

PEP Argument Briefing Paper

Title: Boundaries of the Diocese Not So Easily Changed
Applicable to: 2008 Constitutional Amendment 1 (Resolution One)
Author: Joan R. Gundersen
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Summary

Part of Resolution One proposing amendments to the diocesan constitution changes the boundaries of the diocese to allow affiliation of parishes beyond the boundaries of the present diocese. The amendment violates Article V of the Constitution of The Episcopal Church (TEC). The proposed change would be a bad idea, however, even if it were legal. Distant parishes, because of their distance and isolation, will necessarily be less able fully to participate in the life of the diocese than more proximate ones.

Background

- In 2003 Bishop Duncan began talking about admitting parishes from outside the bounds of the diocese to union with the diocese. The Anglican Communion Network has initiated new church plants in a number of dioceses. While some of these congregations have affiliated with an overseas bishop, some list as their only affiliation the Anglican Communion Network itself. Several of the clergy serving these plants (in Missouri and South Carolina, for example) are listed as canonically resident in this diocese. The effect of this amendment would be to allow these congregations to affiliate with the diocese and have full voice and vote in the Diocese of Pittsburgh. It might also be used by Anglican Communion Network congregations that are officially members of another diocese to claim affiliation with Pittsburgh.

Argument

- The underlying rationale for all diocesan and parish formation has been geographic. This has been the case since the First Council of Nicaea, which adopted a canon forbidding bishops to move from diocese to diocese. The original units which gathered to form TEC, beginning in 1785, were state conventions from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and South Carolina. When the church made provision for missionary expansion, it created missionary jurisdictions. All of the constitutional and canonical provisions of TEC are predicated on dioceses defined in contiguous geographic areas.
- The Missionary District of the Navaho is not an exception to this rule. It was created when various dioceses ceded territory to TEC to create this district, as is outlined in the Constitution and Canons of TEC. All non-U.S. dioceses in TEC (except for the Convocation of the American Churches in Europe) are strictly geographic units. There have been attempts in the last decade to consolidate the Convocation of the American Churches in Europe and the Church of England congregations in Europe into a single province in order to remove this anomaly within the Anglican Communion.

- The resolution passed by the House of Deputies on October 18, 1865, agreeing to the formation of a new diocese in the western part of Pennsylvania included specific reference to the boundaries of the diocese. This further confirms that the boundaries of a diocese are set by General Convention.
- The proposed amendment does not follow the elaborate process outlined in the church's constitution for transfer of territory from one diocese to another, and it violates the principle that such territory must be contiguous. The diocese is part of TEC and subject to its constitution and canons.
- Those voting for this amendment are thus voting for something not permitted by the Episcopal Church constitution and canons. Clergy would be violating their ordination vows and laity the canonical requirement that, in any church office they hold (such as a deputy), they must act in accordance with the church's constitution and canons.
- Even if the proposed change were constitutionally permitted, adding geographically distant parishes is a bad idea. Much of the life of a diocese is about building a community. While the clergy might (at some cost) be able to attend clergy days, the laity would not be able to participate fully in the life of the diocese, attending workshops, community celebrations, special services, etc.

Conclusions

The diocese has no authority to change or extend the boundaries of the diocese by receiving parishes physically located inside the bounds of another diocese except for parishes directly bordering the current diocese of Pittsburgh, and then only after an elaborate process of consent, including that of the bishop and convention of the diocese the parish would leave, and consent of either General Convention or a majority of bishops with jurisdiction and a majority of diocesan standing committees. Voting for this section of the amendment is thus illegal and violates both ordination vows of those advancing it and the canonical requirement that lay deputies exercise their duties in accordance with the Constitution and Canons of The Episcopal Church (Canon I.17.8)

Supporting Documents

From the Constitution and Canons of the Episcopal Church

Constitution: Article V, Sec. 6.

By mutual agreement between the Conventions of two adjoining Dioceses, consented to by the Ecclesiastical Authority of each Diocese, a portion of the territory of one of said Dioceses may be ceded to the other Diocese, such cession to be considered complete upon approval thereof by the General Convention or by a majority of Bishops having jurisdiction in the United States, and of the Standing Committees of the Dioceses, in accordance with the Canons of this Church. Thereupon the part of the territory so ceded shall become a part of the Diocese accepting the same.

Constitution, Article VIII.

No person shall be ordered Priest or Deacon to minister in this Church until the person shall have been examined by the Bishop and two Priests and shall have exhibited such testimonials and other requisites as the Canons in that case provided may direct. No person shall be ordained and consecrated Bishop, or ordered Priest or Deacon to minister in this Church, unless at the time, in the presence of the ordaining Bishop or Bishops, the

person shall subscribe and make the following declaration:

I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God, and to contain all things necessary to salvation; and I do solemnly engage to conform to the Doctrine, Discipline, and Worship of the Episcopal Church.

Canon I.17.8.

Any person accepting any office in this Church shall well and faithfully perform the duties of that office in accordance with the Constitution and Canons of this Church and of the Diocese in which the office is being exercised.