

Bishops to Take Up Duncan Case

The House of Bishops will consider whether to consent to the deposition of Bishop of Pittsburgh Robert W. Duncan at its meeting on September 17–19. This is the first meeting of the House since the expiration of a two-month period in which Bishop Duncan could submit a “Verified written statement to the Presiding Bishop, that the facts alleged in the certificate are false” or renounce his ministry voluntarily.

In December 2007, the Title IV Committee of Review, which is charged in Episcopal Church canons with evaluating whether a bishop may have abandoned the church, reviewed materials presenting a case that Bishop Duncan had done so. By majority vote, the committee certified to the Presiding Bishop that, in its opinion, the bishop had indeed “by an open renunciation of the Doctrine, Discipline, or Worship of this Church” abandoned the communion of The Episcopal Church.

After certification by the Review Committee, the canons provide for three steps. The first is inhibition, which prevents the bishop from performing “episcopal, ministerial or canonical acts.” This step requires the consent of the three most senior diocesan bishops, two of whom, in this case, withheld consent on the theory that abandonment is not fully effected until and unless the second vote to remove the accession clause of the Pittsburgh constitution succeeds. The third bishop was willing to sign an inhibition.

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Diocese to Vote on Realignment October 4 Convention Considers Break from Episcopal Church

Years of conflict between the Diocese of Pittsburgh and The Episcopal Church come to a head on October 4, when the diocese holds its annual convention at St. Martin’s, Monroeville. Diocesan leaders are proposing to “realign” the diocese, that is, remove it from The Episcopal Church and attach it to the Anglican province of the Southern Cone.

The convention, normally a two-day affair held the first weekend of November, has been truncated to a single day and moved forward to the earliest weekend allowed by the diocesan constitution. This schedule puts the convention hardly more than two weeks after the House of Bishops will take up the question of deposing the Rt. Rev. Robert W. Duncan, Bishop of Pittsburgh. (See story at left.) If Bishop Duncan is deposed, it is expected that the convention will be held as planned, presided over by the Standing Committee.

The primary business of the convention will be to act on changes to the constitution and canons intended to effect realignment. The vote on constitutional changes will be the second and final vote, as required by the constitution. The constitutional changes being voted on are the following:

- Revise Article I, Section 1 to eliminate any recognition of authority of the constitution and canons of The Episcopal Church.
- Revise Article I, Section 2 to state that the diocese will be a member of the Anglican Communion province specified in a diocesan canon.
- Revise the current Article I, Section 2, which specifies the counties that make up the diocese. The revision is to become Section 3, and it

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Across the Aisle Plans for Reorganized Diocese

While diocesan leaders have been tirelessly promoting and planning for “realignment,” Episcopalians intent on preserving the Episcopal Church presence in Southwestern Pennsylvania have not been idle. A group calling itself Across the Aisle (AtA) stands ready to reorganize the Episcopal Church’s Diocese of Pittsburgh should most of its leadership and many of its clergy and laypeople leave The Episcopal Church.

Progressive Episcopalians of Pittsburgh began making its own contacts with leaders from Province III of The Episcopal Church in 2006, after the diocese claimed to have withdrawn from the province. PEP members attended meetings of the provincial synod and invited provincial representatives to participate in PEP events. Eventually, a group of PEP members and an increasing number of others began meeting outside the diocese with Province III leaders and, later, representatives of the Presiding Bishop’s office. As the diocese moved closer toward breaking with The Episcopal Church, it became clear that everyone in the diocese intending

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DEPUTIES

Plan to attend the convention briefing jointly sponsored by PEP and Across the Aisle

September 28, 2008, 7:00 PM

Location: St. Andrew's,
Highland Park

PEPtalk

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adds a provision to allow parishes outside the existing physical boundaries of the diocese to be added to the diocese.

- Revise Article XII, which currently deals with deputies to General Convention. The article is to be rewritten and retitled "Deputies to Extra-Diocesan Conventions or Synods." The revised article provides for the election of "deputies or delegates to any extra-diocesan conventions, synods or meetings that may occur between Annual Conventions and to which the Diocese shall be invited to send deputies."
- Revise Article XIII, which specifies how parishes may be added to the diocese. The revision eliminates the present geographical requirement and the requirement that the new parish recognize the authority of "the Constitution, Canons, doctrines, discipline, and worship of the Protestant Episcopal Church in the United States of America."

