

CONSTITUTION
and
CODEX OF CANON LAW

TOGETHER WITH A SERIES OF APPENDICES

**THE NORTH AMERICAN
OLD ROMAN CATHOLIC CHURCH**

compiled, edited and arranged by

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The North American Old Roman Catholic Church

Boston, Massachusetts

Dedicated to the Great Patron Saint of the Old Roman Catholic Church

SAINT AUGUSTINE OF HIPPO

DOCTOR OF THE CHURCH

“In essentias, unitas; In dubiis, libertas; In omnibus, caritas.”

PRAYER FOR THE OLD ROMAN CATHOLIC CHURCH

O ALMIGHTY and everlasting God, whose only-begotten Son, Jesus Christ the Good Shepherd, has said, “Other sheep I have that are not of this fold; them also I must bring, and they shall hear my voice, and there shall be one fold and one Shepherd”; let thy rich and abundant blessing rest upon The Old Roman Catholic Church, to the end that it may serve thy purpose by gathering in the lost and straying sheep. Enlighten, sanctify, and quicken it by the indwelling of the Holy Ghost, that suspicions and prejudices may be disarmed, and the other sheep being brought to hear and know the voice of their true Shepherd thereby, all may be brought into full and perfect unity in the one fold of thy Holy Catholic Church, under the wise and loving keeping of thy Vicar, through the same Jesus Christ, thy Son, who with thee and the Holy Ghost, liveth and reigneth, God, world without end. Amen.

✠ *Archbishop Arnold Harris Mathew*

THE SHIP OF OUR CATHOLIC FAITH

THIS ship symbolizes the Catholic Church of Christ. Its keel represents our true Faith in the Holy Trinity... its beams and planks are the Dogmas and Traditions of the Faith. Its mast represents the Cross; its sail represents Hope and its rigging represents Love. The Captain and Master of the vessel is our Lord Jesus Christ, whose hand is on the helm. The crew and sailors are the Apostles and the successors of the Apostles, and all clergymen. The passengers comprise all faithful Christians. The sea symbolizes our present life. A gentle and zephyr-like breeze signifies whiffs and graces of the Holy Ghost sending the vessel on its course. Winds, on the other hand, are the temptations buffeting it. Its rudder, whereby it is steered straightforwardly and safely into the heavenly harbor is the present book... the Codex of Canon Law... the Sacred Canons.

NOTE that St. John Chrysostom also likens the Church to a ship (see vol. vi, p. 426, line 10, and vol. vii, p. 502, line 20, of the Etonian edition).

TABLE OF CONTENTS

Dedication	iii
Letter from the Primate	vii
Acknowledgements	ix
Praenotanda	xi
Statement of Belief	I
Statement of Principles	4I
THE CONSTITUTION	43
THE CODEX OF CANONS	9I
Appendix 1 – Canonical Standing of Religious	205
Appendix 2 – Special Privileges of Regulars	22I
Appendix 3 – Pastors	225
Appendix 4 – Reasons for Divorce and Annulment	237
Appendix 5 – The Military Vicariate	
Appendix 6 – The Commission on Ministry	
Appendix 7 – Saint Francis Theological Seminary	
Appendix 8 – The Commonitorium of St Vincent, A.D. 434	
Appendix 9 – Provincial Synod of Utrecht, A.D. 1763	
Appendix 10 – Formulary of Utrecht, A.D. 1823	
Appendix 11 – Various Roman Pronouncements	
Appendix 12 – Rules of Order for the General Synod	
Appendix 13 – Rules of Order – College of Bishops	
Appendix 14 – Clergy Code of Professional Conduct	
Appendix 15 – Code of Pastoral Conduct	
Appendix 16 – Policy Manual on Sexual Misconduct	
Appendix 17 – Glossary of Canon Law Terms	

TABLE OF CONTENTS

Appendix 18 – Comparative Tables of the Canons	
Historical Documents	
Bibliography	

LETTER FROM THE PRIMATE

ARCHBISHOP EDWARD J. FORD, T.O.R, S.T.D.

Primate

The North American Old Roman Catholic Church

To the Reader,

Greetings in the Lord: The North American Old Roman Catholic Church traces its origin back to the time of Our Lord and the first Twelve Apostles in Jerusalem, from thence through the Roman Catholic Church and the Church of Utrecht, ultimately arriving on the shores of the United States in the early years of the twentieth century.

It was originally organized in 1912 as the National Catholic Church in North America and was re-organized in 1917 as The North American Old Roman Catholic Diocese and later amended to The North American Old Roman Catholic Church. Thus for nearly ninety-eight years we have been here in America, and have spread the message and work of the Old Roman Catholic Communion throughout the world. No church could withstand the trials and tribulations which we have faced through all those years, if our work was not of God.

For centuries the imagery of a ship has been used to describe the Catholic Church, and rightly so. If we look at a ship we can see that image so clearly. The Greek Orthodox Church in fact places that image in the front of their Book of Canons. The keel of the ship represents our Faith in the Holy Trinity, the beams and planks are the dogmas and traditions which make up the church. The mast forms a Cross, and its sail and rigging represent Hope and Love. Christ is the Captain of the ship and has His hand upon the helm, while the sailors and crew represent the Apostles, their successors and the clergy. The passengers of the ship represent all of the Faithful. The sea on which the ship sails is the sea of life and the soft breeze that fills the sails and propels the ship are the graces of the Holy Ghost, while the fierce winds that often buffet the boat on its journey are the many temptations that beset us in life. The rudder which safely guides the ship into the Heavenly Harbor is the Code of Canon Law by which the Church is governed.

LETTER FROM THE PRIMATE

Since the very year that our church took root in North America, we have built our foundation upon the Faith of the Fathers of the Church and governed ourselves primarily according to the Canons of the See of Rome from whom we stem. When Rome codified the ancient Canons into a great Code in 1917, we in turn looked to that Code as our principle source of canonical authority for governance within the North American Old Roman Catholic Church. In fact on October 28, 1929 Archbishop Carfora made that point very clear when he included the following as Article XI of our original Constitution: “The Canon Laws of the Roman Catholic Church shall govern this Church insofar as it does not conflict with this Constitution and By-Laws.”

Since that time we have faithfully adhered to the 1917 Code of Canon Law as our foundation and bedrock, while having adopted a Constitution and supplementary Canons for use within the Church. Today we still adhere to the 1917 Code of Canon Law, as it embodies all of the Canons that were in effect prior to, and which have remained pertinent to, our jurisdiction since the time of our separation from the See of Rome in 1723.

This Constitution and Codex of Canon Law is presented here in keeping with the traditions of our Church. Article 2 in Title IV and again in Title V reiterates our continued adherence to the 1917 Code. This Constitution has been written to bring our foundational documents up to date since the days of our first Constitution, and the Canons here presented in the greater part are the Canons approved by Archbishop Carfora in 1951 with revisions, amendments and new Canons established since that time.

It is my fervent hope and prayer that you will find this Constitution and Codex of Canon Law as helpful and beneficial as our early clergy and laity found the original Constitution, By-Laws and Canons approved by Archbishop Carfora. May God bless all of you and preserve The North American Old Roman Catholic Church throughout the coming years.

In Nomine Christi,

Archbishop Edward J. Ford, T.O.R., S.T.D.

ACKNOWLEDGMENTS

THE work of writing and compiling a new Constitution for the North American Old Roman Catholic Church to supersede the original, has been a work of love, but also has proven to be a daunting task.

The Catholic Church has traditionally not known a written Constitution but has always considered the Holy Gospels to be her founding document. In truth, this is of course completely accurate, but does not fulfill the need for a written document with the principles of our Faith placed in a logical and cogent sequence. Such a document must needs first remain true to the principles of the Catholic Faith and then delineate the appropriate structures that will guarantee that the ministry of propagating our Faith is both effective and efficient.

Notwithstanding, it has been the case that the most effective written statements of this nature have been found in church bodies which have in one way or another departed from the organizational pale of the Catholic Church, and have found it necessary to produce a Constitution to preserve their Catholic identity and to outline their organizational pattern. Thus in preparing this Constitution I have relied heavily upon such documents, all the while conscious of the need to preserve the integrity of our Old Roman Catholic identity and heritage.

