parishes of the diocese.

Both dioceses are contending for parish properties in a lawsuit in the 141st District Court in Fort Worth. On Nov. 16, the Court of Appeals for the Second District of Texas ordered suspension of further proceedings until it issues an opinion.

Parishioner Feels Shunned After Her Pro-Life Turn

Abby Johnson, the Planned Parenthood clinic director who made headlines in October after she walked off the job and joined a prolife group down the street, has experienced hostility from an unlikely source: her own congregation.

For two years, she and her husband, Doug, have attended St. Francis' Episcopal Church, a 25-year-old congregation in College Station, within the Episcopal Diocese of Texas. With an average Sunday at-

tendance of 72, it became a parish just this year.

Mrs. Johnson's becoming a prolife activist has raised such tensions that she is reconsidering her membership in the parish.

"People have told me they disagree with my choice," she said. "One of the things I've been told is that, as Episcopalians, we embrace our differences and disagreements. While I agree with that, I am not sure I can go to a place where I don't feel I am welcome."

Mrs. Johnson, who grew up Southern Baptist, took years to find a church that would accept her. She interned at Bryan Health Center, a clinic operated by Planned Parenthood of Southeast Texas, while a student at Texas A&M. She became the clinic's director in 2007 at age 27. Her youth was a good match for the clinic's college-age clientele.



Mrs. Johnson

at Planned Parenthood," she said. "That's not right. What kind of ministry is that? It's been very difficult for us."

A Baptist church

and a nondenomina-

tional church both

declined to welcome

"They have said,

'You can't go here

because you work

her as a member.

From time to time, "It felt there was a spiritual conflict in what I was doing, but you just begin to rationalize it," she said. "I didn't want to leave these women without options, so you begin to think you are doing the right thing, although it doesn't feel right."

She and her husband, who was raised Lutheran, stayed home from church until they discovered St. Francis', where her occupation was

not an issue. If anything, she thought, members of the church approved.

"I thought that because this church was so accepting, maybe I was doing the right thing," she said. "A lot of people would consider the Anglican faith a pro-choice faith."

The Rev. John Williams, the rector, "made it really clear we were welcome" at the parish, she said. The Johnsons were confirmed there and their daughter, now 3, was baptized. The Johnsons appear in a group photo on the front page of the church's website.

Her moment of truth came in late September, when she was asked to assist in an ultrasound-guided abortion. Seeing a 13-week-old fetus flinching from the abortionist's probe, then "crumpling" as it was vacuumed out of the uterus, unnerved her. She struggled for two (Continued on next page)

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news

(PRO-LIFE, from previous page)

weeks. Then, on Oct. 6, she resigned and offered to work with Coalition for Life down the street.

Her choice soon made headlines, as did her decision to join with protesters gathered for a 40 Days for Life prayer vigil outside her former workplace. Planned Parenthood filed a restraining order to silence her, which a judge threw out of court Nov. 10. Meanwhile, Mrs. Johnson appeared as a guest on Fox News Channel's *O'Reilly Factor* and *Huckabee*. She flew to Nashville to complete arrangements with a public relations firm to handle her speaking engagements. She accepted a new job as manager of an obstetrics and gynecology clinic.

Back at her parish, people began



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buttonholing her after services about her new convictions. Another employee of Planned Parenthood suddenly dropped out of the church's worship services. Mrs. Johnson says that staff member was ordered to avoid services that Mrs. Johnson attended.

Rochelle Tafolla, spokeswoman for Planned Parenthood of Southeast Texas, said her organization had nothing to do with that employee's decision. She said the employee decided on her own not to attend St. Francis because she did not wish to encounter Mrs. Johnson.

Fr. Williams declined comment on how he planned to deal with the division in his church, by far the smaller of the two Episcopal parishes in town.

"I do not intend to be dismissive," he wrote in an email, "but my pastoral responsibilities to this faith community preclude making public comments. I am sure you understand how important it is for me to foster healthy communication around this emotional issue."

Mrs. Johnson says she is trying to hang on.

"We really, really love that church," she said. "We don't want to leave." Julia Duin

Bishop Chane Sides with D.C. Council

In a conflict between the Roman Catholic Archdiocese of Washington and the Council of the District of Columbia, the Episcopal Diocese of Washington has sided with the council.

The conflict involves a proposed law that would legalize marriage between same-sex couples, and how that law would affect entities, including churches, that accept city funds for charitable work. The council rejected an amendment to exempt churches from "the promotion of marriage that is in violation of the entity's religious beliefs."

The council is due to vote on the legislation in December. The district has longstanding laws that bar discrimination against gays and lesbians.

The archdiocese, which accepts city funds for Catholic Charities, has expressed concern that the pro-



posed law will hinder its religious freedom and freedom of speech.

"It is our concern that the committee's narrowing of the religious exemption language will cause the

Bishop Chane

government to discontinue our long partnership with them and open up the agency to litigation and the use of resources to defend our religious beliefs rather than serve the poor," said Edward Orzechowski, president and CEO of Catholic Charities, in a statement released by the archdiocese.

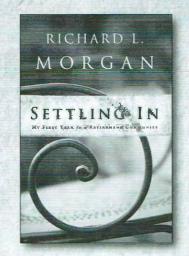
Catholic Charities serves 68,000 people in the city each year, and the archdiocese's 40 parishes operate another 93 social-service programs, the statement added.

The Rt. Rev. John Chane, Bishop of the Episcopal Diocese of Washington, sees the question as one of civil rights for gay and lesbian couples.

"The Episcopal Church and the Roman Catholic Church have significant theological differences on the issue of same-sex relationships, so perhaps it is not surprising that the social service organizations affiliated with the two Churches have reached different conclusions regarding the effect of the legislation to legalize same-sex marriage currently under consideration in the District of Columbia," Bishop Chane said in a statement issued on Nov. 12.

