

The Diocese of Fort Worth

The Report of the Panel of Reference

December 2006

The Panel of Reference

The Panel of Reference was appointed by the Archbishop of Canterbury on 6 May 2005 in response to the concerns expressed by the Primates of the Anglican Communion, meeting at Lambeth Palace in October 2004 and at Dromantine in February 2005.

In the Instrument setting up the Panel, the Archbishop calls upon:

- *“Each Primate or Moderator of the Communion which has ... a scheme of delegation or extended episcopal oversight to lodge with me a copy of such scheme within 14 days of receiving this document and to notify me within 28 days following any change to such scheme;*
- *Each bishop of the Communion to respect fully and in accordance with its spirit any scheme of delegation or extended oversight established in his or her province;*
- *Each parish of the Communion which considers that in all conscience it cannot accept the direct oversight of its bishop to work with him or her in the first instance towards finding some appropriate means for delegated or extended episcopal oversight within the diocese and Province in which the parish is situated;*
- *The Instruments of Unity of the Communion to work tirelessly towards reconciliation and healing “that the world may believe”.*”

The functions of the Panel include:

- *[at the request of the Archbishop of Canterbury] “ to enquire into, consider and report on situations drawn to my attention where there is serious dispute concerning the adequacy of schemes of delegated or extended episcopal oversight or other extraordinary arrangements which may be needed to provide for parishes which find it impossible in all conscience to accept the direct ministry of their own diocesan bishop or for dioceses in dispute with their provincial authorities;*
- *With [his] consent to make recommendations to the Primates, dioceses and provincial and diocesan authorities concerned, and to report to [him] on their response;*
- *At the request of any Primate to provide a facility for mediation and to assist in the implementation of any such scheme in his own province.”*

The Panel first met in London in July 2005.

The Submission

1. The Fort Worth (FWS) submission is by the Bishop and Standing Committee of the Diocese who are in theological dispute with ECUSA concerning the ordination of women to the presbyterate and the episcopate, as well a range of other doctrinal issues including that of human sexuality. The Bishop and the Diocese are committed to "the open process of reception" articulated by the Eames Commission and are concerned that the action of the General Convention of ECUSA in passing Canons which makes women's ordination mandatory makes it impossible for the Diocese at some future date to receive confirmation of the election as their bishop of a man who disapproves of the ordination of women to the presbyterate and/or episcopate.

The Background

2. The problem flows from the canons, passed in 1974, permitting the ordination of women to the priesthood and to the episcopate. They were originally permissive, ie, no bishop was obliged to ordain a woman. The canons were later amended in 1997 by adding the words, "No-one shall be denied access to the ordination process nor postulancy, candidacy or ordination in any parish or diocese of this church on account of his or her sex." This additional wording makes the canon mandatory. The voting in the House of Deputies was by diocese, the voting being as follows:

Lay	69 yes, 43 no and divided
Clerical	70 yes, 43 no and divided
Bishops	142 yes, 55 no and divided

A motion to ensure that each diocese shall develop and implement a process to implement the canons was passed:

Lay	72 yes, 39 no and divided
Clerical	73 yes, 40 no and divided
Bishops	passed by voice

Thus, there were substantial numbers in favour. Currently, 108 out of 111 dioceses have bishops who ordain women.

3. Everyone in ECUSA has been affected by the canons. From an analysis of the voting figures the following are reasonable inferences:
 - (a) In 1997 a majority was in favour of women's ordination but a substantial number were against.
 - (b) There is no reason to suppose that those in favour are all congregated in identifiable parishes or dioceses. There is likely to be a mix of views in all parishes and dioceses.
 - (c) Any solution must therefore recognise that there will be people in favour of women's ordination in the Diocese of Fort Worth. Bishop Iker, the bishop of the

Diocese, in a communication with the Panel, assessed that such people comprise about 25 per cent of the Diocese. Bishop Iker has sought to address the concerns of the minority by instituting the Dallas Plan, whereby candidates for postulancy candidacy and ordination from within his Diocese are referred to the neighbouring Diocese of Dallas (see para 7 below).

