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## **SOUTH CAROLINA: Diocese proposes resolutions to 'protect' itself**

By Mary Frances Schjonberg, September 16, 2010

[Episcopal News Service] Each of six proposed convention [resolutions](#) in the [Episcopal Diocese of South Carolina](#) "represents an essential element of how we protect the diocese from any attempt at un-constitutional intrusions into our corporate life in South Carolina," the diocese says.

An [explanation](#) on the diocese's homepage says all of the resolutions come in response to the General Convention's 2009 passage of [revised Title IV canons on clergy discipline](#) which were [approved](#) (via [Resolution A185](#)). When they were approved, supporters characterized the revised canons as an effort to move away from a court-oriented system towards one based on safety, truth-telling, healing and reconciliation.

The changes are due to go into effect July 1, 2011.

The South Carolina diocese says they "contradict the constitution of the Episcopal Church and make unacceptable changes in our polity, elevating the role of bishops, particularly the Presiding Bishop, and removing the duly elected Standing Committee of a diocese from its current role in most of the disciplinary process." The statement adds that the diocese believes that the revisions remove "much of the due process and legal safeguards for accused clergy" that were provided under the [current version](#).

The diocese's objections are detailed in a [paper](#) written by Alan Runyan and Mark McCall, and posted on the Anglican Communion Institute's website. [Runyan](#) is a South Carolina trial attorney and referred to on both sites as the diocese's legal counsel.

The sometimes multi-faceted resolutions appear to propose four types of changes. One group consists of amendments to the diocesan constitution that would remove the required "unqualified accession" to the Episcopal Church's constitution.

Episcopal dioceses are required by [Article V, Section 1](#) of the church's constitution to agree to an "unqualified accession" to the church's Constitution and Canons.

The proposed Resolution R-6 would remove language in the diocesan constitution that adopts the Episcopal Church's Constitution and Canons. It would add language saying that the diocese will accede only to the constitution, and only if it is not "inconsistent with, or contradictory to" diocesan constitution and canons. It also changes the requirements for new missions and parishes, requiring them to accede only to the Episcopal Church's constitution and not its canons. And, it amends an article of the constitution that would result in a rejection of the revised Title IV.

Such constitutional changes will presumably take two successive meetings of the annual convention to approve. Resolution R-7 proposes for the future to strike the words referring to an annual convention from Article XII of the diocesan constitution, which outlines the process for amending the constitution.

Resolution R-11 removes the accession language from the purpose statement of the diocese's corporate charter.

Proposed Resolution B-9 would similarly amend the canon that outlines the process for amending the diocese's canons by removing the reference to an "annual" convention.

Another group of proposed canonical changes would reject all of the changes in the clergy disciplinary process in Title IV made by the General Convention in 2009. A third group of changes would specify that all diocesan canonical references to the Episcopal Church's canons refer only to the 2006 version. Those proposals show up in more than one of the resolutions.

Finally, Resolution R-10 proposes to delete the diocesan canonical statement that all property is held in trust for the diocese and the Episcopal Church. The resolution's explanation bases the proposal on a September 2009 South Carolina Supreme Court [ruling](#) which allowed the majority of the members of All Saints Pawley's Island who left the Episcopal Church and the diocese in 2003 to retain the parish's property. The court said that the "Dennis Canon" ([Canon 1.7.4](#)) (passed by the General Convention in 1979 to state that a parish holds its property in trust for the diocese and the Episcopal Church) had no "legal effect" on the title to All Saints' property.

The proposed resolutions are the latest in a series of moves the diocese has taken to distance itself from the Episcopal Church. In March, the diocese's 219th convention [passed](#) four resolutions meant to define its identity and authority. Those decisions were made after Diocesan Bishop Mark Lawrence objected to what he [called](#) an "unjust intrusion into the spiritual and jurisdictional affairs of this sovereign diocese of the Episcopal Church."

Lawrence was referring to a series of telephone calls and [letters](#) between diocesan Chancellor Wade Logan III and Thomas Tisdale Jr., a Charleston, South Carolina, attorney and former diocesan chancellor, concerning what Tisdale called "recent and ongoing actions by some congregations in our diocese that threaten to 'withdraw their parishes from the diocese and the Episcopal Church.'"

Tisdale referred to himself in the letters as "South Carolina counsel for the Episcopal Church." Presiding Bishop Katharine Jefferts Schori [told](#) the Executive Council in February that Lawrence was "telling the world that he is offended that I think it's important that people who want to stay Episcopalians there have some representation on behalf of the larger church."

Lawrence told that March meeting of the convention that he and Jefferts Schori "stand looking at one another across a wide, deep and seemingly unbridgeable theological and canonical chasm."

The diocesan convention recessed after March actions and is scheduled to reconvene on Oct. 15 at [St. Paul's Church](#) in Summerville to consider the six new resolutions.

The October meeting will come nearly a year after the diocese [authorized](#) Lawrence and the Standing Committee to begin withdrawing from church-wide bodies that assent to "actions deemed contrary to Holy Scripture, the doctrine, discipline and worship of Christ as this church has received them, the resolutions of the Lambeth Conference which have expressed the mind of the Communion, the Book of Common Prayer and our Constitution and Canons, until such bodies show a willingness to repent of such actions."

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