"Our partners in ministry have expressed no reservations about the legislation," Bishop Chane added. "Episcopalians understand that none of us has the right to violate the human rights of another individual. (Continued on page 19)

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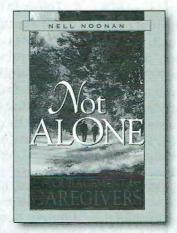
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essay

"Handmaidens of Arbitrary Lawlessness"

A Critique and a Plea for Restraint

By Mike Watson

Reviewing litigation involving dioceses and parishes leaving the Episcopal Church (TEC) is not a joyous task, but a review of recent rulings suggests that current legal strategies are neither the best course nor necessary.

Recent Parish Cases

In All Saints Parish Waccamaw v. Protestant Episcopal Church in the Diocese of South Carolina, the state's Supreme Court ruled in favor of the disaffiliated parish on three important issues common to cases involving TEC parishes. First, it endorsed neutral principles of law as the method of resolving church property disputes, instead of the "deference approach" applied in some jurisdictions. Second, it held that the 1979 Dennis canon, which purports to create a trust interest in all parish property in favor of TEC and the applicable diocese, did not affect the parish's title because only the owner of the property can create a trust. Finally, it found that the parish could, and did, validly adopt amendments to its incorporation documents that had the effect of disaffiliating the parish from TEC and the diocese.

While it is true that the court's opinion analyzed the evolution of title to the parish property from the Colonial period forward and reached the conclusion that title was now held by the congregation's corporate entity, these three legal issues do not depend on the Colonial history.

A case in which historical factors are perhaps more

significant is *In re Multi-Circuit Episcopal Church Property Litigation*, the Virginia case in which Truro Church, The Falls Church and other parishes were successful at the trial court level. (The Virginia Supreme Court has accepted the case for review.) In order to disaffiliate, the parishes availed themselves of an 1867 state "division statute." This statute provides that if there is a division in a church in which trustees hold congregational property, the congregation may, by majority vote, determine to which branch it will belong, and that property ownership will follow that determination.

This case has more in common with other cases than might appear. In the Virginia litigation, the efficacy of the Dennis canon and whether parish entities are allowed to disaffiliate were at issue just as they were in South Carolina and other cases. The difference in the Virginia case was that the parishes were arguing for their right to disaffiliate under a specific state statute applicable to divisions within churches rather than on the normal state law rules relating to property, trusts and legal entities. But the trial court may have reached the same result even if state law rules had been applied instead of the division statute.

A California case involving St. James' Anglican Church, Newport Beach, also involved a unique state statute, but in that case the statute was used against the disaffiliating parish rather than in its favor. TEC and the Los Angeles diocese have argued — so far successfully up to the California Supreme Court on an incomplete record — that the statute endorsed the use of denominational trust clauses such as the Dennis canon. They were also successful in making constitutional arguments that were not successful in South Carolina or, to date, in Virginia. The case has returned to the trial court for further proceedings.

A recent trial court decision in Georgia (*Bishop of the Episcopal Diocese of Georgia v. Rector, Wardens and Vestrymen of Christ Church in Savannah*) found that the property of historic Christ Church reverted to the control of the Bishop of Georgia when the parish disaffiliated. This trial court, unlike South Carolina's Supreme Court, found that an "implied trust" over parish property already existed, which the Dennis canon only made explicit. The case is being appealed to the Georgia Supreme Court, where the parish will presumably argue in part that the trial court's implied trust analysis is based not on accepted principles of trust law but on a limited number of cases that give special treatment to churches considered hierarchical.

Diocesan Cases

The cases involving disaffiliating dioceses are different from the parish cases in significant respects. The Dennis canon is not implicated, at least directly, because the Dennis canon applies to property held by parishes and missions but not to property owned by the diocese or other diocesan entities in their own right. The diocesan cases inevitably bring a sharp focus to what exactly could prevent a diocese from withdrawing. TEC essentially claims that a diocese is a "subordinate unit" that may not unilaterally disaffiliate.

But there is no provision in TEC's constitution or canons that states that a diocese may not disaffiliate, and legal authorities establish that a member of an unincorporated nonprofit association such as TEC must, on constitutional and public policy grounds, be allowed to withdraw from membership. Thus, according to the Revised Uniform Unincorporated Association Act (Section 20 and accompanying commentary): "Preventing a member from voluntarily withdrawing from a UNA [unincorporated nonprofit association] would be unconstitutional and void on public policy grounds." Likewise regarding incorporated nonprofit associations (see Model Nonprofit Corporation Act Section 6.20[a] and accompanying comment): "A nonprofit association generally cannot force a person to belong to it." Moreover, words like subordinate and other terms characteristic of a hierarchy do not occur in TEC's constitution and canons.

The recitation of a three-tiered hierarchical structure (national organization, dioceses, and parishes and missions) that frames TEC's legal papers thus does not reflect a view of TEC polity that is consistent with its history or reflected in its own authoritative, governing texts. The Anglican Communion Institute has published papers on this subject. And non-legal academic commentary also illustrates the exaggeration in TEC's hierarchical claims, as in the observation by Mark Chaves that "denominations usually considered to have the most highly centralized religious authority (i.e., denominations with episcopal structures), actually have religious authority that is only highly centralized at the regional level. Even in the Episcopal Church or in the United Methodist Church, for example, religious authority is highly decentralized from the national perspective. To say this another way, episcopal denominations are like sets of relatively autonomous fiefdoms while the more unitary denominations are like nascent nation-states in which a single king has established authority over subordinate feudal lords."

Some argue that accession clauses in diocesan constitutions or canons result in subordination of the diocese to the national organization. Mark McCall's essay "Is the Episcopal Church Hierarchical?" demonstrates no support for the idea that the presence of an accession clause implies a prohibition on withdrawal. Arguing that accession to the association's rules implies irrevocable subordination doesn't succeed because the very existence of the association is premised on agreement to be bound by its rules. The very same unincorporated nonprofit associations, the members of which must be allowed to withdraw on constitutional and public policy grounds, typically have governing documents containing an agreement to be bound.

