

Exhibit A

The Catholic Faith, The Episcopal Church, and the Ordination of Women,
by William C. Wantland, Published by the Diocese of Eau Claire, 1997, pp. 23 - 27

Finally, we must ask the question of whether the position I hold is permitted in The Episcopal Church. Must one accept the ordination of women to priesthood or episcopate, or is one still free to reject this new ministry?

There has been a fierce dispute in the Church over the status of the canon passed in 1976 in regard to women's ordination (Canon III. B. 1) That dispute focuses on whether the canon is mandatory, that is, whether women's ordination to priesthood or episcopate is required in each diocese, or whether the canon is merely permissive, that is, whether the canon simply allows such ordinations, but does not dictate them.

If the canon is mandatory, then' those Bishops, Standing Committees, Commissions on Ministry and Vestries which refuse to authorize such ordinations are clearly in violation of the canons of The Episcopal Church. On the other hand, if the canon is permissive, such persons and bodies are not in violation of the canons, and have not broken any rule or law of The Episcopal Church.

Part of the confusion comes from the language of the canon, itself. It declares, "The provisions of the Canons of this Title for the admission of Postulants and Candidates, and for the ordination to the three Orders, Bishops, Priests, and Deacons, shall be equally applicable to men and women."

What does "shall be equally applicable" mean? Does it mean that one must approve of ordinations to priesthood or episcopate for women, or does it mean that IF women are to be ordained in a given diocese, the process shall be the same for both men and women?

At law, when one is faced with the question of whether a particular piece of legislation is mandatory or permissive, one may examine the "legislative history", that is, what the intent of the legislative body was at the time it enacted the legislation. Such an approach would enable us to determine whether the 1976 General Convention intended that ordination of women should take place in all dioceses, or whether it merely intended that such ordinations were now permitted, provided that the process for such ordinations were the same as for ordinations of men.

In 1977, the House of Bishops addressed this matter. It said,

The meaning of a law involves not only the wording of the legislation, but also the intent of the legislation. Did General Convention intend (1) to make certain that dioceses prepared to ordain women were assured that they had the approval of The Episcopal Church in going ahead or (2) to require such action even by dioceses not yet prepared to act nor persuaded that they could rightly do so? By the nature of the case absolute proof is impossible, but majority opinion would seem to support the first understanding. At any rate there are adequate grounds for seeing at least sufficient doubt about the intent of the legislation, so as to inhibit insistence that women priests be accepted by all and at once. (1979 Journal, p. B-193.)

The House of Bishops then went on to observe, "One is not a disloyal Anglican if he or she abstains from implementing the decision or continues to be convinced it was in error". Likewise, the House pointed out, "We hold fast to the Anglican tradition which seeks to distinguish between what is required or not required of believers."

In conclusion, the House stated:

In the light of all of this and in keeping with our intention at Minneapolis, we affirm that no Bishop, Priest, Deacon or Lay Person should be coerced or penalized in any manner, nor suffer any canonical disabilities as a result of the 65th General Convention's action with regard to the ordination of women to the priesthood or episcopate. (1979 Journal, p. B-195.)

The Statement adopted by the House of Bishops in 1977 was prepared by the Committee on Theology of the House. Thereafter, the House prepared and distributed to the whole American church a Pastoral Letter which declared, "The Minnesota Convention sought to permit but not to coerce. We affirm that no members of the church should be penalized for conscientious objection to, or support of, the ordination of women" (1979 Journal, p. B226.) The legislation was to permit but not to coerce, or mandate. The legislation was seen as permissive only by the first House of General Convention to adopt the canon, and was so seen less than a year after the vote.

That 1977 understanding has been reflected in the comments of the primary supporters of women's ordination at the Minneapolis Convention. One of the principal authors and supporters of that legislation, The Rev George Regas, wrote on January 9, 1979, "Although I worked hard for the ordination of women and had a hand in the success of canonical change at Minnesota, I am committed to a permissive interpretation of the canon. The Church will not profit from punishing those who in conscience disagree with women for priesthood." This simply re-affirmed what the Coalition for the Ordination of Women said during the 1976 General Convention, supporting a permissive understanding of the canon, because a

permissive (as opposed to mandatory) interpretation of the canon “respects the conscience of those bishops and dioceses which are not yet prepared to implement the new canon.”

At the October, 1980, meeting of the House of Bishops in Chattanooga, Tennessee, the then Bishop of Kentucky, David Reed, on a point of personal privilege, also pointed out, that while he was one of those who worked hard for the passage of the canon, he always understood it to be permissive only, and not mandatory.

How has The Episcopal Church interpreted the canon? The first test was in 1980, when two bishops were elected who opposed the ordination of women, William Stevens in Fond du Lac, and myself (*William Wantland*) in Eau Claire. At that time, Standing Committees were required to consent to the election unless the person elected were guilty of (1) error in religion, or (2) viciousness of life. (1979 Canon III. 14. l(c) .) Refusal to accept the ordination of women would be error of religion if the canon were mandatory. In fact, that issue was directly raised by the Standing Committee of the Diocese of Utah, which refused to consent to either election, and by mailing, asked all other Standing Committees and Bishops to refuse consent on the grounds that the canon is mandatory (Standing Committee of Utah minutes, July 11-13, 1980). By letters dated August 18 and August 28, 1980, I responded by stating that the canon was permissive only, not mandatory. A majority of Standing Committees and a majority of Bishops consented to the elections of both Stevens and myself, having before them this specific issue. The claim of “error of religion” for refusing to accept Canon III. 8. 1 as mandatory was rejected by The Episcopal Church on this occasion. Again, in 1987, the election of Edward MacBurney as Bishop of Quincy resulted in the same interpretation.