The following are also proposed and do not require votes at successive conventions:

- A new canon is to be added, becoming Canon I. It declares that the diocese is a member of the Southern Cone, a small South American Anglican Communion province whose primate is the Most Rev. Gregory Venables.
- A resolution provides that parishes will be given at least 24 months to bring their governing documents into conformity with the revised constitution and canons of the diocese. Moreover, the resolution also provides, although without much specificity, for "negotiation between any parish seeking to break its union with Convention over the matter of Provincial alignment."

- A final resolution provides that the constitution and canons of The Episcopal Church "be adopted as advisory policies" until more extensive changes can be made to the governing documents of the diocese. Any authority of The Episcopal Church over the diocese is denied by the resolution.

Not the first

Pittsburgh will not be the first diocese to attempt to separate from The Episcopal Church. The Diocese of San Joaquin, in California, under the leadership of Bishop John-David Schofield, held a similar vote last December. Bishop Schofield was charged with abandonment and was deposed in March. The Diocese of San Joaquin has reorganized and is now under a provisional bishop, the Rt. Rev. Jerry Lamb. Schofield, who claims to lead a diocese that is part of the Southern Cone, still controls most of the assets of the Episcopal diocese, but he has been sued by the diocese and by The Episcopal Church. Pittsburgh would likely have a similar experience if it votes to realign.

Fort Worth, a diocese that, like San Joaquin, has not ordained women, is planning for a realignment vote at its convention this year as well. The convention is scheduled for November 14 and 15. That diocese, too, seems likely to declare itself part of the Southern Cone.

Although bishops of other dioceses have, in the past, seemed ready to follow the lead of San Joaquin, Pittsburgh, and Fort Worth, Quincy now appears to be the only additional diocese contemplating such a move.

Although events in San Joaquin suggest what might be experienced here, there are differences. Bishop Duncan has already been judged to have abandoned the communion of the church and, if not deposed in September, he could be deposed at any time. The effect of Calvary Church's lawsuit against the bishop and other diocesan leaders

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Diocese to Vote

will surely affect property issues, but it is difficult to predict exactly how. Finally, in San Joaquin, conservative clergy and congregations reluctant to leave The Episcopal Church seem to have made no plans for an alternative future and had not consulted with moderates and liberals opposed to the plan to move to the Southern Cone. In Pittsburgh, Episcopalians of all stripes have been working together under the Across the Aisle banner. (See story, page 1.)

If Realignment Fails

If the vote on October 4 goes against Bishop Duncan, the bishop may, as he has said he would, resign. Some diocesan leaders might also leave, along with some parishes committed to abandoning The Episcopal Church. These actions would, create a crisis of a different sort. The diocese would likely remain in the church, but it could become either more or less hostile to it depending upon who stays and who leaves.

Duncan may have some incentive to stay in this case as his ability to function as moderator of the Anglican Communion Network and Common Cause Partnership might be compromised were he no longer a diocesan bishop.

Anglican Bishops Meet GAFCON Challenges Lambeth

Archbishop of Canterbury Rowan Williams convened the once-every-ten-year gathering of Anglican bishops at the University of Kent on July 16, 2008. The 2-1/2-week-long Lambeth Conference attracted approximately 650 bishops from around the world. Unlike most Lambeth gatherings, no resolutions were passed by the bishops, though Archbishop Williams claimed widespread support for his plan for an Anglican covenant, for yet another group to deal with disaffected Anglicans called a "Pastoral Forum," and for moratoria on new gay bishops, the blessing of same-sex unions, and episcopal border-crossings.

Lambeth attendance, originally expected to top 800, was diminished by a boycott of conservative bishops from the so-called Global South. Many of the Lambeth boycotters attended the Global Anglican Future Conference (GAFCON) in Jerusalem June 22–29. Although a small number of bishops attended both GAFCON and Lambeth, the Jerusalem gathering represented a clear challenge to the authority of the Archbishop of Canterbury, who lamented the absence of the boycotting bishops.

GAFCON issued a statement at the end of the conference declaring that GAFCON represents a "movement in the Spirit." The statement declared the formation of the Fellowship of Confessing Anglicans (FOCA), a group "not breaking away from the Anglican Communion," the statement insisted, but supportive of the "Jerusalem Declaration," a new "orthodox" statement of belief. GAFCON attendees also called for the formation of a Primates' Council "to authenticate and recognise confessing Anglican jurisdictions, clergy and congregations and to encourage all Anglicans to promote the gospel and defend the faith." In particular, the statement recommended that the Council acknowledge the Common Cause Partnership, of which Bishop Robert Duncan is the moderator, as a North American "province." It is unclear just what such recognition would mean in practice.