In my attempt to state and preserve that Old Roman Catholic identity and heritage in the clearest and most forceful manner and to avoid even the slightest hint of diminution in that respect, I have started with a heavy reliance upon Roman Catholic and Old Roman Catholic sources, and then upon the various Old Catholic and Polish National Catholic documents. Finally I have also relied heavily upon the documents produced by two of the “continuing” Anglican Church bodies whose Holy Orders are shared with us via the Utrecht succession, and who have themselves striven very hard to preserve and maintain the Catholic Faith within their jurisdictions. As the Anglican Communion has a long history of written legislation in an independent Catholic tradition, it is but natural to look to them as a guide to organizing, delineating and preparing such legislation for our own jurisdiction. I have borrowed freely and liberally from all of these sources and have incorporated entire sections from them in this document where the articles were an exact or near exact expression of our own Catholic Faith and practice.

ACKNOWLEDGMENTS

I hereby wish to acknowledge the valuable and essential aid I have received thusly, from the following sources: The Constitution for the Roman Catholic Diocese of Charleston, SC written by Bishop John England in 1822 and which received the approbation of the Holy See; the various collections of Constitutions and Canons from different Old Roman Catholic jurisdictions; the Code of Canon Law of the Roman Catholic Church; the Baltimore Catechism authorized by the Third Plenary Council of Baltimore in 1884; and the Constitution and Canons of the Anglican Catholic Church 2005.

This listing is but a partial summary of the sources utilized in compiling this Constitution and Codex of Canon Law. I have provided a Bibliography at the end and have attempted to acknowledge all of the sources which have contributed to this work of love and ministry to Almighty God and his Church, our beloved North American Old Roman Catholic Church.

“May God bless and prosper the work of our hand.”

Archbishop Edward J. Ford, T.O.R., S.T.D.

PRÆNOTANDA

THE North American Old Roman Catholic Church, considering herself to be a true and integral portion of the Roman Catholic expression of the One, Holy, Catholic, and Apostolic Church has valiantly, in the face of much opposition and many ecclesiastical machinations, preserved her Roman Catholic identity and canonical, historical and liturgical heritage throughout the nearly one hundred years of her life here in North America and elsewhere throughout the world where she has been established. She has done this by faithfully adhering to the Tridentine liturgical tradition of Sacramental Worship; the Doctrinal and Dogmatic teachings of the Roman Catholic Church at the time of her separation from Rome without any addition or diminution; and also to the Canon Law tradition of the Roman Catholic Church as preserved in the Pio-Benedictine Code of 1917-18. This last element of her Roman Catholic tradition is of particular interest to us in this work.

Since the earliest days of the organization of the Old Roman Catholic Communion, going back to the ancient Church of Utrecht, then to Great Britain and subsequently to North America, the Old Roman Catholic Church has always been governed by the Canon Law tradition of the Roman Catholic Church. Prior to the promulgation of the Code of 1917-18 both Rome and Utrecht were governed by the ancient *Corpus Juris Canonici*, a large and unwieldy collection of canonical legislation and decrees. Both jurisdictions considered this *Corpus* to be the binding laws or Canons of the Catholic Church. Due to its unwieldy nature and its often contradictory decrees (no Canons were ever deleted, but were often simply abrogated or obrogated), the entire Canon Law system presented a chaotic tangle of canons, canonical decisions, legislative concordats, Papal decrees, decrees and decisions by the various Councils, and of the many tribunals and Congregations in Rome. To illustrate this more clearly let me quote from An Introduction to Canon Law by Father James A Coriden, JCD who is a Roman Catholic priest of the Diocese of Gary, Indiana and a professor of Canon Law at the Washington Theological Union in Washington, DC when he speaks of the time of the *Corpus Juris Canonici* and the time just prior to the Pio-Benedictine Code of 1917-18:

“Bishops and canonists for decades had sought a new collection of canons. The last official collection was that of John XXII in 1317. Little was added when the *Corpus*

PRÆNOTANDA

Juris Canonici was put together in 1500 and again in 1582. The *Liber Septimus*, attempted after the Council of Trent, was never issued. The sheer number of extant laws was vast; they had grown like mushrooms in the ensuing centuries. They were not systematically arranged, some had been abrogated or fallen into desuetude, many were written in a diffuse and obscure prose. The canons had grown into a large thicket in which living and dead branches intertwined, making passage exceedingly difficult even for the skilled canonist. In preparation for the First Vatican Council a group of French bishops had written to Rome: ‘We are drowning in laws.’

In March, 1904, Pius X set in motion the ‘truly difficult task’ (*arduuum sane munus*) of ‘collecting the laws of the universal church, in a clear and concise order, and adapting them to the conditions of our time.’”

This is the reason why the Pio-Benedictine Code of 1917-18 was so necessary and why to this day, we in the Old Roman Catholic Church revere it and adhere to it. It was the codification of all of our own existing legislation during the period of our unity with Rome and during our initial separation from her. It was our canonical heritage just as much as it was that of Rome herself.

With the organization of our Church here in North America, it was necessary to produce and promulgate a legal instrument or document that would outline our canonical status while not in any way deviating from our Roman Catholic roots or heritage. Archbishop Carfora did this officially on October 28, 1929 with the promulgation of the General Constitution and By-Laws of the North American Old Roman Catholic Church.

The North American Old Roman Catholic Church has throughout the years produced various supplemental canons and has often in past years treated these supplementary canons as if they were of principal force and not as supplementary to the Pio-Benedictine Code of 1917-18.

The original General Constitution and By-Laws of the North American Old Roman Catholic Church was published by the late Archbishop Carmel Henry Carfora on October 28, 1929 and it took canonical effect at once that same day. Together with that constitution, Archbishop Carfora issued a Constitution and Regulations for the Parishes of the North American Old Roman Catholic Church, which was appended to the constitution of the Church.

The General Constitution clearly enunciated and confirmed a principle of canonical fact to which we have adhered right through the present day and will

PRÆNOTANDA

continue do so well on into the future...that the North American Old Roman Catholic Church considers herself to be in fact, an integral and legitimate expression of the Roman Catholic Church, maintaining the doctrine, liturgy, canons and theological positions of that church as of the time of our forced separation from the Holy See in 1723, without any additions or diminutions to the Faith. For this reason, Archbishop Carfora did not at the time feel the need to compile a Code of Canons either principal or supplementary for use in the North American Old Roman Catholic Church. It was both understood and clearly stated in Article XI of the General Constitution:

“The Canon laws of the Roman Catholic Church shall govern this Church insofar as it does not conflict with this Constitution and By-Laws.”

Thus Archbishop Carfora understood that both by historic descent from Rome and by self identification as Old Roman Catholics, the North American Old Roman Catholic Church had a legitimate and canonical claim on the Pio Benedictine Code of Canon Law of 1917-18. While the Code was the original work of the See of Rome, in reality it merely simplified and codified the Canons that had for hundreds of years regulated the life of the Old Roman Catholic Communion via the Church of Utrecht, and which were in effect at the time of the separation of those two Sees in 1723. Thus that Code represented an integral part of our own canonical and ecclesiastical heritage. It would serve as a bulwark to preserve our claim and identification as Old Roman Catholics. For this same reason, the North American Old Roman Catholic Church today retains the Pio-Benedictine Code as the original source of the Canon Law tradition of our jurisdiction and considers it to be of force within our Church.

The North American Old Roman Catholic Church for thirty-eight years, over a quarter of a century, was in actuality governed by the decisions of the Primate of the Church, Archbishop Carfora; and the Pio-Benedictine Code of Canon Law served as his canon law source/reference for any jurisdictional legislation. In 1950 at the General Synod which convened in Hamilton, Ontario, Canada, a formal Code of Canon Law for our Church was promulgated by Archbishop Carfora. It has sometimes been referred to as the “Carfora Code”. While this Code of Canon Law was formally promulgated and became the effective governing legislation of the Church, it was unfortunately not always respected, implemented or complied with. Archbishop Carfora for the following few years of his life, still governed the North American Old Roman Catholic Church as he had for the preceding

PRÆNOTANDA

thirty-eight years, by Primatial Decree. The first real opportunity for the Code to be enforced was upon the death of Archbishop Carfora in 1958.

As a result of several unfortunate situations and the rash and heedless decisions of a man who was quite ill and facing death, the proper succession to the Primatial Chair was placed in uncertain status. The reason for this uncertainty was quite simple. Prior to the Synod of 1950 and the promulgation of the Code of Canon Law, the Primate's Decree had the force of law in our Church and was not questioned. Any appointments he made were considered final. A few extracts and citations from the General Constitution of 1929 may illustrate why this was so:

Article III: "...said members [Supreme Episcopal Council] to hold office for life or at the pleasure of the Supreme Primate..."