4. However, there appears to be an element of ambiguity in relation to the wording of the 1997 amendment. Presiding Bishop Griswold understands that the amendment did not seek to change the then existing state of affairs by making it mandatory for a bishop actually to ordain a woman. Rather, it was simply intended to ensure that women wishing to test their vocation to ordained ministry would not be penalized by virtue of their belonging to a diocese in which the bishop does not ordain women. Accordingly Bishop Griswold believes that the Dallas Plan meets the requirements of the canon. Bishop Iker, on the other hand, is concerned that the amended canon could now be interpreted to mean, not that ‘no one in any parish or diocese shall be denied access to the ordination process nor postulancy, candidacy or ordination on account of his or her sex’ but that no one shall be denied access to these things ‘in any parish or diocese’. Accordingly, Bishop Iker is concerned that under the present canons he may be subject to presentment, trial and deposition for not accepting women priests himself even if he is prepared to arrange for ordination candidates to be handled by the Diocese of Dallas.
5. In addition, Bishop Iker is concerned that, assuming that a majority of the Diocese of Fort Worth continues to be opposed to the ordination of women, it may not be possible for the Diocese to secure the required number of consents to the election of a bishop who is opposed to the ordination of women, and that the Diocese is therefore under threat of not being able to have a future bishop who holds the same theological position as he does.

Attempts at Reconciliation

6. In 1995 a Committee of Dialogue was set up to investigate how to help those who are opposed to the ordination of women. The history of the Committee and its deliberations is set out in Appendix G of the evidence submitted by the Diocese (FWS: page 17). Unfortunately there was no meeting of minds.
7. In 1996 Bishop Iker instituted a Plan (known as the Dallas Plan) under which he reminded clergy and laity of the Diocese that Canon Law already permitted a deacon or priest to function in a diocese for up to two months without a licence from the diocesan which enabled a woman priest to function in Fort Worth Diocese. Secondly, if a parish wished to engage the services of a woman priest as their parish priest he had designated the Bishop of Dallas as the alternative ecclesiastical authority for that parish and would entrust to him all episcopal oversight of the congregation as well as such episcopal ministry as they may require. For all other purposes the Parish would remain as part of the Diocese of Fort Worth. In addition, any woman within the

Diocese who wished her vocation to the priesthood to be tested would be referred to the Bishop of Dallas. (FWS: Exhibit F)

8. Since the implementation of the Dallas Plan there have been no applications for oversight of a parish which wanted a woman parish priest. Some women seeking ordination have sought guidance from the Bishop and it is our understanding that they have been directed to the Bishop of Dallas. As a result some have become ordinands. Thus the Dallas Plan has cared positively for those who do not share the majority diocesan view.
9. Following the retirement in 1999 of the Bishop of Eau Claire, a bishop opposed to the ordination of women to the presbyterate, it was apparently being said that the retiring bishop and other diocesan leaders had the impression that if they again elected anyone opposed to such ordinations, that person would not receive the necessary consents of the other ECUSA bishops and dioceses. Since then the Diocese of Fort Worth has been particularly concerned that, should it in the future elect a bishop opposed to the ordination of women to the presbyterate and the episcopate, the bishop elect would not receive the necessary consents from the other dioceses of ECUSA in order for consecration to take place. (See FWS: page 2) Presiding Bishop Griswold believes that it is altogether possible for a person opposed to the ordination of women to receive a majority of consents if they made it clear that they would make provision for women who might feel called to ordained ministry to test that call by referring the matter to the bishop of another diocese, as Bishop Iker has done with the Dallas Plan. If the bishop-elect were unable to make that assurance, it could indeed be difficult to acquire the desired number of consents.
10. In 2000, General Convention, noting that there were still three dioceses, including the Diocese of Fort Worth, which did not permit the ordination of women to the presbyterate, set up a national Task Force to ensure that the newly revised canons were adequately implemented in those dioceses. Bishop Peter Lee of Virginia, convenor of the Task Force, had talks with Bishop Iker, the Diocesan Standing Committee and other diocesan leaders. Bishop Lee visited on a second occasion in order to speak with clergy and laity in favour of women's ordination. Bishop Iker objected to this visit when he heard of it, but it had already taken place when he was out of the country. Again there was no meeting of minds (See FWS: page 2) It should be noted, however, that the recommendation of Bishop Lee's committee was that no further action be taken and the matter be treated pastorally.