Because dioceses are withdrawing from only one organization, litigation concerning their ability to withdraw should involve less variation in the relevant facts. Calvary Episcopal Church v. Rt. Rev. Robert W. Duncan is unique in that so far the dominant issues have been connected with the terms of an earlier stipulation (a form of settlement document) about ownership of diocesan property, rather than the legal ability of the diocese to withdraw. In The Episcopal Diocese of Fort Worth v. Salazar, the judge has expressed skepticism from the bench about claims that the Fort Worth diocese is prohibited from withdrawing from TEC, but at this early stage of the proceedings involving preliminary motions, he has been reluctant to follow the logic of his observations to their natural conclusions. In Diocese of San Joaquin v. David Mercer Schofield, the trial judge has been much more receptive to TEC's arguments - a factor, perhaps, in the somewhat unusual decision of an appellate court to entertain a request for review while the case is still before the trial court.

Common Thread: Special Treatment

While there are significant factual and legal variations in parish cases (less so with diocesan withdrawal cases), one common thread emerges. It is the degree to (Continued on next page)

(Continued from previous page)

and frequency with which TEC argues (although it sometimes denies doing so) for special treatment for itself and other more clearly "hierarchical" religious denominations not accorded to secular organizations. This can be seen, for example, in the insistence that General Convention can impose a trust on parish property by passing a canon, in the three-tier hierarchical language found in the legal pleadings but not in TEC's constitution, and in the insistence that dioceses cannot withdraw, without citing language that prohibits withdrawal. The assumption of entitlement extends in favor not just of an abstract "TEC" but to the people who are presumed to be able to speak for it, as evidenced by various actions taken on TEC's behalf by the Presiding Bishop without constitutional or canonical warrant. (See my earlier essay, "Litigation against Disaffiliating Dioceses: Is it Authorized and What does Fiduciary Duty Require?" pp. 3-15.)

TEC (and dioceses) have not been without success in taking this stance. Many are familiar with the concepts of "hierarchical deference" and "neutral principles" as they apply to methods of resolving church property disputes. But overt hierarchical deference is declining. As Kent Greenawalt observed in his article "Hands Off! Civil Court Involvement in Conflicts over Religious Property," hierarchical deference "contains an anomaly that is so evidently impossible to justify, it will almost certainly not survive."

TEC has also been helped by instances in which courts purport to apply neutral principles, but wind up creating, in practical effect, special exceptions for hierarchical denominations. Professor Patty Gerstenblith describes the problem:

These courts, while employing the language of neutral principles ... are nonetheless applying a concept that is entirely unique to church-related cases. This usage does not accord with legal principles from any other recognized branch of the law. Instead, the courts base their opinions on presumptions of implied intent and implied consent without any inquiry into the actual intent of the presumed settlor.

Although a diocese could make arrangements, under a neutral principles analysis to prevent a parish from disaffiliating, TEC's arguments go further, and most of the courts finding an inability to disaffiliate with property intact have found it necessary to reach beyond neutral principles.

A Moral Argument?

Improperly basing legal conclusions on presumptions about intent brings to mind other uses of presumed intent, namely, to frame a moral argument. TEC leaders have argued or implied that they have a moral duty to guard the intent of prior donors. For example, the Rt. Rev. Edwin Gulick, Bishop of Kentucky and the first provisional bishop of the reorganized Diocese of Fort Worth, is quoted as saying recently: "The Episcopal Diocese of Fort Worth, heir and steward of the legacy of generations of faithful Episcopalians, has this day brought suit to recover that legacy." And Presiding Bishop Katharine Jefferts Schori said in July 2008: "We really don't have the authority or the moral right to give away those gifts that have been given by generations past and for the benefit of generations now and the benefit of generations to come."

If these are meant to be moral arguments — and Bishop Jefferts Schori uses the word *moral* — they are founded on an empirical premise. How would one go about determining donor intent? Are Bishops Gulick and Jefferts Schori in a better position to determine it than, for example, Bishop Iker and the majority of the Fort Worth diocese that voted to leave? As Greenawalt writes: "Do local church members mean to adhere to hierarchical decisions in ... altered conditions, rather than to the principles prevailing when they decided to join, or to local officials who refuse to follow the hierarchy? No confident generalization can capture what highly diverse local members have in mind." And he continues, in an especially pertinent passage for our current circumstances:

Perhaps donors of property or large sums of money have more attachment to a central denomination than the average parishioner, but one can hardly assume that loyalty is to the general denomination, regardless of how doctrines shift, procedures are observed, or foreign political influences are brought to bear. And, as Michael Galligan has urged, "[s]ome churches resemble a federation of autonomous groups rather than a totally integrated entity. Even when a church is essentially hierarchical, agreements of union between specific churches and the central body may modify the amount of power granted church authorities." Any notion that lovalty would be to the general church in all circumstances is a fiction about the wishes of donors and contributors grounded upon the division of all church government into two rigid boxes. Because we don't know specifics about donor intent in most cases, a neutral principles approach properly carried out won't make assumptions about donor intent that aren't reflected in relevant documents in a legally effective way.

Moreover, since most local donors do not give subject to an explicit restriction that favors the national denominational organization, the suggestion that such restrictions nonetheless exist de facto in all cases raises a question of disclosure: "Why weren't we told this when we made the contributions?" One answer might be, "Everyone knows this is a hierarchical denomination." But to say there is a hierarchy does not describe constitution and canons, and because General Convention has not directed or authorized particular lawsuits, it should be easier to lessen the conflict than might otherwise be the case. Might such a possibility be considered? In a July 31 letter to the House of Bishops, Bishop Jefferts Schori stated her criteria for settlement

its structure and to what substantive areas its authority extends; nor, again, have sweeping assertions regarding the existence of a putative three-tiered hierarchy in TEC been demonstrated from its constitution and canons.