Article III: "...however, that the Supreme Primate can veto any actions of the Supreme Episcopal Council, in which case no appeal therefrom can be taken."

Article VI: "...Their [the College of Bishops] general authority in all matters may be enlarged or diminished at the pleasure of the Primate."

Article VII: "...All laws enacted by the Synod must be approved by the College of Bishops and finally by the Supreme Primate in order to become effective."

Article XIII: "...He [Supreme Primate] shall have full and exclusive jurisdiction over the entire Church in all matters Ecclesiastical, Civil and Temporal."

Article XIII: "He [Supreme Primate] may by special decree enlarge his own powers from time to time..."

Thus it can easily be demonstrated how deference to the will, the decrees and the pleasure of the Primate became the general operating method of governance within the North American Old Roman Catholic Church. All ecclesiastical appointments were considered as final once the Primate made them. This was the prevailing governance of the Church from 1912 until officially 1950 when a Code of Canon Law was promulgated by Archbishop Carfora, but in reality it continued until his death in 1958.

Canonically, the previous method of church administration (deference to the will and pleasure of the Primate) ceased in 1950 with the promulgation of the

PRÆNOTANDA

“Carfora Code”. However, Archbishop Carfora was wont in most instances to dismiss the terms of the Code and continued to govern the Church as he had for all of the preceding years; and thus when, in 1953, he appointed Archbishop Hubert Augustus Rogers initially as his Co-adjutor, there was no question raised regarding his right to do so. Even though Archbishop Rogers insisted that the appointment not imply or carry with it the immediate succession to the Office of Primate, Archbishop Carfora decreed otherwise. Technically the said appointment by Archbishop Carfora, attaching the right of succession, was uncanonical since there was now a Code of Canon Law, duly approved and promulgated by him, which clearly enunciated the method and terms of such an appointment and the procedure for the election of a Primate when the See was vacant. In point of fact however, out of a sense of filial love and respect for their Primate, no one challenged the said appointment. All of the clergy had in reality supported the selection of Archbishop Rogers for this singular honor and responsibility.

Late in the year of 1957, just a matter of a few months before his death, after a protracted and heated disagreement concerning policies of Church governance between Archbishop Carfora (Primalial Decree) and his Co-adjutor, Archbishop Rogers (Code of Canon Law), Archbishop Carfora chose to replace Archbishop Rogers as Co-adjutor with a Bishop of somewhat questionable integrity, Bishop Cyrus A Starkey. Bishop Starkey had previously sought and received episcopal consecration “*sub rosa*” outside of the jurisdiction of the North American Old Roman Catholic Church in 1944. Thus the stage was set for a canonical conflict and showdown over the governance of the North American Old Roman Catholic Church... would it continue to be governed by Primalial Decree and pleasure, or by the rule of law as promulgated in the 1950 Code of Canon Law.

The conflict came quite soon thereafter. On January 11, 1958 after nearly five years of repeated serious, pernicious and lethal illnesses, Archbishop Carmel Henry Carfora passed into the arms of the Lord he had so faithfully served throughout the many years of his priesthood and Episcopacy and for the last forty-six years as the Primate of the North American Old Roman Catholic Church. Immediately, the crisis of Primalial Succession and the role of the promulgated 1950 Code of Canon Law took center stage.

For several months Bishop Cyrus Starkey held the reigns of authority (but not as Primate... he was never confirmed in office or enthroned; nor was the Primalial title ever bestowed upon him or used to designate him) based upon the appointment of the late Primate, but only because the Synod had resolved to be governed

PRÆNOTANDA

by the Code of Canon Law and needed to wait several months for the convening of the General Synod in May to set things right once again. That Synod when it convened in canonical session, confirmed two very important principles and decisions that have served to preserve intact the integrity of our jurisdiction. The first was the triumph of the rule of law... The General Synod asserted and confirmed its rights and canonical authority according to the promulgated 1950 Code of Canon Law. The second was the definitive clarification of the Primatial Succession to Archbishop Carfora... the General Synod asserted and exercised its right to elect the Primate of the Church (Archbishop Hubert Augustus Rogers) according to the Canons and not by virtue of an uncanonical decree by a deceased prelate, regardless of the love, devotion and respect they still held for him.

In 1961, after having accepted for at least two years the canonical decisions of the General Synod and the election of Archbishop Hubert Augustus Rogers as his Primate, Bishop Starkey seceded from the Church and established a schismatic jurisdiction using the same title for his “church”, basing his “authority” to do so, and attempting to justify his actions, on his own uncanonical appointment as Co-adjutor *cum jure successionis* by the late Archbishop Carfora.

It is for these two reasons, confirmed and demonstrated by the canonical actions of the 1958 General Synod, that we in the North American Old Roman Catholic Church of today, have been recognized by most serious and scholarly observers and commentators, even those who have been detractors of the independent Catholic movement as a whole, as the legitimate canonical successors of the historic primacy of the North American Old Roman Catholic Church, against the claims of others to the Primatial Chair of Archbishop Carfora.

These two positive developments within the North American Old Roman Catholic Church were not necessarily welcomed by all members of the Church, nor did they come without some negative consequences. While the Church as a whole had supported the late Archbishop Carfora in his appointment of Archbishop Rogers as his Co-adjutor, and even though the General Synod had elected Archbishop Rogers as Primate and set aside Bishop Starkey’s uncanonical appointment and claim to be the legitimate successor to Archbishop Carfora, there was a faction within the Church that did not approve of these actions. One segment preferred the practice of “rule by Primatial Decree” as it would confer almost limitless power on whoever would be elected to the Primatial Throne. A second segment was unfortunately based upon racial discrimination. They were unhappy with the election of a black man to the Primacy of the Church (this was during

PRÆNOTANDA

the very racial days of the 1950's and 60's). American blacks rejected Archbishop Rogers since he was of West Indian descent and was too "foreign" for their liking, and a number of white clergy and parishes resented the election of any black man to that office. This led to the eventual splintering of the jurisdiction into several schismatic bodies, which in turn have continued to splinter into many more such bodies continuing on down to this present day.

Amazingly however, when each of these schismatic bodies left the unity of the North American Old Roman Catholic Church, and set up their own ecclesiastical organizations, they took with them the 1950 Code of Canon Law... the "Carfora Code". While they had been unwilling to live by this Code within the North American Old Roman Catholic Church, they felt a need to retain it, either in its entirety or at least major portions of it, and to establish it as their own Code of Canon Law. It seemed to provide them with a deceptive sense of legitimacy in their attempt to (1) justify their schismatic actions and (2) defend their uncanonical claim to be the true legitimate successor to the late Archbishop Carfora. The "Carfora Code" provided them with at least some sense of having a touchstone to the historical legacy of Archbishop Carfora even if they rejected the Church he led for forty-six years. Today many if not most of the many and various splinter bodies that are descended from the North American Old Roman Catholic Church retain some or all of the "Carfora Code" as their Canon Law.

In the course of nearly the sixty years since the "Carfora Code" was first promulgated and due to the fact that circumstances have drastically changed both within and without the Church in that same time, many provisions of the "Carfora Code" have required amendment. Many other things have had to be incorporated into it, and several things needed to be excised from it. The North American Old Roman Catholic Church itself, unfortunately, like the various schismatic bodies that separated themselves from her, did not at all times value as it should, the legacy and importance of the "Carfora Code". Over the course of years, as clergy who had no first hand knowledge or experience of the years of Archbishop Carfora's administration came to prominence within the Church, they felt compelled and free to alter and to discard any provisions of the "Carfora Code" with which they disagreed or that they did not understand. Some of this was due to the unfortunate fact that many of those same clergy did not have a proper education in or an understanding of Canon Law or of our own jurisdictional Church History. This lack of knowledge and appreciation for the study of Canon Law was unfortunately not limited to our own jurisdiction alone. Again I quote Fa-

PRÆNOTANDA

ther Coriden in his book *An Introduction to Canon Law* when he writes of the experiences within the Roman Catholic Church itself:

“Canon law had become formalistic and repetitive. Its study in seminaries and religious houses of studies was shallow and ahistorical. In important areas (e.g. sacraments, penalties, clerical obligations) its teaching was combined with that of moral theology, and neither discipline benefited from the marriage. Manuals of canon law multiplied, and were largely duplications of one another. Authors settled disputed issues by counting the authorities on both sides, rather than by intrinsic arguments.”