Not surprisingly, the Common Cause Partnership issued a statement welcoming the Jerusalem Declaration and announcing that the "intention of the CCP Executive Committee is to petition the Primates [*sic*] Council for recognition of the CCP as the North American Province of GAFCON" when it meets December 1–3, 2008. According to its statement, the Executive Committee will also ask that Bishop Duncan, the CCP moderator, be seated on the Primates' Council.

The Primates' Council was indeed formed and met in London in August. It issued a communiqué over the names of the primates of Nigeria, Southern Cone, Rwanda, Tanzania, Kenya, and Uganda. The statement was not only critical of the Anglican Communion's handling of its "crisis," but was also critical of both the Lambeth Conference and "some esteemed colleagues from the Global South" who continue to believe that the Windsor process can actually work. The line suggests a disagreement among Global South leaders.

Along with its communiqué, the Primates' Council released a letter written to them by North American bishops now serving under foreign primates. The letter was even more dismissive of the Windsor Continuation Group, the proposed Pastoral Forum, and the leadership of The Episcopal Church and the Anglican Church of Canada than the statement from the Primates' Council itself.

Although Archbishop Williams has announced a series of meetings leading up to consideration in 2009 by the Anglican Consultative Council of a new draft of an Anglican covenant, it is becoming increasingly questionable whether his plans to keep conflict within the Communion under control will be acceptable to any of the contending parties.



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Bishop Faces Deposition

The Presiding Bishop proceeded with the other two steps, notifying Bishop Duncan on January 15, 2008, of the certification and giving him two months to respond. Bishop Duncan and his attorney replied to Presiding Bishop Katharine Jefferts Schori on March 14. The letters did not really address the charges against the Pittsburgh bishop.

The House of Bishops met in March before the deadline set for a response from Bishop Duncan. They did address certifications of abandonment against Bishop William Cox and Bishop John David-Schofield, however, and voted to depose them. These actions were later challenged when questions were raised as to whether a sufficient number of bishops voted on deposition and whether it was proper to depose Bishop Cox, who, like Bishop Duncan, had not been inhibited. However, the House followed the same voting rules as it had in previous cases in 1992 and in 2005, and, according to House rules, any challenge to a decision must be made at the same meeting, with the chair's ruling being definitive unless overturned by a two-thirds vote of those present.

At the September 17–19 House of Bishops meeting in Salt Lake City, the bishops have several options for dealing with the Duncan case, including voting for deposition or postponing a vote to a later meeting. The House of Bishops will not conduct any sort of hearing or trial, however, since it is the Review Committee that is responsible for gathering and weighing evidence. The bishops only decide if deposition is an appropriate response to the Review Committee's findings and to evidence provided by Bishop Duncan before the March 15 deadline.

If Bishop Duncan is deposed, he can hold no office in The Episcopal Church, and the Standing Committee will become the ecclesiastical authority in the diocese until a new bishop is in place.

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Across the Aisle

to remain in the church needed to start working together to discourage schism, or, should it become necessary, to deal with its aftermath.

Last fall, informal conversations took place between PEP leaders and members of the group of 12 conservative and moderate clergy who were preparing to declare their intention to remain in The Episcopal Church. Once these priests had made their declaration public last January, Mary Roehrich and the Rev. Cynthia Bronson Sweigert met with representatives of the 12. Eventually, it was decided to continue meeting and to enlarge the group that became AtA.

The name "Across the Aisle" was chosen to represent the conversation across the liberal/conservative ("gospel side"/"epistle side") divide. The initial discussions went well, and AtA gradually expanded its membership through the addition of clergy and laypeople from churches throughout the diocese. With this growth, task forces were established to address specific issues around remaining in The Episcopal Church.

The most pressing issue was what to do if the diocese votes to leave the church. This became the subject at additional meetings with representatives of the Presiding Bishop's office and resulted in the establishment of a Steering Committee to communicate more effectively with that office.

As the October 4 convention approaches, AtA planning needs to be completed. The goal is to create a constitutionally and canonically correct path by which continuity is established between the present and reorganized Episcopal Diocese of Pittsburgh. Pittsburgh Episcopalians need to know that their diocese will continue as part of The Episcopal Church, and it will have a functioning Standing Committee, Board of Trustees, Diocesan Council, office, bank account, and parishes. A special convention will be called as soon as possible to complete an initial reorganization and to provide for a bishop until the diocese is ready to elect a new bishop in the normal way.