The matter next came up in a different way in 1988, with the election of John-David Schofield as Bishop of San Joaquin. Since the election came up just before the Detroit General Convention, consent to the election was to be by General Convention, rather than Standing Committees and Bishops. Objections to the election were made on the grounds that Fr. Schofield was opposed to the ordination of women, refusing to accept the canon as mandatory, that he was a crypto- Roman Catholic, not an Anglican, and that the election was irregular. The Committee on Consecration of Bishops conducted open hearings for testimony on all three questions, and finally determined that there were no impediments to Fr. Schofield’s election, and recommended consent to his election. That report, No. 8, was presented to the House of Deputies on July 8, 1988, and after intense debate, the House rejected all three objections and confirmed the election by a vote of almost two to one (1988 Journal, pp. 599, 607). The House of Bishops concurred (1988 Journal, p. 260). General Convention had rejected the argument that the canon was mandatory, and that refusal to ordain women was a violation of the canon, in effect reaffirming the actions of the Standing Committees and Bishops in 1980 and 1987. At the same Convention, a special committee appointed by the Presiding Bishop to address this issue presented its report. The Presiding Bishop’s Committee on Dialogue on Women in the Episcopate reaffirmed the injunction of the 1977 House of Bishops’ Statement prohibiting any

penalties against anyone who was either in support of or in opposition to the ordination of women. The Report went on to observe that, as to women's ordinations, "acceptance of this decision has grown and it appears to have commended itself to the majority of The Episcopal Church in the United States. However, when viewing the Anglican Communion as a whole, it is clear that debate over the issue is in its early stage. (Several) Provinces have authorized the ordination of women to the presbyterate and the episcopate, but the majority have not. It appears that the issue will remain unsettled for some time to come with consensus a thing of the future both in the Anglican Communion and on the ecumenical scene."

The Report further stated: "This issue touches deeply held theological convictions in such central matters as the doctrine of the Trinity, the doctrine of the Incarnation, the interpretation of Holy Scriptures, and the nature and mission of the Church. Something new, with consequences as yet unforeseen, has been initiated, and a period of testing and discovery has commenced. Hence, compliance, one way or the other, cannot be compelled."

The Report concludes: "The stresses and strains of these times are not ideological abstractions, but pain, anger, mistrust, and fear felt by loyal members of the Church on both sides of the issue. It is therefore critical, not only for the unity of the Church as an institution but for its integrity as a community of believers whose lives are linked one to the other, that both parties honor the convictions of their opponents in the debate. We must not give up or cut off the debate itself: none of us knows the whole truth and we need each other in order to remain open to the truth God would have us know."

On September 28, 1989, the House of Bishops, meeting in Philadelphia, affirmed that the matter was still in the process of ultimate reception or rejection. In its Statement, the House said, "Within the Anglican Communion and indeed even within our own Church, there is not a common theological mind or agreed practice on the matter of the ordination of women."

The Bishops further declared, "We joyfully affirm ordained women--indeed all women--in the ministries which they exercise in and through the Church." However, the Bishops also observed, "We acknowledge that within Anglicanism those who believe that women should not be ordained hold a recognized theological position. In our deliberations, we have heard the voice of those faithful lay people, bishops, priests and deacons, members of The Episcopal Church who hold that view, and we affirm them as loyal members of the family." (1991 Journal, p. 459.)

In spite of all this, the issue of the mandatory nature of the canon again arose in 1992 with the election of The Rev. Jack Iker as Bishop Coadjutor of Fort Worth. A number of groups urged that his election not be confirmed because he did not accept the mandatory nature of the canon. In spite of this concerted effort, a majority of Standing Committees and Bishops felt that there was no canonical disability to the election, and consented to that election. He was

consecrated in 1993. The scene was repeated in the election of Keith Ackerman as Bishop of Quincy. Again, it was urged that the canon was mandatory, and that Fr. Ackerman, in refusing to ordain women to the priesthood, was in violation of the canons, and should not have his election confirmed. Again, a majority in The Episcopal Church responded that there was no canonical disability and his election was confirmed, and he was consecrated in 1994.

By now, however, the issue had become so intense that a resolution was needed from General Convention. Was the canon mandatory, or was it merely permissive? Three resolutions were filed for action at General Convention. No. B006, presented by Bishops Sheridan, MacBurney, Schofield, Gaskell and myself, would make the ordination of women mandatory. No. C004, presented by the Diocese of Chicago, would make mandatory not only the ordination of women to priesthood, but the licensing of women Priests as well. No. A050, presented in the Blue Book by the Committee on the Status of Women, would likewise have made both ordination and licensing of women Priests mandatory.