In the first years of our Church’s organization in the United States and Canada, the years covering the 19-teens, the 1920s and the 1930s, most of our clergy were former Roman Catholic priests, and it was accepted that they had been fully trained in Seminary in the study and knowledge of Canon Law, and were familiar enough with the Canons of the Pio-Benedictine Code, and that no supplementary Canons were deemed necessary, and no advanced training or study needed.

By 1950, when the “Carfora Code” was promulgated, the clergy of our church was a fair mixture of first generation clergy... those who were former Roman Catholic priests together with now the second generation clergy... those priests who completed their theological studies at St Francis Seminary or if they were ordained clergy from other denominations who had been received into our church and re-ordained, had received a year of training at St Francis Seminary. Unfortunately, the training in Canon Law during that time was sparse and incomplete, a situation that would have repercussions in later years.

As the 1960’s and 1970’s advanced, the Canon Law training of the third generation of our clergy, those who had received their training almost solely via St Francis Seminary after it transitioned from a residential school to a mentoring system under local clergy/instructors, was for all practical purposes almost non-existent, due in great part to the prior poor canon law instruction that their mentors had received in their own training. Thus a callous disregard for the exactness of the Canons and the compulsion and sense of liberty to alter, amend, change or discard the Canons of the “Carfora Code” prevailed. During this time, the Canons were so drastically abridged, amended and altered that they scarcely resembled the “Carfora Code” and had taken on a form that bore little resemblance to any form of Canon Law.

PRÆNOTANDA

A new Constitution and Code of Canon Law for the North American Old Roman Catholic Church has been sorely needed for many years now. It is with this situation in mind and aware of the great loss that the North American Old Roman Catholic Church has suffered by the actions of the past, that we have decided to carefully restore the 1950 Code as it has been amended and modified, to its primary place of importance within the framework of this Constitution and Codex of Canon Law. With great respect for the significance and merit of the “Carfora Code”, we have thoughtfully and prayerfully taken the necessary measures to reclaim and restore our historical and canonical heritage and to preserve it within the framework of our new Constitution and Canon Law.

At the Synods of 1991 and 1992 it was proposed that the Canons be properly revised and a new Constitution for the North American Old Roman Catholic Church be prepared and promulgated. Due to a series of unforeseeable circumstances during the intervening years, the work on that proposal proceeded only in sporadic intervals... but it continued nonetheless. The present Constitution and Codex of Canon Law here presented is the final result of those years of work compiling, revising and re-arranging. It has been a work of love and is a gift of service to the present and future generations of clergy and laity of the North American Old Roman Catholic Church.

There were several guiding principles that governed the compilation and re-writing of the Constitution and Codex of Canons, and a brief capitulation of them here would be in order.

First and foremost was the principle that whatever went into the Constitution and Codex of Canon Law had to authentically reflect our identity first as Catholics and then as Old Roman Catholics. To do that it was necessary to clarify for ourselves as well as for others, just what it means to be an Old Roman Catholic. This meant having to identify the distinguishing features of the Old Roman Catholic from the present day Roman Catholic (both the “Novus Ordo” and the Tridentine traditions) and from the many variations of Old Catholics that permeate the ecclesiastical world. This task became much easier, once a clear and precise identification of the origins and the historical, theological and liturgical development of the Old Roman Catholic Communion were outlined and defined.

The conclusive result was in the end quite simple though it had appeared at first to be difficult to define. Simply put, the Old Roman Catholic Church is in real-

PRÆNOTANDA

ity the Roman Catholic Church in Faith, Worship and Practice, exactly as it was known, understood and found throughout the world, at the time of our uncanonical forced separation from the Holy See, without any additions or diminutions in Faith since that time. That means that those “doctrines” that have since then been defined as doctrine and dogma by Rome (e.g. the Infallibility of the Pope, the Immaculate Conception of the BVM and her Assumption) and which were made essential for salvation for modern day Roman Catholics, remain for us what they were in 1723... “theologoumena” (i.e. pious beliefs and/or schools of religious thought, but not defined doctrine or dogma). Old Roman Catholics may privately hold and teach these beliefs as firmly as our Roman Catholic brothers and sisters, but we are not bound under pain of sin or damnation to believe them.

As a result of the liturgical revolution in the Roman Catholic Church after the Second Vatican Council, the liturgical differences between us have become far more pronounced. The Old Roman Catholic Church has become the repository of the Tridentine heritage of the Catholic West. We have continued to celebrate the Holy Sacrifice of the Mass and all of the seven Sacraments according to the older pre-Vatican II ritual tradition, though it has been our constant custom for over one hundred years, to use the vernacular language on parity with the original Latin. We have followed the lead of our Roman Catholic brethren in simplifying some of the rubrics and calendar as they did prior to the opening of Vatican II, and we have added several Days of Special Observance to the Calendar which are specific to our own jurisdiction; we have also added the Saints and Blesseds whom Rome has named or canonized in the years since our separation. However, no changes have been permitted in the sacramental formulas or ritual which would in any way signify a change in theological belief.

The one area where Old Roman Catholics diverge from the older Roman Catholic practice of pre-Vatican II times is in the area of discipline. We have not changed our regulations for fasting and abstinence though the non-observance of those regulations is now no longer considered a matter for confession. Our Communion, when considering the issue of clerical celibacy, returned to an older practice allowing for the ordination of married men to the Diaconate and to the Priesthood. We have also permitted the consecration of married men to the office of Bishop as well. While we prefer that our clergy be married before ordination, with the permission of his Bishop, a priest may be permitted to marry after his ordination. The North American Old Roman Catholic Church values and highly esteems the Religious Life and preserves it within our Church. Our laity exercises

PRÆNOTANDA

a proper share in the governing role of the Church, not by right, but by delegation and canonical legislation. All Church properties are owned and controlled by the congregations that built or secured them, not by the authorities of the Church. Holy Communion is normally received under both species (the Sacred Body and the Precious Blood) and is customarily distributed by the process of Intinction. While the Church holds and teaches the sanctity and essential integrity of the bonds of Marriage, we have taken a more pastoral approach to the problems of today which are associated with the many marriages which have failed and died and which cannot be revived; and in certain specific circumstances the Bishop or the Primate may grant what is called an Ecclesiastical Divorce, which is in reality a declaration by the Bishop or the Primate that the marriage itself has died and not necessarily one of the partners.

A second principle that governed the work on the new Constitution and Codex was that the primary and principal sources for the wording of our Constitution and Codex should come from Roman Catholic, Old Roman Catholic and Orthodox Church sources supplemented by material from several other independent Catholic bodies such as the Old Catholic, Polish National Catholic and Anglican Churches. This was done so that any statements within the Constitution or Codex would have a firm basis and foundation in the traditional and historic Catholic Faith as preserved by these bodies, and that no taint of heterodoxy would be found in or introduced into our Church by means of this Constitution and Codex.

Thus major portions of our Constitution have been taken from the Constitution for the Roman Catholic Diocese of Charleston, South Carolina written by its first bishop, John England in 1822 and approved by the Holy See. The preface is taken almost verbatim as are the vast majority of Title III and Title IV though they have been broken down into various articles in our Constitution.

A question may be asked at this point as to why we chose to quote from and to incorporate portions of Bishop England's Constitution into our own, considering the jurisdictional differences and the substantial time and changed conditions that had occurred during the interim. There were several reasons that decided this course of action for us.

First, since it is most uncommon to find any Roman Catholic diocesan structure with a written Constitution, we were more than interested to see what such a Constitution from that body would include and how it would express it.

PRÆNOTANDA

Second, we were also pleased to find that this Constitution was written at a time period that closely, even if not exactly, corresponded to the time frame of our own jurisdictional isolation from the Holy See; and which accurately reflected the belief and practice of the Roman Catholic Church of that time, while simultaneously reflecting and thus confirming that our theological and liturgical positions were in fact exactly the same as Rome's; and that both jurisdictions professed the same Faith and practice, further confirming our principle tenet that we in fact have remained faithful to the pre-Vatican I expression of the Catholic Faith of both Rome and Utrecht.