Largely because of the work being done now by the AtA, rebuilding the diocese can be accomplished without intervention in diocesan affairs by The Episcopal Church. It is expected that both technical and financial assistance will be made available as needed, however.

The efforts of the AtA have brought a new spirit of cooperation and a new sense of mission to our diocese. Much more needs to be accomplished in the coming weeks, but the schism sold to the diocese as "realignment" is increasingly being viewed more as an opportunity and less as an impending disaster. If convention indeed votes in favor of "realignment," Across the Aisle will dissolve soon thereafter, and we will move forward, working together in love and fellowship as the Episcopal Diocese of Pittsburgh of The Episcopal Church.



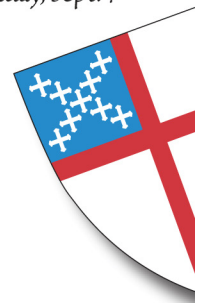
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Historical Scrapbook

Pittsburgh Ties

By Joan Gundersen

What do the Lambeth Conference, the hymn “We Three Kings,” a biblical defense of slavery, and Trinity Cathedral in Pittsburgh have in common? The answer is found in the story of a remarkable father and son team of Episcopal priests with ties to Pittsburgh.

The father was John Henry Hopkins, an Irish immigrant who began practicing law in Pittsburgh in 1818 after working in the iron business, first near Economy, and then later in the Ligonier Valley. He attended Trinity Church and drew up the plans for the early gothic building (since replaced). In 1823, his congregation chose him to be their rector, even though he was not ordained. After two months’ study, Hopkins was ordained deacon, and, five months later, he was priested. Hopkins presented a confirmation class of 137 when, in 1825, Bishop White made his only episcopal visit to Pittsburgh. In 1826, Hopkins failed election as assistant bishop (coadjutor) of Pennsylvania when he refused to cast a vote for himself. During his seven years of ministry in Pittsburgh, Hopkins founded seven other churches and mentored 10 men for orders.

Disappointed that his plans for a seminary in Pittsburgh were blocked, Hopkins accepted a call to Boston, where there was interest in founding a seminary. In 1832, he was elected Bishop of Vermont. Hopkins was the first bishop to call for a worldwide meeting of all the bishops of the Anglican tradition, making the case as early as 1851. That cause was later picked up by Canadian bishops and finally, in 1867, the first Lambeth Conference was held. Bishop Hopkins had the pleasure of seeing this dream fulfilled. He died shortly after returning from Lambeth.

A respected architectural historian, watercolorist, musician, and theologian, Hopkins served 36 years as Bishop of Vermont. In

1851 and 1861, he published controversial books defending slavery. The 1861 book was denounced by Bishop Alonzo Potter of Pennsylvania and 162 priests in Pennsylvania, for example. Throughout the Civil War he worked to ensure that the Episcopal Church would stay out of politics and refuse to recognize secession. From 1865 to 1868, he served as Presiding Bishop and paved the way for the welcome former confederate bishops received at the 1865 General Convention. At his first General Convention as Presiding Bishop, he also oversaw the process by which the diocese of Pittsburgh was created.

The son in this talented duo was John Henry Hopkins, Jr. Born in Pittsburgh October 28, 1820, he was the first child of 14 born to John Henry Hopkins, Sr., and his wife Melusina Mueller, a German immigrant. After graduating from the University of Vermont in 1839, the younger Hopkins worked as a reporter in New York City. From 1842 to 1844, he tutored the children of Bishop Elliott of Georgia. This experience helped strengthen bonds between the Elliott and Hopkins families. These ties aided Bishop Hopkins when he tried to quickly restore southerners to the House of Bishops. On Henry Jr.’s return from Georgia, he went back to the University of Vermont for an M.A. degree (1845). Shortly after returning to New York City, he entered General Theological Seminary. He graduated and was ordained deacon in 1850. Most of his career was spent as a teacher, writer, or author. The first professor of church music at General Seminary (1855–1857), he also founded and edited the *Church Journal* from 1853 to 1878. Finally ordained priest in 1872, Hopkins, served as rector of Christ Church, Plattsburg, New York, from 1872 to 1876 and Christ Church, Williamsport, Pennsylvania, from 1876 to 1887.