General Convention rejected all three Resolutions, refusing to make a mandatory canon on women's ordination. Instead, a substitute Resolution, No. C004sa, was passed on the last day of Convention. That Resolution created a Committee for Dialogue on Canon III. 8. 1, which, among other matters, declared that the 1994 "General Convention acknowledges that those who support and those who oppose the ordination of women to the priesthood and episcopate each hold a recognized theological position in this Church," echoing the words of the 1989 House of Bishops Statement.

In summary, the 1977 House of Bishops determined that the legislative intent appeared to be that the canon was permissive, not mandatory. Supporters of the canon affirmed that view in 1979 and 1980.

In 1980, and again in 1987, a majority of Standing Committees and Bishops rejected a call to hold the canon mandatory in the election processes in Eau Claire, Fond du Lac and Quincy. In 1988, General Convention, in consenting to the election of a Bishop in San Joaquin, also rejected a mandatory interpretation of the canon. Likewise, the Report of the Presiding Bishop's Committee on Dialogue on Women in the Episcopate to the 1988 Convention affirmed that there are, in fact, two recognized positions on the ordination of women in the Anglican Communion and The Episcopal Church.

In 1989, the House of Bishops again recognized the legitimacy of the theological position of those opposed to the ordination of women.

In 1993 and 1994, a majority of Standing Committees and Bishops once more affirmed that the canon on ordination of women was not mandatory, and opposition to such ordinations was not a violation of the canon in regard to episcopal elections.

At the 1994 General Convention, resolutions from the Diocese of Chicago, the Committee on the Status of Women and several Bishops, which would have clearly made women's ordinations mandatory, were all rejected in favor of a substitute which declared that both those who support and those who oppose the ordination of women to priesthood and episcopate hold recognized theological positions. The Resolution declared that there needs to be dialogue on how we live this out, and how we can assist both women seeking ordination in dioceses which do not permit such ordinations, and those opposed to women's ordinations who are also currently denied ordination or placement. In the debate over the meaning of Canon III. 8. 1, however, the question has been raised, not only about whether that canon is mandatory or permissive, but whether indeed any canon is permissive.

Of course, there are a great number of canons which are permissive in nature. We need only mention Canon I. 2. 1(e), for example, which permits nominations for Presiding Bishop from the floor of the House of Deputies or House of Bishops, but does not mandate them. Licensing of Lay Ministers under the provisions of Canon III. 3 is one purely permissive. Even the ordination process can be permissive. According to Canon III. 6, 7 and 8, a Standing Committee may approve a Candidate for ordination, but is not required to do so. Likewise, even if the Standing Committee approves a person for ordination, the Bishop may ordain, but is not obligated to do so. The canon is permissive, not mandatory.

However, Canon III. 8. 1 contains the word "shall": the provision of the canons in Title III "shall be equally applicable to men and women." This has been seen by some to make the canon mandatory regardless of legislative history, i.e. the ordination process must be open in every diocese to the ordination of women to priesthood. Others contend the canon reads that if women are to be ordained to priesthood, the same process applies as it does to men. Under this understanding, the canon is permissive as to ordination, not mandatory, and agrees with the legislative history.

Is there any other canon which uses the term "shall," that is permissive rather than mandatory, even as other canons are permissive?

The answer is "yes." Attention is directed to Canon I. 19. 3(d). This canon deals with marriage in the Church after there has been a civil dissolution of a previous marriage. A Priest may solemnize such a marriage only with the permission of the Priest's Bishop. In case the marriage is to take place in another jurisdiction, there must first be consent from the Bishop of the Priest's diocese of canonical residence, as provided in Canon I. 19. 3(c). Then, the matter must be referred to the Bishop of the diocese where the ceremony is to take place, where "the consent shall be affirmed by the Bishop of that jurisdiction", Canon I. 19. 3(d). Is this canon mandatory, in that the bishop must affirm consent, or is it permissive, in that the Bishop shall affirm, but only if the marriage is to be permitted by the Bishop?

In every application which is known at present, the interpretation is that the affirmation of the second Bishop is a matter of discretion, and not simply a ministerial act mandated by canon. A survey of various Bishops and Chancellors in Oklahoma, Minnesota, Arizona, Eau Claire, Fond du Lac, Milwaukee, Washington, and others, as well as members of the Episcopal Chancellors' Network, indicate that, in spite of the word "shall," the Bishop of the second jurisdiction is perfectly free to examine the matter, and, either give or withhold affirmation to the consent given in the first place. The canon is interpreted to mean that affirmation of the second Bishop is a prerequisite to allowing the marriage ceremony to take place, but that the Bishop in question is free to examine the matter and either give or refuse affirmation. In other words, the canon is permissive, and the Bishop is no more required to affirm than Canon III. 8. 1 would require the Bishop to ordain a woman to priesthood.

In conclusion, I have tried to show the Catholic understanding on the matter of ordination of women to diaconate, priesthood and episcopate, together with the present status of that matter in The Episcopal Church, and that the Church, at least for the present, does allow for the practice of the traditional Catholic understanding of ordained ministry. Those of us who hold this position are still loyal members of The Episcopal Church, and have not broken any canons. We have a rational theological basis for our position, and operate within the authority of Scripture, Tradition and Reason. Ours is a "recognized theological position," entitled to be heard and considered as the Church enters upon a long and complex process of ultimate reception or rejection of a new view of ordained ministry.