Third, we were most pleased to be able to demonstrate from reliable and unimpeachable Roman Catholic sources that our theological and doctrinal teachings and ecclesiological practice were indeed identical to those held by Rome at the time of our jurisdictional isolation from her, and confirming our contention that the differences between the Roman Catholic and the Old Roman Catholic Churches, did not then and does not now, involve any differences in theological tenets or any doctrinal or dogmatic teachings of the Catholic Faith or Ecclesiology.

Fourth, it was again of the utmost interest for us to be able to demonstrate that those portions of our Constitution and Codex, incorporated from Bishop England's Constitution, had received the formal approval of an authority of no less importance than the Holy See itself, and thus by virtue of extension and descent, that same approval has been granted upon those integral portions of our own Constitution and Codex. The fact that Bishop England's Constitution was approved by the Holy See and remained in force throughout the entire time of his episcopate as the Ordinary of the Diocese of Charleston, South Carolina, despite the vocal and vehement opposition of many of the other Roman Catholic bishops of the United States at that time, is again of great importance in certifying and confirming that the Holy See found nothing in the said Constitution that was in conflict with or contradicted the Catholic Faith of the Roman Catholic Church or taught any heterodox doctrine or dogma.

Fifth, we believed firmly, that now having discovered such a Roman Catholic masterpiece of undisputed and canonically approved legislation which exactly corresponded to the theological and ecclesiological belief and practice of our North American Old Roman Catholic Church, it was inevitable and imperative that we should in fact incorporate and enshrine those same portions of Bishop England's Constitution into our own Constitution and Codex, and thus in a somewhat

PRÆNOTANDA

exceptionable manner to secure the same approval for ourselves and our Constitution and Codex. And so it was decided that the said portions would definitively be incorporated into the new Constitution and Codex for our Church.

A third principle that we adopted for the work of compiling this Constitution and Codex was to keep ever in mind that while it is primarily a Legislative Instrument establishing the Canonical foundations of the North American Old Roman Catholic Church, its various articles and Canons were not all legislative, but rather had manifold purposes. This time let me summarize from Father Coriden's work, *An Introduction to Canon Law*, in what he has to say about the intrinsic nature of Canon Law (and by way of extension about a Constitution as well), and using his own words.

“Strange as it might seem, canon law and the Code of Canon Law in particular, contain different literary forms. Not everything in the canons is law, not everything is statutory. It is necessary, from the very outset, to be attentive to the literary form which one encounters in the canons...although the canons look very much alike, they contain several different kinds of writing...

Doctrinal Statements: ... statements of the teachings of the church, rather than rules of behavior ... expressions of the Church's faith ... theological opinions or moral values ... philosophical theories...

Norms of Action: ... exhortations ... admonitions ... directives ... precepts ... prohibitions ... penalties ... procedures ... constitutional elements.”

They can be:

“Universal, Particular: ... apply to the whole ... church, in all parts of the world or just some part of it.

Prescriptive, Penal: ... command those subject to them to do or refrain from doing something... or attach a specific or generic a penalty to the violation of the canon.

Divine, Human: ... said to embody divine law if they are drawn directly from God's revelation or from the natural law [and thus unalterable]. The vast majority of canons are human law... that is an enactment of the church's own authority and consequently alterable.

Invalid, Illicit: ... some rules are invalidating, which means that actions placed in violation of them are null and void, of no juridic effect. Some are incapacitating, meaning that the person is juridically unable to place the action, and the attempt brings the same result, a nullity. The violation of most prescriptive canons results in an illicit action, one that is unlawful, but still valid and effective.

PRÆNOTANDA

Constitutive: ...they define the very essence of a juridical institute or act... These cannot be dispensed from, because to do so would be to change the nature of the thing.

Normalcy, Emergency: Most non-constitutive canons are intended to oblige “most of the time”... They may not oblige in emergencies or in extreme situations, depending on their seriousness.

Substantial Observance: Some canons admit of substantial rather than complete and total observance, meaning that occasional nonobservance does not constitute a violation.

External, Internal Forum: Almost all canonical matters pertain to the external forum that is, the arena of the church’s public governance wherein the power of governance is normally exercised. There also exists the internal forum or the forum of conscience, also called the forum Dei, the forum of God, because it is the arena of one’s personal relationship, graced or sinful with God. Sacramental confession and absolution pertain to the internal forum and are thus surrounded with the strictest secrecy. In rare instances the power of governance is exercised in the internal forum.”

Thus our new Constitution especially, but also our Codex of Canon Law can be justly considered both as a Legislative Document and also as an articulation of the Faith, Belief and Practice of the North American Old Roman Catholic Church.

As discussed heretofore, several other Catholic sources were utilized in the composition of our new Constitution and Codex. These included Roman Catholic, Old Roman Catholic, Greek Orthodox, African Orthodox, Anglican (carefully scrutinized beforehand), Old Catholic (Utrecht Union) and Polish National Catholic sources and legislative instruments such as Constitutions, Canons, and catechetical or theological statements and declarations. The selection of Roman Catholic and Old Roman Catholic sources for use in composing our Constitution is obvious, the use of many of the other sources perhaps less obvious.

While the North American Old Roman Catholic Church vehemently professes and identifies herself as a church in the Roman Catholic tradition, she is also the product of the American independent Catholic movement. That movement has seen the melding of Western and various Eastern Catholic traditions over the course of years working together or in collaboration in America. These Eastern Catholic sources are represented by the Orthodox Church, in particular the Greek Orthodox Church. The Old Roman Catholic Communion has always acknowledged and esteemed the faithful adherence to basic Catholic belief and

PRÆNOTANDA

practice as preserved in the Orthodox Churches, while enshrining it in their own beautiful and mystical customs and ritual. It was again only natural that as the Orthodox Churches have a history of preserving truly Catholic yet independent and non-Papal identities and jurisdictions, we would turn to them for guidance in the enunciation of the same principles within our own Constitution and Codex.

The North American Old Roman Catholic Church has also shared a close relationship with the African Orthodox Church which herself is an amazing example of the blending of Eastern and Western Catholic traditions. Archbishop Hubert Augustus Rogers had originally served in the ministry of the African Orthodox Church and naturally brought some of that tradition with him when he was received into the ministry of our own North American Old Roman Catholic Church. In addition these two jurisdictions enjoyed a state of intercommunion for nearly fifty years and shared many common bonds and collaborations in those years

The North American Old Roman Catholic Church has on numerous occasions and in various venues, clarified and meticulously differentiated her position from that of the Old Catholic Churches of the Utrecht Union. Our church while sharing a common source of faith and order with the churches of the Utrecht Union, has maintained continuously since Archbishop Mathew's Declaration of Autonomy from the Utrecht Union in 1912, that the said churches of that Union had seriously departed in faith and practice from the Old Roman Catholic or "Ultrajectine" tradition of the Church of Utrecht and thus necessitated a severing of the bonds that originally united them while continuing to acknowledge their common origins in the ancient Archiepiscopal See of Utrecht. Thus when deciding to utilize various sources within our own tradition from which to draw guidance or inspiration for the new Constitution for our own jurisdiction, it was instinctive for us to look towards the source of our origins in the Church of Utrecht and the churches derived from her, all the while remaining cognizant of the need to carefully differentiate between the true Catholic Faith and practice found therein, and the heterodoxy they had later become tainted with and which had necessitated our juridic separation from the Utrecht Union Churches, as clearly enunciated by the late Archbishop Arnold Harris Mathew in 1911. As such, we examined and drew some of our legislative concepts and principles from the Utrecht Union churches and especially the Polish National Catholic Church, which for over 70 years represented the Utrecht Union churches on the American shores.

PRÆNOTANDA

Last of all, we turned to what at first observation would appear to be a most unlikely source... the Anglican churches. With the acknowledged difficulties that have existed for several centuries between the Roman Catholic and the Anglican churches and the oftentimes bitter accusations and recriminations from both jurisdictions regarding the catholicity of the Anglican churches, together with the inimical relationship that has existed between the Canterbury tradition and the churches of the Mathew succession, it would seem at first glance, to be illogical for us to have looked for any inspiration or guidance from that tradition. Notwithstanding this acknowledged difficulty however, we did in fact look to the Anglican churches, and in particular those “continuing” Anglican jurisdictions which had separated themselves from the mainline Canterbury led jurisdictions, which themselves had labored to reclaim and restore the Catholic heritage of the Anglican tradition, and which now, in varying degrees, shared a common source of Holy Orders with us in the Church of Utrecht, as the Dutch line of Apostolic Succession had been introduced in several ways into their own jurisdictions, most notably via the participation of Polish National Catholic and Utrecht Union Old Catholic bishops serving as co-consecrators of bishops in their line of Apostolic Succession. These “continuing” Anglican Churches had produced some masterful legislative documents which defined and defended Catholic beliefs and principles while preserving an independent Catholic identity. These very documents would prove to be for us a most valuable and vast resource from which we would draw a schema for the organization of our own legislative documents and also of the verbiage to enshrine our ideals in them.

