WOMEN & CATHOLICISM

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GENDER, COMMUNION, AND AUTHORITY

Phyllis Zagano

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CONTENTS

Acknowledgments	vii
Introduction	xi
I Juridical Authority: Bishop Bruskewitz, the Bishops' Conference, and Call to Action	1
Communion and Authority	2
Who is Fabian Bruskewitz?	4
The US Conference of Catholic Bishops	5
The USCCB and the Sex Abuse Scandal	10
Bishop Bruskewitz and Call to Action	14
Call to Action and Call to Action—Nebraska	25
Call to Action	26
Communion and Authority in Lincoln, Nebraska	37
Conclusions	40
II Sacramental Authority: Archbishop Milingo, the Vatican, and Married Priests Now!	45
Who is Emanuel Milingo?	47
Lusaka	48
Rome	55
Marriage, Moon, and Married Priests Now!	58
Married Priests, Faith Healing—Africa, Rome, and Around the World	68
The Excommunications of Archbishop Millingo	69
Questions of Communion and Authority	73
Personal Prelatures and Future Possibilities	78
The Underground Church in Czechoslovakia	80
Some Conclusions	81

Interlude: Ordained Women in the Underground Church	85
III Juridical Authority, Sacramental Authority, and Women's Ordination	89
Infallibility	92
Roman Catholic Womenpriests	98
The Sacrament of Order: History and Theology	104
Anglican Women Priests and the Validity of Anglican Orders	110
Ordained Women Deacons	117
Conclusions Regarding the Diaconate	122
Ordination, Excommunication, and Roman Catholic Women	131
Notes	137
Index	197

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On to the next event!

INTRODUCTION

The Catholic Church is in trouble. Depending on which side of the altar rail you sit, women are either part of the problem or part of the solution. That's too broad a brush stroke, but it often seems that way.

Hyperbole aside, most levels of church membership see different facets of the global meltdown of internal communion and external authority as rooted in questions of gender. Questions of where and how women may participate in church liturgy, structure, and ritual circle the globe. Can women be ordained? Can women participate in governance? Can women have authority? Tellingly, the question, "Can priests be married?" circles back to both cause and effect of some of the scandals.

This book investigates three distinct yet interrelated situations in the Catholic Church, each of which has further theological and ecclesiological implications. Each of the three situations—one might call them case studies—is reflective of the problems in various parts of the global church and presents questions and some answers to be shared.

In the Catholic Church, communion and authority formally understood are by definition and by law inextricably bound, each reflecting on the other in support of official, or "magisterial," teaching. Each alone and both together form the frame of analysis for these three Catholic "cases," one each focused on questions of juridical authority and communion, of sacramental authority and communion, and the breaking away from both the juridical and sacramental in the matter of women's ordination. Each, in turn, presents distinct situations with larger implications and reflects on the other, presenting similar theological, canonical, sociological, historical, and practical questions.

The three representative cases from around the globe are viewed through an admittedly American lens. The stories move from the United States, to Zambia and South Korea, to Central and Western Europe, and back to North America. The thread of women in the church weaves through the tapestry of stories, as questions regarding

women either surface or are self-evident in each of the cases. Each sheds light on the Catholic Church's perceived need for hierarchically imposed laws and sanctions designed to keep women at a distance from the holy, whether as liturgical ministers, as wives of priests, or as priests themselves.

JURIDICAL AUTHORITY AND COMMUNION

The Catholic Diocese of Lincoln, Nebraska, is inarguably the most conservative, tightly controlled diocese in the United States. In 1996, Lincoln Bishop Fabian W. Bruskewitz decreed automatic excommunication for members of any of 12 organizations: 10 non-Catholic and 2—Call to Action—Nebraska and the National Call to Action—for all intents and purposes “Catholic.” While each group, Catholic or not, attacks, skirts, or departs from Catholic teachings, there seems an underlying animus on the part of the bishop and his clerical lieutenants toward anyone who questions authority, and, especially, toward women. Such may account for the depth of anger with which Bruskewitz wielded his authority, even denying communion to some members of his flock. While Bishop Bruskewitz appears to have had the tacit approval of Rome, some of his methods may be extracanonial, that is, beyond the boundaries of the Code of Canon Law.

Simultaneously, Bishop Bruskewitz steadfastly refused to cooperate with the US Conference of Catholic Bishops (USCCB), which (with Rome's approval) established a reporting system to gauge and address the still-smoldering crisis of priestly sexual abuse of minors. In each prong of the Lincoln situation, the bishop claimed his direct authority in communion with the See of Peter and the requirement that he need only respond to the bidding of Rome independent of what the US Conference of Catholic Bishops does or says.

So long as he complies with canon law, the diocesan bishop is the end of juridical authority within his diocese. His preferences and predilections set the tone of the diocese, of diocesan structure, and of diocesan practice. If he does not want women to serve in legitimate liturgical roles, he can ban them. If he does not want married men ordained to the diaconate, he can refuse them.

The question, however, becomes this: at what point does a bishop's insistence on policy cause a break with the people of his diocese and with the rest of the bishops of his territory? Is he “in communion” with the church, or has he removed himself from it? Clearly, he can legally—as far as canon law is concerned—do pretty much whatever

he wishes. But sometimes canonical rights collide with common sense and with the needs and desires of the church at large.