As the Eames Commission said in 1987, "It is particularly important that the process of reception should not be foreclosed", and therefore "dissent (from a decision to ordain women to priesthood and episcopate) should not be marginalized or excluded." This position was endorsed by all the Primates of the Anglican Communion, including our own Presiding Bishop.

There are still two views present and permitted in the Church on the matter of women's ordination. There is still a long process to be gone through before final consensus either in favor of or against such ordination is reached. Until that consensus is reached, it is incumbent upon members of the Church to continue study and reflection on the matter. It serves little purpose for either side to attack the other, or to imply that an opposing view is somehow illegal or contrary to good church order. We are reminded of the words of the House of Bishops in 1977:

It is oversimplifying to demand obedience to the canon just as one does for every other canon. This particular issue involves judgment on matters of deepest theological import: , such as one's interpretation of Scripture and the authority

of Scripture, the nature and force of Tradition, as well as the nature of the Church and of the Anglican Communion. (1979 Journal, p. B-193.)

The Episcopal Church, through its Standing Committees, House of Bishops and General Convention, has steadfastly refused to treat Canon III. 8. 1 as mandatory. To make that Canon mandatory would be to reject decades of practice, violate our own Articles of Religion, and exclude thousands of the faithful from the life and communion of this Church.

Exhibit B

Journal of the 72nd General Convention, Minutes of the 1995 House of Bishops meeting, Published by the General Convention Office of the Episcopal Church Center, 1997, pp. 404 - 406.

PORTLAND, OREGON - SEPTEMBER 1995 HOUSE OF BISHOPS - INTERIM MEETINGS FOURTH DAY

Wednesday September 27, 1995

Canon 111.8.1

The Presiding Bishop addressed the House concerning the Report of the committee for Dialogue on Canon III.8.1. He reminded the House that Resolution C004sa, adopted at the 1994 General Convention, specified in its last resolve, "That this committee shall report to the interim meeting of the House of Bishops in 1995 and subsequently to the Executive Council."

The Bishop of Northwestern Pennsylvania (Committee Chair), was recognized, and introduced the other members of his committee who were present: Mrs. Rita Moyer (Vice Chair); the Honorable James E. Bradberry (Secretary); the Bishop of Atlanta, The Rev. Canon Gay C. Jennings, David W. Rawson, Esq., and the Bishop of Eau Claire. Members of the committee who could not be present were: Sara G. McCrory, Esq., the Rev. Anne W. Robbins, and the Rev. Mrs. Rebecca C. Spanos.

The Presiding Bishop asked that the committee report (Appendix F), and the minority report (Appendix G), be presented and each be allocated fifteen minutes. The speakers were in the following order for the committee report: Judge Bradberry , the Bishop of Atlanta, and Canon Jennings; for the minority report, the Bishop of Eau Claire, Mr. Rawson, and Ms. Moyer.

Following questions for clarification addressed to the committee chair, the Presiding Bishop asked that the House spend forty-five minutes in table groups, responding to the presentations.

The Presiding Bishop called the House to order and recognized the Committee on Dispatch of Business, who moved as followed:

Resolved, that following the “mind of the House” motion from the Committee Chair and a time for him to address the motion, the House constitute itself as a Committee of the Whole and spend no more than one hour in debate, with a two-minute time limit per speaker, alternating between pros and cons; that no one speak twice until all who wish shall have had an opportunity to do so; and that a minute of silent prayer be observed before a vote is taken.

**Motion Carried
Resolution adopted**

The Chair put the motion on behalf of the Committee and then he addressed it.

The House continued in the Committee of the Whole until noon, with speakers alternating pro and con on the motion.

The Presiding Bishop called the House to rise from the Committee of the Whole and spend five minutes in table groups.

The Bishop of Virginia moved the following substitute resolution:

Resolved, the House of Bishops

receives the interim report of the Committee for Dialogue on Canon III.8.1 ,
requests the Committee to continue its work for the remainder of the triennium,
affirms the value and validity of the ministry of ordained women in every dioceses of
this church, and
expects those dioceses where the ministry of ordained women is not yet experienced to
work diligently for their full inclusion.

The Resolution was seconded and debated.

The Bishop of Northwestern Pennsylvania moved the previous question; the motion was seconded.

**Motion carried
Debate terminated**

The Suffragan Bishop of Massachusetts, on behalf of herself and seven other bishops, asked for a roll call vote. The vote on the substitute was 55 for, 100 against, with 2 abstentions (Appendix H).

**Motion defeated
Resolution defeated**

The Bishop of Fort Worth moved to table the motion. The Presiding Bishop ruled the motion out of order.

The Bishop of Northwestern Pennsylvania moved the previous question.

Motion carried

The Bishop of El Camino Real, on behalf of himself and six other bishops, requested a roll call vote. The Presiding Bishop asked for a minute of prayer prior to the roll call. The vote on the resolution passed, 122 for, 17 against, with 18 abstentions (Appendix H).

Final Resolution

Resolved, it is the mind of the House that Canon III.8.1 is mandatory in all dioceses of this church.