Hopkins’ collections of hymns and canticles had a profound influence upon the music of the church and went through multiple editions. He also promoted ecclesiasti-

cal art through his role in the New York Ecclesiological Society, designing numerous pieces of stained glass, church seals, and ornamentation. It was while teaching at General Seminary that Henry Hopkins, Jr., composed the words and tune of “We Three Kings” for a pageant in 1857. It gained widespread attention as part of his book, *Cantols, Hymns, and Songs* (1863). He also composed and wrote the familiar carol “Gather Around the Christmas Tree.” *Hymnal 1982* contains two of his lyrics and two of his tunes, including the lyrics for “Come with us, O blessed Jesus,” one of the best-known communion hymns set to a J.S. Bach tune.

Henry Hopkins, Jr., was very active in the establishment of the diocese of Pittsburgh, and he accompanied his father to the first Lambeth Conference. A bachelor, the younger Hopkins died in 1891 and was buried in Vermont next to the father with whom he shared so many talents and interests.

ALL PITTSBURGH EPISCOPALIANS ARE
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A Hopeful Future for the Episcopal Dio- cese of Pittsburgh: An Alternative Solution

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1 – 3 PM**

St. Paul’s Episcopal Church
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For more information



Hereford Cathedral Choir to Visit Pittsburgh

The Choir of Men and Boys from Hereford Cathedral, Herefordshire, U.K., will visit Pittsburgh in October and can be heard at three local churches.

At 8 PM on Tuesday, October 28, the choir will give a concert at St. Andrew's Episcopal Church in Highland Park, 5801 Hampton Street. The concert will be followed by a reception. Advance tickets are recommended. For tickets, contact George Knight at (412) 963-7337.

The following day, Wednesday, October 29, the choir will sing a Choral Eucharist at noon at First English Evangelical Lutheran Church downtown at 615 Grant Street. The choir will present motets, anthems, and psalmody from its current repertoire to enhance the liturgy. All are welcome to attend. For more information, telephone First Lutheran Church at (412) 471-8125 or send e-mail to flc@flcpittsburgh.org.

On the evening of October 29, the choir will sing Evensong at Calvary Episcopal Church, 315 Shady Avenue, at 6:30 PM.

The Hereford Cathedral and its choir have, for more than 1,200 years, played a pivotal role in the life of the rural community in the western part of England. The choir is composed of eighteen boys (ages 7-14) and "lay clerks" (gentlemen singers who provide the alto, tenor, and bass parts in the choral literature.) Each week during the school term, the choir sings eight choral services. Choristers receive intensive training in singing technique, music reading, and music theory. The choir learns and performs hundreds of pieces during the season in many different languages.

The Hereford Choir broadcasts frequently on national radio and television, and it has issued several recordings. In recent years, the choir has toured in Germany, Holland, Ireland, and the United States.

Historian to Give St. Andrew Lecture

The Adult Programs Committee of St. Andrew's Episcopal Church in Highland Park has invited historian Jeremy Bonner to give the 2008 St. Andrew Lecture at the church on Friday, October 18, 2008, at 8 PM. The title of the address is "Episcopal Dawn, Anglican Sunset: A Scholar's Reflections on Pittsburgh's Episcopal Experience." It will draw upon Dr. Bonner's work as author of the recently completed history of the 250 years of Anglican and Episcopal Church presence and ministry in Southwestern Pennsylvania. That work will provide a framework for reflections on the present crisis and provide context for thoughts about what the future may hold.

Jeremy Bonner received his Ph.D. in history from the Catholic University of America in 2001. He served as J. Franklin Jameson Fellow in American History at the Library of Congress from 2001 to 2002. He is the author of *The Road to Renewal: Victor Joseph Reed and Oklahoma Catholicism, 1905-1971*, published by Catholic University of America Press in 2008. Over the past three years, he has completed a manuscript history of the Episcopal Diocese of Pittsburgh. His work has appeared in *Journal of Mormon History* and *Anglican and Episcopal History*, which published his paper "The Pittsburgh Paradigm: The Rise of Confessional Anglicanism in Southwestern Pennsylvania, 1950-2000."

For over a decade, the St. Andrew's Lecture has featured speakers addressing topics of significant concern in its community. St. Andrew's Episcopal Church is located at 5801 Hampton Street, between North Highland and North Negley Avenues, one block south of Bryant Street and four blocks south of the park, in the East End Pittsburgh neighborhood of Highland Park.