How, then, to determine the substance and extent of hierarchy? TEC has argued, using passages from a few court decisions describing it as hierarchical, that it is not up to courts to assess the validity of many of the arguments advanced, and that deference must instead be given, under the First Amendment, to TEC's own determinations about its polity. It is not clear, however, that the First Amendment comes into play when the matter at issue concerns neither religious doctrine nor ecclesiastical polity but property ownership and organizational issues that can be analyzed using neutral principles of law. And even if it were established that deference is due to a hierarchical body, how shall that body (and who speaks for it) be identified? If, for instance, it is true that "only people," and not parishes or dioceses, can leave TEC, where is the record of that determination? The answer cannot be that deference must be accorded to whoever controls the accounts used to pay

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of property litigation in a new way, on several counts. First, she suggested that settlements should contain "a reasonable and fair financial arrangement." This is significantly different from her previous suggestion simply that payment of "fair value" of the property should be required, since determining a reasonable and fair financial arrangement could obviously take into account a number of factors in addition to property value, including the parties' respective assessments of the merits of their legal positions and the costs, financial and otherwise, of carrying on the effort. Second, the Presiding Bishop proposed in her letter that settlements should not "encourage religious bodies who seek to replace The Episcopal Church," a rather different condition than the previously articulated categorical restriction on permissible transferees.

In all events, it seems apparent that TEC's litigation efforts are leading in a di-

the lawyers who come into court and make the arguments. As the late Chief Justice William Rehnquist said: "If the civil courts are to be bound by any sheet of parchment bearing the ecclesiastical seal and purporting to be a decrees of a church court, they can easily be converted into handmaidens of arbitrary lawlessness." In the cases at hand, there is even less than parchment with a purported court decree.

A Way Forward

Since the main conceptual drivers of TEC's litigation positions are hierarchical notions not embodied in its rection unlikely to be beneficial, and that the costs are great. In her July letter the Presiding Bishop also indicated that there had been an uncompleted discussion of property litigation among the bishops at General Convention, and she suggested resuming the discussion in March. May the discussion indeed resume, and may more bishops favor restraint.

Mike Watson is a lawyer retired from law firm practice in Houston, Texas. He is a member and former parish chancellor of St. Martin's Episcopal Church in Houston. Cæli enarrant

Function Follows Form

I was delighted recently to travel to San Antonio, Texas to give three lectures to the Bishop Elliott Society on the subject of *language*, from a Christian-theological perspective. Words. And before, after, under, and through our words, the Word of God. In the creativity and the passion of this relation, I suggested, lies all that we need to understand and obey the Lord, and to teach and defend his truth; and therefore all that we need to sustain communion with God

and one another, by his grace.

This is so because language, for Christians, is always first initiated by God, who speaks and the world is made, and redeemed. In this case, the reverse of the usual dictum would

seem correct: *function follows form*, namely, the form of Christ the Word. His form is the decisive fact of history, so that the entirety of the world, all that there is from beginning to end, including all utterances both divine and human, can be neatly incapsulated in a single sweep, as in these opening verses of the Letter to the Hebrews: "Long ago God spoke to our ancestors in many and various ways by the prophets, but in these last days he has spoken to us by a Son, whom he appointed heir of all things, through whom he also created the worlds" (Heb 1:1-2).

If we want to understand how language works — all language, and Christian language as the most intense or true kind of language; language in its fullness — we must attend to this particular pattern which is the history of the Son of God. As the eternal Word, the Son creates all that is, seen and unseen, speaking it into existence; and as incarnate Word he became man, died, was buried, rose again, and ascended into heaven. Because these facts about the history of the career of the Word are themselves the warp and the woof of all that is, as their necessary condition (a remarkable thing to contemplate!), it makes sense that specifically Christian anthropology subsists in our being remade *in* Christ.

What does it mean to die and then live with and in Christ (Gal. 2:19-20)? It has to do with being conformed to Christ who is Word, a point that Paul makes perhaps most memorably in the famous passage from Philippians 2: "Let the same mind be in you that was in Christ Jesus ..." (Phil. 2:5-11). Here is a Christian philosophy of language in miniature, which sets forth not only the exemplary humility of Christ — his "kenosis" — but also an anthropology for sanctification: 1. What does it mean to have the "same mind" as Christ, who took a human form? Paul is not saying simply that we need to be like the *flesh* of Christ, though that is part of it. Human beings do have bodies, but then so do chipmunks and centipedes and squirrels. What makes us different from these, according to Scripture and tradition, is that we also have *souls*, by which we have meant a rational capacity: a capacity to think, and then to speak,

God literally sets the terms, by naming Jesus. communicating both with God and one another. This makes us free, and therefore responsible. Accordingly, when Paul says we are to have the same mind as Christ he means that we are to think like Christ, and on that account to act like him: emptying and humbling our-

selves in order to be obedient to the end.

2. And it is especially significant that this is the condition of God's exalting him and giving him a *name*, a "name that is above every name." What's in a name, after all, if not its utterance in language? A name must be spoken. "For the sake of my servant Jacob, and Israel my chosen, I call you by your name, I surname you, though you do not know me," says the LORD, the God of Israel, to Cyrus his anointed (Isaiah 45:4).

3. According to Scripture the first and most important speaker is always God, to whom human beings in turn respond, as best they can. Thus it's this larger call to speech that Paul ends with in the passage from Philippians, a hierarchy of speech. God literally sets the terms, by naming Jesus; and we are invited humbly to follow this theological precedent, "so that at the name of Jesus every knee should bend" and "every tongue confess that Jesus Christ is Lord, to the glory of God the Father." This is Christian worship, as well as theology: speaking back to God what he has already spoken to us, in and after Jesus Christ, through whom all things were made ("in heaven and on earth and under the earth," as Paul says here). That is: speaking back to God what he has told us about himself and what he has done. The word doxology captures this, as does theology: words of praise; words about God.