**Motion carried
Resolution Adopted**

Exhibit C

Journal of the 72nd General Convention, Minutes of the 1995 House of Bishops meeting, Appendices F and G, Published by the General Convention Office of the Episcopal Church Center, 1997, pp. 425-431

APPENDIX F
REPORT OF THE COMMITTEE FOR
DIALOGUE ON CANON III.8.1
(SEE DAY 4, PAGES 404-406)

Resolution C004sa of the 1994 General Convention reads as follows:

Resolved, the House of Deputies concurring, **The 71st General Convention reaffirms the existing canon, Title III.8.1, guaranteeing both men and women access to the ordination process in the Church;** and be it further

Resolved, **This General Convention recognizes that women are not ordained to the priesthood in**

all dioceses at this time; and be it further

Resolved, **This General Convention acknowledges that those who support and those who opposed the ordination of women to the priesthood and episcopate each hold a recognized theological position in this Church;** and be it further

Resolved, **That the Presiding Bishop and the President of the House of Deputies, in consultation with two bishops, whom they shall designate, from the dioceses where such ordinations do not occur, appoint a committee to promote dialogue and understanding and to discuss how the canon can be implemented in every dioceses of this Church;** and be it further

Resolved, **That the following shall be among the matters discussed:**

- 1. Opportunities for full access for women to the ordination process in this Church;**
- 2. Opportunities for ordained women to carry out their ministries in every dioceses (this Church;**
- 3. Opportunities for congregations that desire the ministries of ordained women to have access to them in every diocese;**
- 4. Opportunities for those persons who oppose the ordination of women to have access j the ordination process and to carry out their ministries in every diocese;** and be it further

Resolved, **That this committee shall report to the interim meeting of the House of Bishops in 1995 and subsequently to the Executive Council.**

The Committee appointed, pursuant to Resolution C004sa, is comprised of the following individuals: The Rt. Rev. Robert D. Rowley, Jr. (Chair), Mrs. Rita Moyer (Vice Chair), The Honorable James E. Bradberry (Secretary), The Rt. Rev. Frank K. Allan, The Rev. Canon Gay C. Jennings, Sara G. McCrory, Esquire, David W. Rawson, Esquire, The Rev. Anne W. Robbins, The Rev. Mrs. Rebecca C. Spanos, and the Rt. Rev. William C. Wantland.

The Committee met in Pittsburgh, Pennsylvania April 17-19, 1995, and in Arlington, Virginia July 4-6, 1995. The following was adopted by the Committee on July 7, 1995.

Preamble: The Committee recommends that all bishops continue to be extremely sensitive to the needs of all people -lay and clergy -and of all parishes on the issue of the ordination of women; this includes sensitivity both to those who favor and to those who oppose the ordination of women. We recommend, as is now canonically possible, that bishops use a "visiting" or other bishop, as much as feasible and consistent with our other recommendations, to pastorally care for their people.

The Committee intends to recommend the following resolutions to the 1997 General Convention to implement Resolution C004sa:

Resolved, the House of _____ concurring, that Canon III.8.1 be amended by adding the following sentence at the end thereof: *No one shall be denied access to the ordination process nor postulancy, candidacy, or ordination in any parish or diocese of this Church solely on account of sex; and be it further*

Resolved, That Canon III.16.1 (d) be amended by adding the following sentence at the end thereof. *The Ecclesiastical Authority shall not deny or refuse to accept Letters Dimissory solely on account of sex; and be it further*

Resolved, That Canon III.16.2 be amended by adding the following sentence at the end thereof: *No member of the Clergy shall be denied a license solely on account of sex; and be it further*

Resolved, That Canon III.17.3 be amended by adding the following as the penultimate sentence thereof: *Sex alone shall not be a factor in the Ecclesiastical Authority's determination of whether such person is a duly qualified Priest.*

Editor's Note: presented as Resolution A052.

Resolved, the House of ____concurring, That

- a) No member of this church shall be denied access to the ordination process, postulancy, candidacy, ordination, license to officiate in a dioceses, a call to a cure in a diocese, or letters dimissory solely on account of their theological views on the ordination of women;
- b) No members of this church shall be denied a place in the life and governance of this church solely on account of their theological views on the ordination of women; and

c) Every person who exercises a ministry as a leader and trustee in this church is obliged to obey and implement the canon law of this church.

Editor's Note: presented as Resolution A053.

The Committee also recommends that the House of Bishops at the 1995 interim meeting in Portland, Oregon adopt the following:

Resolved, it is the mind of this House that Canon III.8.1 is mandatory in all dioceses of this Church.

The minority of the Committee has filed a minority report. A copy of it is attached.

Respectfully submitted,

Robert D. Rowley, Jr.

Chair, Committee for Dialogue on Canon III. 8. 1

If the Committee's recommendations are adopted by the 1997 General Convention the affected Canons will read as follows:

Title III

Canon 8.

Jr General Provisions Respecting Ordination

Sec. 1. The provisions of the Canons' of this Title for the admission of Postulants and Candidates, and for the ordination to the three Orders, Bishops, Priests, and Deacons, shall be equally applicable to men and women. *No one shall be denied access to the ordination process nor postulancy, candidacy or ordination in any parish or diocese of this Church solely on account of sex.*

Canon 16.