For additional information, call St. Andrew's at (412) 661-1245.

Web Sites Address Realignment

Last summer, the Diocese of Pittsburgh created "Parish Toolbox," a Web site providing "decision-making resources for parishes and people" regarding realignment. The group that has become Across the Aisle (see story, page 1) soon created "A Pittsburgh Episcopal Voice" (APEV), a similar, more centrist site that does not offer pro-realignment material.

In March 2008, APEV began offering another service. Called "Pittsburgh Update," this Web site offers a weekly posting of Episcopal and Anglican news relevant to Pittsburgh Episcopalians. The news summaries, posted each Monday, contain links to various news stories and strive to be "as objective as possible."

PEP's own Web site, of course, advocates for Episcopal Church unity. It has been joined on the Web by a site, "Coalition for Realignment," sponsored by a number of prominent diocesan clergy and laypeople, including Bishop Henry Scriven. Its orientation is apparent from its name

Also notable is the recent blog "Three Rivers Episcopal" from the Rev. Jim Simons, rector of St. Michael's of the Valley, Ligonier. Simons is a conservative who plans to stay in The Episcopal Church. Lionel Deimel, a lay blogger and former PEP president, often comments on church matters from a more liberal perspective on his blog, Lionel Deimel's Web log.

URLs of sites mentioned above:

Parish Toolbox

<http://parishtoolbox.org>

A Pittsburgh Episcopal Voice

<http://pittsburghepiscopal.org>

Pittsburgh Update

<http://pittsburghepiscopal.org/b1>

PEP

<http://progressiveepiscopalians.org>

Coalition for Realignment

<http://re-align.org>

Three Rivers Episcopal

<http://3riversepiscopal.blogspot.com>

Lionel Deimel's Web log

<http://blog.deimel.org>

Calvary Lawsuit: The Sequel

By Kenneth Stiles, Esq.

The "Calvary lawsuit" that was filed in October 2003 when it appeared that Bishop Duncan was about to take the diocese and all its assets out of The Episcopal Church (TEC) resulted in a settlement agreement (Stipulation by Counsel) in October 2005. Regretfully, this did not end the matter. Calvary returned to court in December 2006 because it believed that the bishop was violating the Stipulation by continuing his efforts to remove the diocese from TEC. Calvary asked the court to make Bishop Duncan produce a long list of documents it felt would prove the violation. The charge was fiercely denied and every conceivable objection was made to prevent the turn over of any documents. Up to the present day, this has resulted in many briefs and many arguments before the court.

The intervening year and eight months have proved very interesting, as the court has usually sided with Calvary in its requests for information and a better picture of Bishop Duncan's activities and positions has become evident. It is not possible fully to summarize the hundreds of pages of answers and documents here. Some of the documents can be found on the Web site of the Allegheny County prothonotary, though many of the records showing how the diocese has promoted realignment are not. The diocese has turned over the internal documents for the planning and implementation of realignment; the documents of the Standing Committee concerning realignment; the records of the Board of Trustees, which controls all the diocese's real estate and investments; an admission that a majority of the Standing Committee and Board of Trustees are in favor of realignment; and the documents concerning Bishop Duncan's recent creation of a new Pennsylvania corporation called "Episcopal Diocese of Pittsburgh."

Bishop Duncan has restated his theory of Episcopal Church polity. This is not new but is now stated as clearly as possible. In his admissions he states: "TEC is a confederation of Dioceses. Dioceses are members of TEC. Parishes are members of a Diocese. Individuals are members of parishes." "Prior to the passage of Resolution One [in 2007], TEC did not have any authority over, or any rights to be involved in 'operation of the Diocese.'" "If Resolution One passes on the second vote, then the Diocese will no longer be affiliated with TEC; accordingly, parishes within the Diocese will no longer be affiliated with TEC. Parishes may later choose to leave the Diocese, in which case both the parish and the Diocese will follow the procedures for such departures set forth in paragraph 2 of the Stipulation." Here Bishop Duncan is saying that a parish that does not wish to go to the Southern Cone with him can buy its way out of his diocese.