The Application before the Panel

11. Given the understanding of the Eames Commission that the Anglican Communion is in an open period of reception concerning the ordination of women, the Applicants contend that, because General Convention in 1997 made the ordination of women mandatory throughout the Province (where before it had been permissive), it will not be possible for the Diocese to secure the require number of consents to the election of a bishop who does not approve of women's ordination if they are so minded.

12. The Applicants request that, as a diocese committed to the open process of reception as articulated by the Eames Commission, some way should be found for the Diocese to remain a full member of the Anglican Communion.
13. It must be recognised that the Canon Law of a Province binds all members of the Church. In ECUSA this means that bishops, clergy and laity must acknowledge that the ordination of women is a valid exercise although, as Eames states, because the Church is in a period of reception no-one who has conscientious scruples can be required to avail themselves of the ministry of a woman priest or bishop. It must also be noted, that the ECUSA House of Bishops has acknowledged that the non-acceptance of the ordination of women is a recognized theological position to be respected.
14. Any solution should simplify not complicate the situation. Ideally the Diocese of Fort Worth ought to be able to find a place within ECUSA without a sense of isolation or victimization. Through the Dallas Plan it has a mechanism to keep dissenting parishes within the Diocese and to help women who wish to test their vocation to the sacred ministry.
15. One solution would be for General Convention to clarify the wording of the 1997 amended canon so as to make it absolutely clear that it is to be understood in the form which leaves the ordination of women permissive, while ensuring that women postulants and candidates for ordination in a diocese that does not ordain women are not denied access to the process.
16. No diocese should be compelled to elect a bishop who agrees with the ordination of women. It is to be noted that the matter of consent is set out in Article II of the Constitution of the Episcopal Church. No grounds are stated in the Article concerning consent. The church has debated since the beginning what are the standards for giving or withholding consent. The Constitution places no constraints on bishops and Standing Committees which therefore have the freedom to give or withhold their consent on whatever grounds they deem appropriate. Nominees only have to comply with the canons to be eligible for nomination. The election of any diocesan who is opposed to the ordination of women in the future would therefore need the goodwill of the other dioceses not to block that appointment by withholding consent.

Recommendations

17. (a) The Panel of Reference commends to all parties the Dallas Plan which appears to have worked satisfactorily for ten years, and recommends that its procedures continue; that while the Communion is in a process of reception, no diocese or parish should be compelled to accept the ministry of word or sacrament from an ordained woman; and that provision has to be made to meet the conscientious objection to ministry by women. Equally, the proper dignity of women ordained

ought to be respected in the life of the Church as a whole, and provision maintained for those who feel called to follow their vocation. The Archbishop of Canterbury, the Presiding Bishop and the other Primates of the Anglican Communion should publicly commend the adequacy of the Dallas Plan.

- (b) The Panel recommends that it be made clear that it is legitimate for a diocese to ask of candidates for election as bishop that they abide by the particular policy of the diocese in relation to the ministry of women, and that theological views on the ordination or consecration of women should not be a ground on which consent might be withheld by the Province/House of Bishops.
- (c) The Panel recommends that the Archbishop of Canterbury should discuss with the Presiding Bishop the possibility of the clarification of the ambiguous wording of the 1997 amendment to the relevant canon so as to ensure that the permissive nature of the ordination of women is maintained in any diocese. At the same time the apparent intention of the amendment to defend the interests of women candidates for postulancy, candidacy and ordination in a diocese that does not ordain women would be underscored.
- (d) The Panel also recommends that the Archbishop of Canterbury continue discussions with the Diocese of Fort Worth and with the Episcopal Church with the aim of securing the place of Fort Worth in the Communion.