We are always already in a web of language, even when we are thinking to ourselves; "Mary treasured all these words and pondered them in her heart" (Luke 2:18). But when we turn our wills, or when they are turned, to God (conversio), we gratefully follow his having spoken to us by responding in kind (conversatio).

Christopher Wells

catholic voices

Being Made Perfect

On All Saints' Day, Archbishop of Canterbury Rowan Williams preached at All Saints' Church, Margaret Street, London. As part of THE LIVING CHURCH's new Catholic Voices section, we are pleased to offer these sermon excerpts to our readers for their consideration and spiritual reflection.

We've heard about the heroes of the Old Testament, the Judges and the Prophets, those who have suffered atrociously for their faith, those who have performed stunning miracles. "And yet," the writer to the Hebrews says baldly, "without us, they will not be made perfect." Think of that in our own terms. Without us, Francis of Assisi will not be made perfect. Without us, St. John of the Cross will not be made perfect. Without us, Mother Teresa will not be made perfect. "Surely some mistake?" as the editors say. But no, these great witnesses become perfect, they become fully into their life that God purposes for them, when we respond, when we enter into a relationship with them. So that the way in which they have made God credible comes alive in us.

At All Saints' tide we give thanks that God in Christ has made himself credible; credible in the life and death and resurrection of Jesus; credible in the lives of those in whom Jesus has come alive. And we thank God for that extraordinary promise: that the great Saints of the Communion of Christ's body depend on us as we depend on them in growing together.

* * *

But two more thoughts may be in order. One is indeed something to do with our contemporary anxieties. We need to tell the stories of the Saints to remind ourselves what is possible and within any Christian family. We need to tell the stories of those who have made God credible to us. And within our Anglican family we need to go on telling a few stories about those who have shown us that it is possible to lead lives of Catholic holiness even in the Communion of the See of Canterbury! We need to be reminded of what we have to be grateful for in the lives of those who, within our communion and fellowship, have lived out God's presence and made him credible *here* in this fellowship with these people.

God knows what the future holds for any of us, for any of our ecclesiastical institutions, but we can at least begin with what we can be sure of; that God has graced us with the lives of Saints; that God has been credible in this fellowship with these people. ... And at times when the future seems more than usually chaotic and uncertain, it doesn't hurt simply to give thanks.

The second thing is, of course, that if the great saints of God are not made perfect without us, then in the future there are an awful lot of people on whose faith and holiness we are going to depend. One day we will be the "golden age," or the "great generation" that has now passed, deeply unlikely as that may seem. One day people are going to look back on us and it would be nice to think that they would look back with gratitude and that they would feel that we, in our generation, had helped to make God credible and helped to show what was possible to them, so that they could gratefully and joyfully help us through the gate of glory by their response, their faith and their thanksgiving.

A great cloud of witnesses; ... lives and deaths belonging in that great chain of causality started off not only by the Cross of Calvary but by the eternal self-giving of God on which the whole world rests; lives and deaths telling us the truth by providing evidence. For that living truth in the whole Church Catholic and in our own Anglican Family we give thanks. And that truth we resolve to pass on with joy and hope to those without whom we shall not be made perfect.

* * *



The Sure Triumph of Joy

"Put on forever the beauty of the glory from God" (Baruch 5:1).

BCP: Baruch 5:1-9; Psalm 126; Philippians 1:1-11; Luke 3:1-6

RCL: Baruch 5:1-9 or Malachi 3:1-4; Luke 1:68-79; Philippians 1:3-11; Luke 3:1-6

The writer of the first lesson is appropriately named, for Baruch means "blessed." His lesson is among the most powerfully uplifting anywhere in the cycle of Sunday readings. The author is traditionally identified as the disciple and scribe of the Prophet Jeremiah, although a case can be made that the book was composed later than his day.

SERENALAH 46

Regardless of its authorship, the setting of the book is shortly after the looting and burning of Solomon's Temple. This fact makes Baruch's exultant message staggering to the point of shock. The land has been conquered by a foreign army, its king and nobles taken into captivity, its Temple razed, the populace decimated, and the survivors suffering from famine, exposure, and disease — in short, the scale of the disaster is unprecedented. In that setting is this lesson from Baruch: "Take off the garment of your sorrow and affliction, O Jerusalem, and put on forever the beauty of the glory from God" (Baruch 5:1). The lesson goes on with this rhapsody of hope, deliverance and joy.

The alternate lesson from Malachi is far more subdued, but ends on the same note of promise: "The offering of Judah and Jerusalem will be pleasing to the Lord as in the days of old and as in former years" (Mal. 3:4). The theme of reversal of fortunes is continued in Psalm 126.

The selection from Paul's letter to the Philippians is likewise rich with blessing, love and joy. He writes of "thanksgiving," "constantly praying with joy," the completion of God's good work among them, and overflowing love and knowledge. Almost in passing do we note that Paul is writing from "imprisonment" and the need to defend the gospel (see verse 7). When we add to this the likelihood that the people of Philippi are particularly poor (see 2 Cor. 9, in which is described the generosity of the poverty-stricken Macedonian churches), we may conclude that here is more evidence of joy and blessing in the midst of difficulty.

All the lessons are tied together in the gospel, which is an account of the preaching of John the Baptist presented as fulfilling the Old Testament prophecy of the messenger in the wilderness who proclaims a deliverance so great that even hills and valleys are compelled to ease its coming.

Next Sunday The Third Sunday of Advent (Cycle C), Dec. 13, 2009

BCP: Zephaniah 3:14-20; Psalm 85 or 85:7-13 or Isaiah 12:2-6; Philippians 4:4-7(8-9); Luke 3:7-18 RCL: Zephaniah 3:14-20; Isaiah 12:2-6; Philippians 4:4-7; Luke 3:7-18

Think About It

Are we more likely to receive and recognize a blessing from God in a time of prosperity or disaster? Why is this so?