Of Letters Dimissory, Licenses and Retirement

Sec. 1 (d). If a member of the Clergy has been called to a Cure in a Congregation in another Diocese, Letters Dimissory in the form above given shall be presented. It shall be the duty of the Ecclesiastical Authority of the Diocese to accept them within three months unless the Bishop or Standing Committee has received credible information concerning the character of the Member of the Clergy concerned, which would form a proper ground of canonical inquiry and presentment, in which case the Ecclesiastical Authority shall communicate the same to the Ecclesiastical Authority of the Dioceses in which the Member of the Clergy is canonically resident; and in such case, it shall not be the duty of the Ecclesiastical Authority to accept the

Letters Dimissory unless and until the Member of the Clergy shall be exculpated. The *Ecclesiastical Authority shall not deny or refuse to accept Letters Dimissory solely on account of sex.*

Sec. 2. No Deacon or Priest shall officiate more than two months by preaching, ministering the Sacraments, or holding any public service, within the limits of any Diocese other than that in which the Deacon or Priest is canonically resident, without a license from the Ecclesiastical Authority of the Diocese in which the Deacon or Priest desires to officiate. *No member of the Clergy shall be denied a license solely on account of sex.*

Canon 17

Of the Calling of a Rector

Sec.3. Written notice: of the election, signed by the Wardens, shall be sent to the Ecclesiastical Authority of the Diocese. If the Ecclesiastical Authority be satisfied that the person so chosen is a duly qualified Priest and that the Priest has accepted the office, the notice shall be sent to the Secretary of Convention, who shall record it. The record shall be sufficient evidence of the relation between the Priest and the Parish. *Sex alone shall not be a factor in the Ecclesiastical Authority's determination of whether such person is a duly qualified Priest.*

APPENDIX G

COMMITTEE FOR DIALOGUE ON CANON III.8.1

MINORITY REPORT

The Rt. Rev. William C. Wantland, the Rev. Rebecca Spanos, Mr. David Rawson, and Mrs. David (Rita) Moyer, following the conclusion of the second meeting of the Committee for Dialogue on Canon III.8.1, held at the Doubletree Inn, Arlington, Virginia, July 5-7, 1995, make this minority report to the Committee as a whole, and through the Committee, to the Church at large.

This *Committee* was established pursuant to Resolution No. C004sa, adopted by the 71st General Convention of the Episcopal Church, meeting in Indianapolis in 1994. That Resolution (1) "recognizes that women are not ordained to the priesthood in all dioceses"; (2) "acknowledges that those who support and those who oppose the ordination of women ...each hold a recognized theological position in this Church"; (3) requests the Presiding Bishop and the President of the House of Deputies, in consultation with two bishops from dioceses where women are not ordained to priesthood, to "appoint a committee to promote dialogue and understanding"; (4) directs the Committee "to discuss how the canon can be implemented"; (5) provides that "the following shall be among the matters discussed: (a) Opportunities for full access for women to the ordination process. ..., (b) Opportunities for ordained women to carry out their ministries in every diocese. ..., (c) Opportunities for congregations that desire the ministries of ordained women to have access to them. . ., (d) Opportunities for those persons who oppose the ordination of women to have access to the ordination process and to carry out

their ministries in every diocese.”, and (6) directs that “this committee shall report to the interim meeting of the House of Bishops in 1995 and subsequently to the Executive Council.”

The Presiding Bishop and the President of the House of Deputies then named six members of the Committee, all of whom favored the ordination of women. The two bishops from dioceses not ordaining women to priesthood were then asked to name four members of the Committee. These bishops (Donald Parsons, Retired of Quincy and William C. Wantland of Eau Claire) pointed out that a more balanced Committee membership might be provided for, by either appointing equal numbers of committee members from each side, or at least by allowing the six appointments to stand, but providing for five members from the minority position. These proposals were not entertained. It should also be noted that the Presiding Bishop and the President of the House of Deputies are additional *ex officio* members of the Committee, although the Presiding Bishop did not attend either meeting, and the President of the House of Deputies attended only the July meeting.

The Committee met for three days in April of 1995, and three days in July. The April meeting prepared four suggestions to be considered. The questions were based on these concerns: (1) in dioceses where women are not currently ordained to priesthood, to provide a means by which women could test vocation to priesthood in an adjacent dioceses; (2) a canonical provision to allow the licensing of either women in priesthood or those opposed to women priests by the Bishop President of the Province if the Diocesan could not conscientiously do so; (3) a canonical provision to allow the acceptance of Letters Dimissory of women in priesthood or of those opposed to women in priesthood if the Diocesan could not conscientiously do so; (4) a canonical provision to allow a congregation in a diocese with a woman bishop to have the sacramental ministrations of a male bishop.

It quickly became obvious that the April suggestions were totally unacceptable to the Episcopal Women’s caucus. On the first day of the July meeting, the Committee declared the April proposal “dead.” It should be noted that the April suggestions were first made by the minority of the Committee which is making this Report. In fact, these suggestions were made after the majority demanded to know how the minority proposed to carry out the provisions of Resolution No. C004sa. No suggestions were made by the majority. Eight of the ten Committee members had initially supported these suggestions.