The Analytical Table below shows some of the various primary influences/sources on the several Titles of the new Constitution for the North American Old Roman Catholic Church.

ANALYTICAL TABLE

Preface.	Bishop John England’s Constitution.
Title I.	Constitutions of the Arch-Episcopal See of Caer Glow (Marchenna and Humphreys).
Title II.	The Baltimore Catechism and A New-Style Catechism on the Eastern Orthodox Faith for Adults.
Title III.	Bishop John England’s Constitution.

PRÆNOTANDA

- Title IV. Bishop John England's Constitution.
- Title V. Anglican Catholic Church.
- Title VI. Archdiocese of Caer-Glow (Humphreys).
- Title VII. Anglican Catholic Church, Archdiocese of Caer-Glow (Humphreys) Declaration of Utrecht.
- Title VIII. Polish National Catholic Church.
- Title IX. various sources.
- Title X. various sources.
- Title XI. Anglican Catholic Church and various other sources.
- Title XII. Anglican Catholic Church.
- Title XIII. North American Old Roman Catholic Church.
- Title XIV. Anglican Catholic Church.
- Title XV. Anglican Catholic Church.
- Title XVI. Anglican Catholic Church.
- Title XVII. Anglican Church in America
- Title XVIII. North American Old Roman Catholic Church.
- Title XIX. North American Old Roman Catholic Church.
- Title XX. Anglican Catholic Church.
- Title XXI. North American Old Roman Catholic Church, Anglican Catholic Church.
- Title XXII. North American Old Roman Catholic Church, Anglican Catholic Church.
- Title XXIII. North American Old Roman Catholic Church, Anglican Catholic Church.
- Title XXIV. North American Old Roman Catholic Church.
- Title XXV. North American Old Roman Catholic Church.
- Title XXVI. North American Old Roman Catholic Church, Anglican Catholic Church.
- Title XXVII. North American Old Roman Catholic Church, Anglican Catholic Church.
- Title XXVIII. North American Old Roman Catholic Church, Anglican Catholic Church.

PRÆNOTANDA

Title XXIX. North American Old Roman Catholic Church, Anglican Catholic Church.

Having reviewed the process and principles that were observed in the drafting of the new Constitution for the North American Old Roman Catholic Church, and while also acknowledging that the same principles and process governed the compilation of the Codex of Canon Law, there are a couple of additional points that should be discussed that are particularly pertinent to the Codex itself.

The first point of prime importance is the restoration of the fact stated in the Constitution, that the Codex of Canon Law of the North American Old Roman Catholic Church is supplementary to the Pio-Benedictine Code of 1917-18. The Pio-Benedictine Code remains, as it always has... even if not properly acknowledged and observed in past years, the principal source of Canon Law legislation for the North American Old Roman Catholic Church. The present Codex does not attempt to replicate the full corpus of Roman Catholic canonical legislation. It does not include any areas of canonical practice which is fully and adequately contained in the Pio-Benedictine Code unless it is necessary to delineate specifically how such provisions of the Pio-Benedictine Code are applied within the North American Old Roman Catholic Church. Thus for the first time since the original General Constitution and By-Laws of the North American Old Roman Catholic Church was published by Archbishop Carfora in 1929, the Roman Catholic tradition of Canon Law, specifically the Pio-Benedictine Code promulgated by His Holiness Pope Benedict XV in the Apostolic Constitution *Providentissima Mater Ecclesia* on May 27, 1917 and which received the force of law on Pentecost Sunday May 19, 1918, has been definitively declared and canonically promulgated as the principal body of Canon Law governing this jurisdiction, with our own Codex of Canon Law as a secondary but essential component of our Church's Canon Law tradition. Within their own respective realms of competence they are received by this jurisdiction on a parity of canonical authority.

A second point to be considered here is the treatment of the "Carfora Code" within this new Codex of Canon Law of the North American Old Roman Catholic Church. As stated earlier, the 1950 "Carfora Code" in past years had unfortunately been so badly abused, abridged, amended and misinterpreted that it had almost lost its identity and integrity as the historic Code of Canon Law for our jurisdiction. Its importance, historically and canonically had practically been lost to all but a very few.

PRÆNOTANDA

We have, in this new Codex of Canon Law, enshrined the entire 1950 Carfora Code within it. It has been amended where necessary to conform to present times, circumstances and conditions. It was also deemed appropriate to re-organize and re-number the Canons of the Carfora Code into new headings and titles. The decision to do so was based on the fact that in the haste to compile the original Carfora Code for presentation at the 1950 General Synod, and for its review by the Orthodox Churches with whom we were then in dialog, the Canons placed related material in several different locations in a somewhat haphazard manner, and a sense of continuity of canonical thought was thereby sacrificed. A concerted effort has been made with this new Codex of Canon Law, to regain a continuity of thought and purpose in the re-grouping of the full Carfora Code into the Codex.

We have carefully reviewed both the Carfora Code and the Codex to ensure that none of the Canons of the Carfora Code have been omitted and that unless absolutely necessary, they have not been re-worded or re-written. When necessary, additional Canons have been included to cover areas not previously foreseen at the time of the compilation of the Carfora Code. One specific instance is the inclusion of the Office of the Vocational (or Permanent) Deacon. At the time when the Carfora Code was promulgated, the office of Deacon was seen in its more customary role as a transitional state in preparation for ordination to the Sacred Priesthood. With current trends and needs within the Church, the historic office of a Vocational Deacon has now been restored to the Church, and with its restoration, came the necessity of including Canons recognizing and outlining the ministry and qualifications of such Deacons. These canons can be found as Canons 256-265 of our Codex.

A third area of concern for us when compiling the new Codex, which the Carfora Code shared equally with the Pio-Benedictine Code, is the sad fact that while the Church has always acknowledged and professed the reality, the necessity, and the role of the laity within the framework of the Church, very little attention to the laity was found within the Canons. The Pio-Benedictine Code and our own Carfora Code presented the Church more as a hierarchical structure in which the laity were acknowledged, but relegated to a rather insignificant place and role as compared to the clergy and the hierarchy.

A great stride was made by the Roman Catholic Church in its new 1983 Code of Canon Law to remedy this deficiency. So well was this deficiency remedied in that Code, that, after careful reading and consideration of these changes, we de-

PRÆNOTANDA

cided that it was strongly advisable for us to incorporate that section of the 1983 Code into our own. Our basis for so doing was that, while the 1983 Code can in no way be considered our possession, in the way in which we could legitimately and canonically claim the 1917-18 Pio-Benedictine Code, it did however encapsulate and clearly state what both the Roman Catholic and the Old Roman Catholic Churches have always believed and professed for centuries, but never committed to writing within the Code of Canon Law. Those who are familiar with the 1983 Code of Canon Law of the Roman Catholic Church will find that Canons 208-231 of that Code have been incorporated into our Codex as Canons 358-381.

A final area which necessitated our attention in compiling the new Codex was the issue of the Sanctity of Human Life. At the time of the promulgation of both the Pio-Benedictine Code in 1917-18 and the Carfora Code in 1950, the specter of wholesale and wide-scale abortion as well as the relative acceptance by the general populace of euthanasia, or mercy-killing, as well as the legal protection of such practices both in the United States and elsewhere in the world, was not only unheard of but was practically inconceivable. Such is unfortunately no longer the case. The landmark decision of the United States Supreme Court in 1973 of *Roe v. Wade* changed all of that forever, as has the growing public support and legal protections granted in the United States and elsewhere in the world for euthanasia or the euphemistical term of “doctor-assisted suicide” which gained great support through the efforts of Dr Kevorkian who murdered or enabled the murder or suicide of 130 person between 1990 and 1998 under this title of “doctor-assisted suicide”. Such practice is now legal in at least three states in the United States of America and in many countries throughout the world. The practice of non-voluntary euthanasia of children, under certain specific circumstances, is even legal under the terms of the Groningen Protocol in the Netherlands.