Look It Up

Reflect on how Malachi 3:3 offers a compelling and unique addition to the overall theme of today's lessons.

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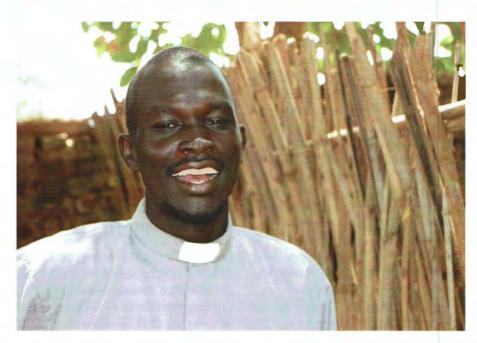
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news



Five Talents photo

Fr. Anei's transformation included returning guns and body armor.

(FIVE TALENTS, from page 4) reach and mission organizations in the United States and abroad.

"We have a message of empowerment" that produces transformed lives, said Craig Cole, president and CEO of Five Talents, in an interview with THE LIVING CHURCH. "If a woman, in, say, Kenya, can hear for the first time that she has value in God's eyes, and can [live] a productive life, then we've succeeded. And I've seen that over and over again."

One Productive Life

The Rev. Thomas Anei, a priest in the Episcopal Church of Sudan who serves as a Five Talents project officer, spoke at two recent fundraising dinners in northern Virginia. Fr. Anei told his story of formerly being a Sudanese "lost boy," displaced from his village, family, and country during Sudan's civil war.

Fr. Anei's village was attacked in 1986, three years after the war began, when he was only 6. Engulfed in the horrors of war, and separated from the other members of their family, he and a brother survived without food and water for three days. Upon being told that food and water could be found in Ethiopia, they made a three-month, 1,000-mile trek there with other child refugees — the "lost boys of Sudan."

After his brother died, Fr. Anei returned to Sudan in 1992, only to learn that his parents had been killed. Trained to be a child soldier, he became bitter and saw no future for himself. "I just wanted to die," he said.

In 1993, however, he encountered the Bible, which he now credits as his "mother and father" during those difficult days and beyond. Reading Matthew 5:43-44, he was shocked by Jesus' words in the Sermon on the Mount to "love your enemies and pray for those who persecute you" (ESV); he initially derided them as impossible. Nevertheless, he continued reading Scripture and attending church.

He broke into tears one day out of conviction that God was telling him neither to seek revenge nor to pick up a gun anymore. His friends were (Continued on next page)

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news

(FIVE TALENTS, from previous page) incredulous at his change of heart, made evident by his returning guns and body armor that he possessed.

Fr. Anei believes that the role of the Scriptures in his transformation constitutes the most important part of his story. Asked what teenagers should know about him, Fr. Anei said, "Tell them about where I came to know God" — in the Bible.

Now a father of five refugee children, Fr. Anei works with Five Talents in Lietnhom, Sudan, through a bank with 565 members.

"This bank was able to bring [our] community together," he said. While the various businesses started in the area may not be profitable by Western standards, "we tell [entrepreneurs], you are not poor," he said, noting that Sudanese people often drink tea and Coke.

Five Talents announced its plans during the Lambeth Conference of 1998 and started operations the next year. It has offices in both the United States and the United Kingdom.

On Oct. 29, Five Talents had a sort of homecoming at Lambeth Palace. At a reception held there in honor of the organization's work, Archbishop Rowan Williams praised Five Talents profusely. Mr. Cole told THE LIV-ING CHURCH that the archbishop's consistent support over the years has been phenomenal and he noted that the archbishop's predecessor, the Most Rev. George L. Carey, was Five Talents' first donor.

Mr. Cole said Five Talents will not only continue to help the poor but also will help Anglican churches become more self-sustaining and assist in the economic development of their communities.

"There's a real awakening and a real desire for economic development within the church," he said.

The organization's 2009-11 strategic plan calls for replicating the most successful programs from the last 10 years in additional areas, strengthening its relationship with the Mothers Union worldwide, and involving 70,000 people in building businesses at one time.

Mr. Grant Masom, a member of Five Talents International's board of directors and Five Talents UK's board of trustees, told THE LIVING CHURCH that he sees Five Talents as an effective means of bringing Anglicans together in a common cause where they find agreement.

Mr. Cole added: "We can be a bridge for all perspectives to focus on the mission of the church." Ralph Webb

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(BISHOP CHANE, from page 9)

That's the law of the District of Columbia. More important, it's at the core of the gospel. I hope that the least among us will not be victimized by the struggle over this legislation, and I pray that people of faith will

"I hope that the least among us will not be victimized by the struggle over this legislation."

Bishop Chane

come forward to provide food and shelter if the need arises."

The Most Rev. Donald Wuerl, Archbishop of Washington, has written before about why the archdiocese opposes the proposed law.

"Our support of marriage is not meant to discriminate against any individual or family. The *Catechism of the Catholic Church* upholds the human dignity of every person and condemns any form of unjust discrimination (2358)," the archbishop wrote on Oct. 6 in a "Pastoral Message for Homosexual Catholics in the Archdiocese of Washington."

Archbishop Wuerl added: "The complementarity of man and woman is the foundation of marriage as created by God. The Church and, indeed, cultures throughout time have recognized that marriage is the faithful union of man and woman, joined in a permanent relationship of self-giving love and an openness to creating new life."