The first day of the July meeting was supposed to have been a dialogue with bishops who opposed the ordination of women to priesthood and episcopate, women bishops, and male bishops who favor the ordination of women. However, none of the women bishops appeared that day, and only one pro-ordination male bishop appeared, the Bishop of Fond du Lac. The Bishops of Fort Worth and San Joaquin appeared, along with the Bishop of Eau Claire, who is a member of the Committee. The Bishop of Quincy could not appear, but presented a written report. Instead of any dialogue, the majority members of the Committee simply quizzed the

conservative bishops to see how far they were willing to compromise their beliefs. Those who did not accept women's ordinations were told to join the Roman Catholic Church if they could not accept the majority view. When the Bishop of Fort Worth described a way of accomplishing the intent of the April proposals without canonical amendment, he was told that he was not willing to go far enough. In fact, the Committee Chairman, Robert Rowley, Bishop of Northwestern Pennsylvania, indicated that failure to accept women priests in their dioceses as fully in communion with the bishops was an indication of unwillingness to live up to the Chairman's perceived view of Resolution No. C004sa. Perhaps the statement of Jane Dixon, Suffragan of Washington, on the following day, sums up the attitude expressed, "We will not engage in dialogue with those who do not accept women's ordination."

The second day was a series of presentations by members and supporters of the Episcopal Women's Caucus, aided by leaders of Integrity. The thrust of this "testimony" was to show why ordination of women should be made mandatory in the Episcopal Church. One woman priest from Canada even recommended to the Committee the so-called Canadian plan of requiring acceptance of women priests as a condition to ordination or placement in the Church. While an invitation to testify was sent to the Episcopal Women's Caucus, none was sent to the Episcopal Synod of America. The Synod therefore determined it would obviously serve no purpose to send people to the meeting.

The final day of the meeting was given over to the majority rejecting each and every suggestion of the minority for a way to allow two different recognized theological positions to live together in the Church. The Chairman announced that he would vote only in case of a tie, and the President of the House of Deputies announced that she would refrain from voting. This left a majority of five voting Committee members. The minority first proposed the suggestion of Bishop Iker to adjust the April proposal. This was voted down 5 to 4. An adaptation of the English plan (adopted by the Church of England following authorization of ordination of women to priesthood), and features of the Pennsylvania plan (informally providing for a visiting bishop to "traditionalist" parishes), were likewise voted down by a 5 to 4 vote. The majority then proceeded to vote, still by a 5 to 4 division, in favor of a canonical amendment along the lines of the 1994 Dioceses of Chicago proposal, which would make mandatory the acceptance of women for priesthood in every dioceses in the ordination process, the licensing of women priests and the placing of women priests in congregations. While a Resolution was then adopted which allows persons opposed to women's ordination access to ordination process and placement, the Resolution also required total obedience to the proposed mandatory canons on ordination, licensing, and placement, with the understanding read into the Committee's record that this meant no member of the laity could serve on the Vestry of a congregation, no member of laity or clergy could serve on Standing Committees or Commissions on Ministry, and no bishops could serve in a diocese, unless they would refrain from opposing the ordination or placement of women priests. The Committee also adopted a proposal to ask for a 'mind of the House' straw vote from the Portland meeting of the House

of Bishops that, notwithstanding the permissive nature of the canon as expressed by the House of Bishops in 1977, the House of Bishops feels now that the canon should be mandatory.

Disregarding the clear statement of Resolution C004sa that there are two recognized theological positions in the Church, the Committee has consistently acted on the premise that there is (or certainly should be) only one recognized theological position. Further, although the Committee was to “promote dialogue and understanding” on this matter, absolutely no time was allowed for any meaningful dialogue or even an attempt at understanding.

Rather than any discussion as to how the canon might be implemented (or indeed whether it might already be implemented in some form) in every dioceses, the majority constantly demanded that the minority come up with an acceptable “solution.” Every proposal of the minority was rejected by the majority, and absolutely no proposals were ever made by the majority, other than to demand full acceptance of women priests. Virtually no time was spent at the July meeting in addressing the mandate of General Convention to provide “opportunities for those persons who opposed the ordination of women to have access to the ordination process and to carry out their ministries in every diocese;” Written documentation of current persecution of people opposed to women’s ordination was given to the Committee, but never considered in session. In fact, the majority steadfastly refused to even consider putting some protection against persecution in the canons while they were preparing mandatory canons aimed at forcing this persecuted minority to give in to the majority.

In fine, there was no real dialogue ever allowed or provided for; there was no effort at understanding; there was no willingness to treat the minority as legitimately holding a recognized theological position; while there was an implied, but also voiced, view by the majority that the minority were law breakers, simply refusing to accept the decision of the Church. There was only the oft repeated declaration of the majority that, “the only task of this Committee is to see women priests in every dioceses of the Church, and as soon as possible.”

The recommendation of the Committee is moving toward the “final solution” of compelling conformity to the majority theological position on women’s ordination by all, in spite of the fact that the Resolution specifically declared the mind of General Convention to be that “those who support and those who oppose the ordination of women ...each hold a recognized theological position in this Church.” As the minority were told on more than one occasion, “You may hold your belief, but you may not exercise it.” The majority is adopting the position that there is only one recognized theological position; at the very least, the Committee proposal is aimed at extinguishing one of the two recognized theological positions in the Church. This is neither dialogue, understanding, nor justice. It is the clear impression of the minority that in the process, from the appointment of the Committee members, to the format of procedure unilaterally imposed by the Chairman on Committee Operations, to the obviously slanted “hearings” and final proceedings, there was a foregone determination to

coerce a minority of the Church to either leave the Church, deny their theological convictions, or submit to trial and punishment as law breakers.