However, Bishop Duncan denies that he personally is attempting to separate the diocese from TEC or to achieve realignment of the diocese: "Neither Bishop Duncan, nor the 'Defendants' (either individually or collectively) can 'achieve realignment of the Diocese.' As the Diocesan Bishop, Bishop Duncan has provided spiritual leadership on the issues surrounding Resolution One and the proposal to align with the Southern Cone, but neither Bishop Duncan nor any of the other 'Defendants' can 'achieve Realignment of the Diocese.' ... Rather, this process can only be completed by vote of the Convention deputies."

In the latest development, Judge Joseph James has agreed to appoint a master to inventory diocesan property and to allow parishes to escrow assessment payments.

The situation now is very similar to the one faced by the United States in 1860. The Southern States strongly asserted that they had a right to leave the Union. This resulted in a long and bitter war fought across the South. Our unfortunate war will be fought in the courts.

Time to Renew Membership

Annual PEP memberships expire on August 31, so, if you have not done so, now is the time to renew your PEP membership. If you are not currently a PEP member, please consider joining. Your support is needed at this critical time.

To fill out a membership form, select Join Us! from the About Us menu of the PEP Web site. You can complete the form on-line and, if you like, make a contribution on-line as well.

Web site URL:

<http://progressiveepiscopalians.org>

St. Andrew's Offers Musical Programs

In addition to hosting the choir from Hereford Cathedral (see story, page 6) St. Andrew's, Highland Park, will offer the following musical programs:

Thur., Oct. 2, 8 PM: Choral Evensong and organ recital by Larry Allen, of Mt. Lebanon Lutheran Church. Wine and hors d'oeuvre reception follows. Freewill offering.

Fri., Oct. 31, 8 PM: "Halloween Bach"—Organ Scholar Joe Tuttle plays Bach's Toccata and Fugue in D Minor and other appropriate music. An event for the whole family. Come in costume, tour the organ chambers, and climb the bell tower. Treats for all!

Sat., Nov. 1, 8:00 PM: Piano recital by Linda Morgan-Ellison featuring works by Schubert, Grieg, and Debussy. Wine and hors d'oeuvre reception following.

Mon., Nov. 3, 8 PM: Festival Concert by combined choirs of St. Andrew's and Calvary Churches, with the Pittsburgh Festival Orchestra. Brahms *Deutsches Requiem* and the premier of "Ten Thousand Times Ten Thousand" by St. Andrew's associate organist and composer in residence, Ayo Oluranti. Wine and hors d'oeuvre reception following.

Comment

“Realignment” Is Not Permitted

By Lionel Deimel

It seems so simple. The constitution of the Diocese of Pittsburgh says—once said, anyway—that the diocese “accedes to, recognizes, and adopts the Constitution and Canons” of The Episcopal Church “and acknowledges its authority accordingly.” Therefore, to remove any obligation of the diocese to defer to the authority of The Episcopal Church, it is merely necessary to change this “accession clause.”

Of course, the constitution of The Episcopal Church has always had a requirement like the current one in Article V, Section 1, which says that, for a new diocese to be admitted to “union with the General Convention,” i.e., to become a part of The Episcopal Church, its constitution must include “an unqualified accession to the Constitution and Canons of this Church.”

The diocese, however, points out that neither the constitution nor the canons of the church require that an accession clause be *kept* in a diocesan constitution. This argument is illogical. The plain meaning of the accession provision is that it is the General Convention, which alone can change the constitution or canons, that is the supreme legal authority in the church. If one buys into the idea that there is no requirement to *retain* an accession clause, then a new diocese could be admitted to the church, immediately remove its accession clause, and promptly become independent of the General Convention. Surely this cannot be the intent of the framers of the church’s constitution.

The diocese also argues that no provision of the constitution or canons actually *prohibits* a diocese from dissolving its union with the General Convention, i.e., from leaving the church. This, too, fails the credibility test. Provision is made for dividing dioceses, combin-

ing diocese, transferring parts of dioceses, and even transferring a *missionary diocese outside the United States* out of The Episcopal Church. But no provision is made for transferring a domestic diocese outside the church. That the Diocese of Missouri could not even transfer between Episcopal Church provinces until a canon was written for such a move suggests that the lack of a provision for removing a diocese from union with the General Convention is an indication that such an action is impermissible, particularly without action by the General Convention.

That phrase “unqualified accession,” a relatively recent wording, clarifies that accession is irrevocable, since accession could not be *unqualified* if a diocese retained the right to undo it. Both the Presiding Bishop’s chancellor and Executive Council have articulated this position.

In the end, one must conclude that “realignment” is just not permitted. It’s that simple.

PEPtalk

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