The Catholic Church throughout the centuries since her founding has always held all human life from conception to natural death as sacred and to be protected. With the changes in contemporary society and with the realization that such changes are likely to continue to erode that sacredness and protection within civil society, it is incumbent upon the Church to clearly, unequivocally and conclusively declare the eternal truth of the sanctity of human life from conception to natural death and to vigorously oppose all attempts to alter this unchangeable fact. It is also incumbent upon the Church to guarantee that all of the faithful are fully instructed in this teaching and to ensure that they know their full Christian responsibility and duty to profess, maintain, preserve and defend this basic

PRÆNOTANDA

and essential dogma in both their ecclesiastical and well as in their civil life. Life is a Natural right, bestowed by the Creator. It is not a human or a state granted right which can be granted or revoked by any authority other than Almighty God, Who is the sole Creator, Redeemer and Sanctifier of all mankind, and from Whom the gift of life proceeds and is to be protected.

A fuller and more comprehensive explication *de texte* of our Constitution and Codex of Canon Law is contemplated in a subsequent volume to this work in which the historical and canonical contexts for the various Articles of the Constitution and the various Canons of the Codex will be discussed and explained in greater depth and understanding.

It is my sincere hope that this brief Introduction will enable the reader to understand both the intent and the process which guided the work of revising and re-writing the Constitution and Codex of Canon Law for the North American Old Roman Catholic Church.

The Most Reverend Edward J. Ford, T.O.R.

Chairman of the Canon Law Revision Commission

AD MAJOREM DEI GLORIAM

STATEMENT OF BELIEF

OF THE

OLD ROMAN CATHOLIC CHURCH

Issued by
Archbishop Arnold Harris Mathew
1911

DOGMATIC ARTICLES

1) **The Way of Salvation**

Eternal Salvation is promised to mankind only through the merits of Our Savior, Jesus Christ, and upon condition of obedience to the teaching of the Holy Gospel, which requires Faith, Hope and Charity, and the due observance of the ordinances of the Orthodox and Catholic Religion.

2) **Faith, Hope and Charity**

FAITH — is a virtue infused by God, whereby man accepts, and believes without doubting, whatever God has revealed in the Church concerning true Religion.

HOPE — is a virtue infused by God, and following upon Faith; by it man puts his entire trust and confidence in the goodness and mercy of God, through Jesus Christ, and look for the fulfillment of the Divine promises made to those who obey the Gospel.

CHARITY — is a virtue infused by God, and likewise consequent to Faith, whereby man, loving God above all things for His own sake and his neighbor as himself for God's sake, yields up his will to a joyful obedience to the revealed will of God in the Church.

STATEMENT OF BELIEF

3) **The Church**

God has established the Holy Catholic Church upon earth to be the pillar and the ground of the revealed Truth; and has committed to her the guardianship of the Holy Tradition, and the power of binding and loosing.

4) **The Creed**

The Catholic Church has set forth the principal Doctrines of the Christian Faith in twelve articles as follows:

- I. I believe in one God, the Father Almighty, Creator of heaven and earth, and of all things, visible and invisible;
- II. And in one Lord Jesus Christ, the only-begotten Son of God, begotten of the Father before all Ages, God of God, Light of Light. Very God of Very God, begotten, not made, of one substance with the Father, by Whom all things were made;
- III. Who for us men and our salvation came down from heaven, and was Incarnate by the Holy Spirit of the Virgin Mary, and was made Man;
- IV. And was crucified for us under Pontius Pilate, He suffered and was buried;
- V. And the third day He rose again, according to the Scriptures;
- VI. And ascended into heaven, and sitteth on the right hand of the Father;
- VII. And He shall come again, with glory, to judge the living and the dead; Whose kingdom shall have no end;
- VIII. And I believe in the Holy Ghost, the Lord, and Giver of Life, Who proceedeth from the Father, Who with the Father and the Son together are worshipped and glorified, Who spoke to the prophets;
- IX. And in One, Holy, Catholic and Apostolic Church;
- X. I acknowledge one Baptism for the remission of sins;
- XI. And I look for the Resurrection of the dead;
- XII. And the Life in the world to come. Amen.

STATEMENT OF BELIEF

5) The Sacraments

The fundamental ordinances of the Gospel instituted by Jesus Christ as special means of conveying Divine grace and influence to the souls of men, which are commonly called Mysteries or Sacraments, are Seven in number, namely Baptism, Confirmation, the Holy Eucharist, Holy Orders, Matrimony, Penance and Unction.

BAPTISM — is the first Sacrament of the Gospel, administered by immersion in, or affusion with, water with the words, “I baptize thee in the Name of the Father, and of the Son, and of the Holy Spirit”. It admits the recipient into the Church, bestows upon them the forgiveness of sins, original and actual, through the Blood of Christ, and causes in them spiritual change called Regeneration. Without valid Baptism, no other Sacrament can be validly received.

CONFIRMATION — or Chrism is a Sacrament in which the baptized person, on being anointed with Chrism consecrated by the Bishops of the Church, with the imposition of hands, receives the sevenfold gifts of the Holy Spirit to strengthen them in the grace which they received at Baptism, making them a stronger a perfect Christian and a good soldier of Christ.

THE HOLY EUCHARIST — is a Sacrament in which, under the appearances of bread and wine, the real and actual Body and Blood of Christ are given and received for the remission of sins, the increase of Divine grace, and the reward of everlasting Life. After the prayer of Invocation of the Holy Spirit in the Liturgy, the bread and wine are entirely converted into the living Body of Christ by an actual change of being, to which change the philosophical term of Transubstantiation and Transmutation are rightly applied. The celebration of this Mystery or Sacrament, commonly called the Mass, constitutes the chief act of Christian worship, being a sacrificial Memorial or re-Presentation of our Lord’s death. It is not a repetition of the Sacrifice offered once for all upon Calvary, but is a perpetuation of that Sacrifice by the Church on earth, as our Lord also perpetually offers it in heaven. It is a true and propitiatory Sacrifice, which is offered alike for the living and for the departed.

HOLY ORDERS — is a Sacrament in which the Holy Spirit, through the laying-on of hands of the Bishops, consecrates and ordains the pastors and

STATEMENT OF BELIEF

ministers chosen to serve in the Church, and imparts to them special grace to administer the Sacraments, to forgive sins, and feed the flock of Christ.

MATRIMONY — is a Sacrament in which the voluntary union of husband and wife is sanctified to become an image of the union between Christ and His Church; and grace is imparted to them to fulfill the duties of their estate and its great responsibilities both of each other and to their children.

PENANCE — is a Sacrament in which the Holy Spirit bestows the forgiveness of sins, by the ministry of the priest, upon those who, having sinned after Baptism, confess their sins with true repentance, and grace given to amend their lives thereafter.

UNCTION — is a Sacrament in which the priest of the Church anoint the sick with oil, for the healing of the infirmities of their souls, and if it should please God, those of their bodies also. The efficacy of the Sacraments depends upon the promise and appointment of God; howbeit they benefit only those who receive them worthily with faith, and with due preparation and disposition of mind.

6) **Holy Scripture**

The Scriptures are writings inspired by God, and given to the Church for her instruction and edification. The Church is therefore the custodian and the only Divinely appointed interpreter of Holy Scriptures.

7) **Tradition**

The Apostolic and Ecclesiastical Traditions received from the seven General Councils and the early Fathers of the Church may not be rejected; but are to be received and obeyed as being both agreeable to holy Scripture and to that Authority with which Christ endowed His Church. Matters of discipline and ceremony do not rank on the same level with matters of Faith or Morals, but may be altered from time to time and from place to place by the Authority of the Church, according as the welfare and greater devotions of the faithful may be furthered thereby.

8) **The Communion of Saints**

There is a Communion of Saints in the Providence of God, wherein the souls of righteous people of all ages are united with Christ in the bond of

STATEMENT OF BELIEF

faith and love. Wherefore it is pleasing to God, and profitable to all humans, to honor the Saints and to invoke them in prayer; and also to pray for the faithful departed.

9) **Religious Symbol**

The relics and representations of Saints are worthy of honor, as are also all other religious emblems; that our minds may be encouraged to devotion and to imitation of the deeds of the just. Honor shown to such objects is purely relative, and in no way implies a confusion of the symbol with the thing signified.