In short, the minority has experienced the true meaning of the phrase, “tyranny of the majority” in its service on this Committee.

If there is any interest in actually carrying out the intent of General Convention’s resolve, then the House of Bishops and Executive Council should reject the majority proposal of July 7, 1995, and direct that a new Committee be named, requiring that the Committee engage in meaningful dialogue aimed at real understanding in fairness and charity, and assuming some level of Christian honor in the hearts of those who may disagree on important issues.

Respectfully submitted July, 1995, by the Rt. Rev. William C. Wantland, The Rev. Rebecca Spanos, Mr. David Rawson, and Mrs. David (Rita) Moyer, minority members of the Committee for Dialogue on Canon III.8.1.

Exhibit D

Journal of the 72nd General Convention, Minutes of the 1997 General Convention, Published by the General Convention Office of the Episcopal Church Center, 1997, pp. 108-112.

The question was called to terminate debate on A052a (Amend Canon III.8.1, III. 16 and 17: On Ordination Qualifications).

Motion carried
Debate terminated

Bishop Dixon and others requested roll call votes on all motions on this subject. The Chair so ordered.

Roll Call

51 yes 138 no 11 abstained

See House of Bishops Minutes, Day Four, Appendix F, page 120 for the record of the Roll Call Vote.

Motion defeated
Amendment defeated

Noonday Prayers

Noonday prayers were led by the Chaplain, Fr. Smith.

Debate Resumed

Debate resumed on Resolution A052a.

The question was called to terminate debate on Resolution A052a.

Motion carried
Debate terminated

Roll Call

142 yes 44 no 11 abstained

See House of Bishops Minutes, Day Four, Appendix F, page 120 for the record of the Roll Call Vote.

Motion carried
The House concurred

(Communicated to the House of Deputies in HB Message #89)

Final Text (AO52a)

Resolved, That Canon 111.8.1 be amended by adding the following sentence at the end thereof: No one shall be denied access to the ordination process nor postulancy, candidacy or ordination, in any parish or diocese of this church ~~solely~~ on account of his or her sex; and be it further:

Resolved, That Canon III.16.1(d) be amended by adding the following sentence at the end thereof: The ecclesiastical Authority shall not deny or refuse to accept Letters Dimissory ~~solely~~ on account of the applicant's sex; and be it further

Resolved, That Canon III.16.2 be amended by adding the following sentence at the end thereof:

No member of the clergy shall be denied a license ~~solely~~ on account of his or her sex; and be it further

Resolved, That Canon III.17.3 be amended by adding the following as the penultimate sentence thereof:

Sex ~~alone~~ shall not be a factor in the Ecclesiastical Authority's determination of whether such person is a duly qualified priest.

The Committee on Ministry presented its Report #6 on HD Message #86 on Resolution A053a (Rights of Those Opposing Women's Ordination), moved the resolution, and recommended concurrence.

Bishop MacNaughton moved an amendment as per the minority report.

Proposed Amendment

At the end of the resolution, add:

"It is the mind of this Convention that no presentment for violations of Canons III.8.1, III.16.2 or III.17.3 may be brought against any member of the clergy canonically resident in any diocese which has made provision for the implementation of said canons by an alternative method."

Bishop Matthews moved the previous question

Motion carried
Debate terminated

A vote was taken on the proposed amendment to Resolution A053a.

Motion defeated
Amendment defeated

Bishop Walmsley moved the previous question.

Motion carried
Debate terminated

A vote was taken on concurrence with Resolution A053a .

Motion carried
The House concurred
(Communicated to the House of Deputies in HB Message #90)

Exhibit E

The Official Report of the Lambeth Conference 1998, Section III Resolution, Published by Morehouse Publications, 1999, pp. 394-, 395.

Resolution III.2

The Unity of the Anglican Communion

This Conference, committed to maintaining the overall unity of the Anglican Communion, including the unity of each diocese under the jurisdiction of the diocesan bishop:

(a) believes such unity is essential to the overall effectiveness of the Church's mission to bring the Gospel of Christ to all people;

(b) for the purpose of maintaining this unity, calls upon the provinces of the Communion to uphold the principle of 'Open Reception' as it relates to the ordination of women to the Priesthood as indicate by the Eames Commission noting that "reception is a long and spiritual process" (Grindrod Report) ;

(c) in particular calls upon the provinces of the Communion to affirm that those who dissent from, as well as those who assent to, the ordination of women to the priesthood and episcopate are both loyal Anglicans;

(d) therefore calls upon the provinces of the Communion to make such provision, including appropriate episcopal ministry, as will enable them to live in the highest degree of Communion possible, recognising that there is and should be no compulsion on any bishop in matters concerning ordination or licensing;

(e) also affirms that "although some of the means by which communion is expressed may be strained or broken, there is a need for courtesy, tolerance, mutual respect, and prayer for one another, and we confirm that our desire to know or be with one another, remains binding on us as Christians" (Eames, p.119). .