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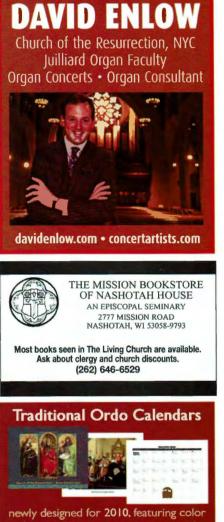


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letters to the editor

Heroic Saint

What a gift to see the cover story in the issue dated the Feast of All Saints [TLC, Nov. 1]. Bishop Kemper is, indeed, one of my favorite saints; I was humbled to make a pilgrimage to the site of his grave at Nashotah House while I was dean of the Cathedral Church of St. Paul the Apostle in Fond du Lac, Wis.

The references to Bishop Kemper as one of the founders of Nashotah House and among the "catholicminded American Anglicans," and who "charted a careful course through several diocesan controversies" brought to mind our present controversies and the observations of another Anglo-Catholic.

In a sermon before the University of Oxford at Christ Church in 1851, concerning "The Rule of Faith as maintained by the Fathers and the Church of England," Edward Bouverie Pusey, patristic scholar and convert to the Oxford Movement, observed:

"...These are heavy times. Darkly did the last year close; darker has the present begun. Contention has taken the place of love: suspicion of trust. We all desire to know and to teach the Faith; we all believe that we have it; I do trust that if we could understand one another we might meet in one truth. But it cannot be the sound and healthy and normal state of a Church which we have been wont thankfully to call pure and apostolic, that we should be contradicting one another, condemning one another. This is not like the time of the apostles when all 'were of one heart and mind.' This is not to fulfill the apostolic precept 'let the peace of God rule in your hearts to which also ye are called in the one body' when some are ready to cast others out of that body. Instead of this strife, let us rather seek one another, be at pains to understand one another, harmonize what all believe truly, not by abandoning any truth, but by affirming together all which is the truth."

That speaks to me.

Thank you for the excellent coverage of one of the truly heroic saints (capital "s") of the Church.

(The Rt. Rev.) Dorsey F. Henderson, Jr. Bishop of Upper South Carolina Columbia, S.C.

Living Eucharistically

Regarding your editorial "Wounded Church" [TLC, Nov. 29], I think it is important that Anglicans considering full union with the See of Peter spiritually prepare themselves by fully exploring the importance of the Eucharist. May I recommend Abbot Vonier's *Key to the Doctrine of the Eucharist* for those interested? It is not by coincidence that the liberal MP, Augustine Barrell, recognized that for Catholics "it's the Mass that counts."

Once living eucharistically becomes one's bedrock, other difficulties become insignificant. Unity with Christ Jesus in the Eucharist overcomes all disunity. As a Catholic, the generosity of Pope Benedict in allowing the Anglican and Latin [i.e. Roman] traditions to become one in the Eucharist fills me with great joy and reminds me of the writings of St. Augustine: "The Eucharist is our daily bread. But let us so receive it as to be thereby refreshed, not in body merely but in mind. For the power which we know to be therein is the power of unity whereby we are brought into union with His body and become His members. Let us be what we receive. For then it will be truly our daily bread."

> Owen O'Mahony Waterford, Ireland

people & places

Appointments

The Rev. Jennifer Cleveland is chaplain at Oregon Episcopal School, 6300 SW Nicol Rd., Portland, OR 97223-7599.

The Rev. **Chris Craun** is rector of St. Michael and All Angels', 1704 NE 43rd Ave., Portland, OR 97213.

The Rev. **Susan Slaughter** is rector of St. Luke's, 4301 Meadowbrook Dr., Fort Worth, TX 76103.

The Rev. **Elizabeth Simmons** is rector of St. Luke's, 614 Main Street, Racine, WI 53403.

The Rev. **Nancy Webb Stroud** is rector of Atonement, 36 Court St., Westfield, MA 01085.

The Rev. James Peter Swarr is rector of St. Mark's, 1 Porter Rd., East Longmeadow, MA 01028.

Ordinations

Deacons

Georgia — Faye Forbes, St. Augustine's, 3321 Wheeler Rd., Augusta, GA 30909-3104; **Ri Lamb**, St. John and St. Mark, 2425 Cherry St., Albany, GA 31705; Willetta McGowan, St. Andrew's and St. Cyprian's, Darien, GA; add: PO Drawer 929, Darien, GA 31305.

Retirements

The Rev. **John B. Pahls, Jr.**, as assistant at Grace & St. Stephen's, Colorado Springs, CO.

Correction

The Rev. Dr. **Robert Ray Parks**, who died Oct. 18 [TLC, Nov. 15], had been dean of St. John's Cathedral in Jacksonville, FL, and not in Tallahassee.

Deaths

The Rev. Dr. **Margaret Kaus**, 75, a priest in the Diocese of Olympia, died Sept. 7 of cancer.

Born in Hastings, MN, she served in the Air Force, where she performed with the all-women's Air Force Band. An educator, she earned her doctorate from Gonzaga University and went on to serve as dean of instruction at Green River Community College, Auburn, WA, and as assistant director of the Northwest Commission of Colleges. Dr. Kaus was ordained priest in 2007 and was serving as priest at St. Luke's, Elma, WA, at the time of her death. She is survived by her husband, William; sisters Lucille Bauer of Spooner, WI, and Lois Lovejoy of Ellsworth, WI; and a brother, Paul Shingledecker, Cannon Falls, MN.

Ethel Marple, a longtime leader of the Church Periodical Club, died Aug. 23 at the University of California Irvine Medical Center in Orange, CA. She contracted pneumonia in July, the day after being installed at General Conventionas CPC's national president. Mrs. Marple was 74.

Born in Texas, she earned a bachelor's degree from Texas State College for Women in 1957 and began working for the Associated Press. She later moved to Hampton, VA, where she worked as a journalist and was active for many years as a lay leader at Emmanuel Church. In the Diocese of Southern Virginia, she served on the board of the Mission and Ministry Foundation and as the Episcopal Church Women's Jamestown Convocation chair. She served as diocesan and Province 3 director of the CPC, and was national Book Fund chair, publisher of the CPC Quarterly, and national vice president. She was preceded in death by her husband, Gerald. She is survived by two daughters and three granddaughters.