SACRAMENTAL AUTHORITY AND COMMUNION

In 1983, Archbishop Emmanuel Milingo was forced to retire as archbishop of Lukasa in Zambia. As archbishop, Milingo was juridically in control of Lukasa. The Zambian people he served sought his faith healing more than his leadership, and when that ministry incorporated African practices, his largely white European clergy effectively rebelled. Did he actually move beyond what the Vatican considered “Catholic”? Was his involvement in faith healing too “African” and not close enough to European Catholicism? Or was he denied his diocese because he sought to serve (and speak out on behalf of) the poor? The question is moot, as Milingo was given one option: retire to Rome, where he lived for several years.

Milingo did travel back to Africa during his forced retirement to Rome, always under the watchful eye of a priest from the Vatican’s Congregation for the Doctrine of the Faith. Then, in 2001 he surfaced in New York, at a group marriage blessing ceremony presided over by Rev. Sun Myung Moon, leader of the Unification Church (now the Universal Peace Federation).¹ After his marriage to a Korean acupuncturist, Milingo created a movement entitled “Married Priests Now!” and ordained four married men as bishops and two married men as priests in the United States. Now both excommunicated and laicized, for a time Milingo, as a validly consecrated bishop, performed arguably valid sacraments. But he has no jurisdiction—no legal authority rooted in territorial authority over a diocese—and so performs sacraments and acts outside any level of church jurisdiction or approval.

Since Milingo’s break with Rome, his various organizations have claimed worldwide membership of thousands of resigned, married priests who wish to (and in some cases do) minister publicly. In the United States, his support grew but waned as his connection to Moon became more apparent. Yet, despite his Moon funding, Milingo’s worldwide efforts on behalf of a wider married priesthood have touched several continents and continue, now apparently from both Africa and South Korea.

Milingo is definite in his argument for a married clergy—he refuses to ordain celibates in his new church—and he blames celibacy for every clerical problem imaginable, always circling back to homosexuality and pederasty. His argument (if not his reasoning) for married

priests resonates with longstanding Catholic tradition and teaching about married clergy. Today, as throughout history, Eastern Catholic Churches routinely ordain married men as priests. The Western, or Roman Catholic Church by exception allows ordination of married men—usually former Anglican or Protestant clergy—as priests, and married men as deacons. Neither East nor West has allowed married bishops in modern times except in the most limited circumstances.

While the Vatican's 2005 Synod of Bishops on the Eucharist considered and discussed the married priests in the Western or Latin Church (the Roman Catholic Church), celibacy as the norm was reaffirmed by Pope Benedict XVI in *Sacramentum Caritatis*, his January 2007 synod report.² More recent calls, both from bishops and from the faithful, have raised awareness but resulted in nothing. The message is clear: men who touch the sacred should not touch women.

JURIDICAL AUTHORITY, SACRAMENTAL AUTHORITY, AND WOMEN'S ORDINATION

In 2002, members of the Roman Catholic Womenpriests movement were ordained as priests on a Danube River tour boat by an Argentine Catholic priest, Romulo Antonio Braschi, who had been twice ordained bishop by men claiming legitimate and valid provenance of episcopal orders. Later, two members of the movement were ordained as bishops in Europe, possibly by a valid Catholic bishop. They have subsequently held ordination ceremonies in various North American locations.

While the first women ordained were formally excommunicated by the Vatican, little action against the others was taken against women ordained subsequently, with the notable exception of Archbishop (now Cardinal) Raymond L. Burke's excommunication of Roman Catholic Womenpriests bishop Patricia Fresen and two women she ordained in St. Louis in 2007.³ Later, the Congregation for the Doctrine of the Faith issued a declaration that anyone who participates in ordination ceremonies for women—both those ordained and those who ordain—are automatically excommunicated. More recently, the Congregation's decree has been entered into canon law.

Positions on both sides have hardened. While the Vatican continues to rail against women's ordination, the Roman Catholic Womenpriests movement boasts a large formation program, and its ordinations continue.

The juridical and sacramental questions surrounding the Roman Catholic Womenpriests phenomenon point to other, perhaps less

complex situations. What about priests and deacons in other groups displaying various combinations and permutations of Vatican-recognized communion and authority? What about the breakaway Society of Saint Pius X, founded in 1970 by Archbishop Marcel-François Lefebvre? What about the Czech underground church, headed by Bishop Felix Maria Davídek? How about the Vatican's new outreach to priests and bishops of the Anglican Communion? And what about women ordained as deacons in churches fully recognized by Rome as having valid sacraments?

The three topics interwoven here attempt to answer some of these questions and ask others. Juridical authority means the bishop can essentially do as he wishes and substantiates the liceity (lawfulness) of his actions. Sacramental authority means a validly ordained bishop can perform valid sacraments, even without juridical authority. If validity does not depend on liceity, what is the status of the ordained women of the various churches and communions under investigation here? Are they "ordained"? They certainly are, in the eyes of their individual communions and churches. But what ordinations would (or could) Rome recognize? And will it?

Each of these three cases calls into question the relationship of the local church and the diocesan bishop with Rome. Together, the three cases ask fundamental ecclesial questions about juridical authority, sacramental authority, and church: what does it mean to be in communion with the "Chair of Peter"? What comprises church?