The Rev. Dr. John Maurice (Jack) Gessell, emeritus professor of Christian ethics at the School of Theology at The University of the South, died July 1 in Winchester, TN. He was 89.

Born in St. Paul, MN, and educated at Yale, he was ordained deacon in 1950 and priest the following year. From 1951-53 he was rector of St. Luke's, Courtland, VA, and priest-in-charge, then rector, of Emmanuel, Franklin. He served as rector of Grace, Salem, MA, from 1954 to 1961. He joined the faculty at Sewanee in 1961 as assistant professor of homiletics and Christian education. Among the positions he held at the school were acting dean, director of the Graduate School of Theology, professor of pastoral theology and professor of Christian ethics. the position he held when he retired in 1984. He remained editor of St. Luke's Journal of Theology/Sewanee Theological Review until 1990. He was a longtime member of the Episcopal Peace Fellowship,

(Continued on next page)

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people & places

(Continued from previous page) and his book *Grace and Obedience*, a collection of essays, reflected his lifelong passion for gospel-inspired social justice.

The Rev. **Todd Hubbard Trefts** died Oct. 5 at his home in Sandpoint, ID, of cancer. He was 76.

He was born in East Aurora, NY, and graduated from Trinity College, Hartford, CT. He served in the Army from 1955 to 1957, then entered Virginia Theological Seminary. He was ordained deacon in the Diocese of Western New York in 1961, and to the priesthood in the Church of Uganda the following year. He moved to Mukono, Uganda, to teach at Bishop Tucker Theological College until 1969, when he returned to the United States and served as chaplain at Montana State University until 1986. He retired in 1998. He is survived by his wife, Janet; daughters Gwen Trefts, Salt Lake City, and Susan Trefts, Eugene, OR; sons Mark, of Coeur d'Alene, ID, and Tim, of Fairbanks, AK; stepchildren and grandchildren.

The Rev. **Roland Jackson Whitmire, Jr.**, 85, of Asheville, NC, died Sept. 24 after a long period of decline.

An Asheville native, he attended Asheville-Biltmore College before entering the Army Air Corps during World War II, in which he served as an aircraft mechanic crew chief. After the war, he earned degrees from Clemson University and The University of the South. He was ordained deacon in 1953 and priest in 1954. He served three North Carolina parishes as priest-in-charge, 1953-54: St. David's, Cullowhee; St. John's, Sylva; and St. Francis', Whittier. He was rector of Redeemer, Shelby, NC, from 1954 to 1966, when he returned to Clemson to serve as chaplain until 1970. From 1970 to 1986 he was rector of Church of the Messiah, Rockingham, NC, and All Saints', Hamlet. He retired in 1987. He was also a leader of the Boy Scouts and Girl Scouts of America. He is survived by his wife of 61 years, Mildred: daughters Anne Mellard Whitmire Parker of Atlanta and Louise Whitmire Catania of Raleigh, NC; three grandchildren; and a brother, Thomas Edmund Whitmire, of Asheville.

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ADVENT SEASON.

The First Sunday in Advent. The Collect.

ALMIGHTY God, give us grace that we may cast away the works of darkness, and put upon us the armour of light, now in the time of this mortal life, in which thy Son Jesus Christ came to visit us in great humility; that in the last day, when he shall come again in his glorious majesty to judge both the quick and the dead, we may rise to the life immortal, through him who liveth and reigneth with thee and the Holy Ghost, now and ever. Amen.

¶ This Collect is to be repeated every day, after the other Collects in Advent, until Christmas Day.

The Epistle. Romans xiii. 8.

OWE no man any thing, but to love one another: for he that loveth another hath fulfilled the law. For this, Thou shalt not commit adultery, Thou shalt not kill, Thou shalt not steal, Thou shalt not bear false witness, Thou shalt not covet; and if there be any other commandment, it is briefly comprehended in this saying, namely, Thou shalt love thy neighbour as thyself. Love worketh no ill to his neighbour: therefore love is the fulfilling of the law. And that, knowing the time, that now it is high time to awake

The First Sunday in Advent

out of sleep: for now is our salvation nearer than when we believed. The night is far spent, the day is at hand: let us therefore cast off the works of darkness, and let us put on the armour of light. Let us walk honestly, as in the day; not in rioting and drunkenness, not in chambering and wantonness, not in strife and envying. But put ye on the Lord Jesus Christ, and make not provision for the flesh, to fulfil the lusts thereof.

The Gospel. St. Matthew xxi. 1.

WHEN they drew nigh unto Jerusalem, and were come to Bethphage, unto the mount of Olives, then sent Jesus two disciples, saying unto them, Go into the village over against you, and straightway ye shall find an ass tied, and a colt with her: loose them, and bring them unto me. And if any man say ought unto you, ye shall send them. All this was done, that it might be fulfilled which was spoken by the prophet, saying, Tell ye the daughter of Sion, Behold, thy King cometh unto thee, meek, and sitting upon an ass, and a colt the foal of an ass. And the disciples went, and did as Jesus commanded them, and brought the ass, and the colt, and put on them their clothes, and they set him thereon. And a very great multitude spread their garments in the way; others cut down branches from the trees, and strawed them in the way. And the multitudes that went before, and that followed, cried, saying, Hosanna to the son of David: Blessed is he that cometh in the name of the Lord; Hosanna in the highest. And when he was come into Jerusalem, all the city was moved, saying, Who is this? And the multitude said, This is Jesus the prophet of Nazareth of Galilee. And Jesus went into the temple of God, and cast out all them that sold and bought in the temple, and overthrew the tables of the money-changers, and theseats of them that

Advent: Season of glad expectation as the steadily increasing brilliance of the light leads us to the manger.

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