10) **Rite and Ceremonies**

It is the duty of all Christians to join in the worship of the Church, especially in the holy Sacrifice of Mass, in accordance with our Lord's express command; and to conform to the ceremonies prescribed by holy Tradition for the greater dignity of that Sacrifice and for the edification of the faithful.

11) **The Moral Law**

All Christians are bound to observe the Moral Law contained in the Ten Commandments of the Old Testament, developed with greater strictness in the New, founded upon the law of nature and charity, and defining our duty to God and to mankind. The laws of the Church are also to be obeyed, as proceeding from that Authority which Christ has committed to her for the instruction and salvation of His people.

12) **The Monastic Estate**

The monastic life, duly regulated according to the laws of the Church, is a salutary institution in strict accord with the Holy Scriptures; and is full of profit to them who, after being carefully tried and examined, make full proof of their calling thereto.

Organic Articles

1) **Head of the Church**

The Foundation Head and Supreme Pastor and Bishop of the Church is our Lord Jesus Christ Himself, from Whom all Bishops and Pastors derive their spiritual powers and jurisdiction.

STATEMENT OF BELIEF

2) **Obedience**

By the law and institution of our Lord Jesus Christ in the Gospel, all Christians owe obedience and submission in spiritual things to them who have rule and authority within the Church.

3) **Ministerial Authority**

Our Lord Jesus Christ did not commit rule and authority within the Church to all the faithful indiscriminately, but only to the Apostles and to their lawful successors in due order.

4) **Apostolic Succession**

The only lawful successors of the Apostles are the Orthodox and Catholic Bishops, united by profession of the self-same Belief, participation in the same Sacraments, and by mutual recognition and Intercommunion. The Bishops of the Church, being true successors of the Apostles, are by Divine right and appointment the rulers of the Church.

In virtue of this appointment each individual Bishop is supreme and independent in that part of the Church which has been committed to his care, so long as he remains in Faith and Communion with the united company of Catholic Bishops, who cannot exclude any from the Church save only them who stray from the path of virtue or err in Faith.

By virtue of the same Divine appointment, the supreme Authority over the whole Church on earth belonging to the collective Orthodox and Catholic Episcopate. They alone from the highest tribunal in spiritual matters, from whose united judgment there can be no appeal; so that it is unlawful for any single Bishop, or any smaller group of Bishops apart from them, or for any secular power or state to usurp this authority, or for any individual Christian to substitute his own private judgment for that interpretation of Scripture or Authority which is approved by the Church.

5) **Church Authority**

The collective body of the Orthodox Catholic Episcopate, united by profession of the Faith, by the Sacraments, and by mutual recognition and Intercommunion, is the source and depository of all order, authority and jurisdiction in the Church, and is the center of visible Catholic Unity; so that no

STATEMENT OF BELIEF

Pope, Patriarch or Bishops, or any number of Bishops separated from this united body can possess any authority or jurisdiction whatsoever.

It is an act of schism to appeal from the known judgment of the Orthodox and Catholic Episcopate, however it may have been ascertained; or to appeal from any dogmatic decree of any General Council even though such appeal be to a future Council. For the Episcopate, being a continuation of the Apostolate, is clearly a Divine institution, and its authority is founded in Divine right. But General Councils are not of themselves of direct Divine appointment; and so Episcopate having clearly the Scriptural promise of Divine guidance into all Truth, cannot be hampered in the exercise of its authority by the necessity of assembling a General Council, which may obviously be rendered impossible through natural circumstances.

There have been seven General Councils only, which are recognized by the Whole of Catholic Christendom, held respectively in Nicaea (A.D. 325), Constantinople (A.D. 381), Ephesus (A.D. 431), Chalcedon (A.D. 451), Constantinople (A.D. 553), Constantinople (A.D. 680), and Nicaea (A.D. 787). At no other Councils was the entire body of the Orthodox and Catholic Episcopate representatively assembled; and the decrees and pronouncements of no others must of themselves be accepted as binding upon the conscience of the faithful.

The Authority of the Church can never be in abeyance, even though a General Council cannot be assembled. It is equally to be submitted to and obeyed in whatever way it may be exercised, and although it may be exercised only through the ordinary administration of their respective jurisdictions by individual Bishops.

6) **Hierarchy**

All Patriarchs, Archbishops, and all Metropolitans (that is to say, all Bishops who exercise any authority over other Bishops) owe that authority solely to the appointment or general consent of the Orthodox and Catholic Episcopate; nor can they ever cease from owing obedience to the collective body of the Episcopate in matters concerning Faith and Morals.

STATEMENT OF BELIEF

7) **The Five Patriarchs**

There are five Patriarchates, which ought to be united and form the supreme authority in the administration and government of the Holy Catholic Church. These are Jerusalem, Antioch, Rome, Alexandria and Constantinople. Unfortunately, owing to disputes and differences on the one hand, and to the lust for power and supremacy and domination on the other; the Patriarchs are not at present in Communion; and the welfare of Christendom is jeopardized by their disedifying quarrels, which, we pray, may soon have an end.

STATEMENT OF PRINCIPLES

OF THE

NORTH AMERICAN

OLD ROMAN CATHOLIC CHURCH

Issued by
Archbishop Carmel Henry Carfora, S.T.D.
1926

THIS church works for the restoration of the ancient Catholic system and the practice of the rites of the Holy Catholic Church, before the separation of the Eastern and Western churches; its purpose is the elevation of the moral and religious life of its people, according to the teachings of Jesus Christ and His Apostles.

The following statement of belief is generally accepted.

We adhere strictly to the Holy Catholic Faith, once and for all delivered to the Saints and set forth in Apostolic Tradition, the Niceno-Constantinopolitan Creed, the definitions of the Ecumenical Councils and the teachings of the Holy Scriptures and the Fathers.

We acknowledge the decrees of the Synod of Jerusalem of 1672 prescribing belief as *de fide*, in the seven Sacraments instituted by Our Lord Jesus Christ, in the Holy Sacrifice of the Mass, and in transubstantiation.

We practice the Veneration and Invocation of the Immaculate and Glorious Mother of God, of the angels and the Saints and prayers for the faithful departed.

The North American Old Roman Catholic Church is identical with the Roman Catholic Church in worship, faith, morals, etc., but differs from it in discipline as follows:

1. It acknowledges the primacy of the successor of St Peter, but is thoroughly American and loyal to American ideals and institutions.

STATEMENT OF PRINCIPLES

2. It has the Mass and other services in Latin, liturgical oriental, and in the language of the land where instituted, that is English in America.
3. It advocates celibacy of the clergy, but does not expressly forbid the clergy to marry.
4. It ministers to anyone who requests its services, and any baptized Christian who lives according to its laws and regulations is welcomed to the movement.

The organization of the Church centers in the Primate, whose authority is supreme in faith and in all church matters, after due consideration in the general meeting of the Synod where are assembled the archbishops, bishops, general vicars, priests and delegates.

The government is, however, democratic, because every officer, from the highest to the lowest, is chosen by the individual congregation, and confirmed by the Primate, and each foreign group of churches has a bishop of its own nationality. The great aim of the church is that all, of every nationality, shall compose the “one unity” in Christ.

TABLE OF CONTENTS TO THE CONSTITUTION

PREFACE TO THE CONSTITUTION		13
Title I.	Of Establishment and Name	17
Title II.	Of the Nature and Essence of the Church.....	18
Title III	Of Doctrine	26
Title IV	Of Government	30
Title V	Of the Common and Canon Law.....	35
Title VI	Of Canonical Authority	36
Title VII	Of Worship and Holy Scripture	37
Title VIII	Of Membership and Obligations	39
Title IX	Of Persons.....	43
	Primate	43
	Primatial Vicar.....	46
	Metropolitans	46
	Bishops	47
	Consistory & College of Bishops.....	49
	Clergy	51
	Religious.....	52
	Laity.....	53
Title X	Of Synods, Clericus, and Other Meetings.....	56
Title XI	Of Ecclesiastical Jurisdictions.....	57
	Primatial See of Nova Terra	57
	Patrimony of the Primatial See	58
	Jurisdictions Held In Titulum.....	59
	Provinces.....	60

TABLE OF CONTENTS TO THE CONSTITUTION

	Dioceses.....	61
	Missionary Dioceses.....	63
	Vicariates & Prefectures Apostolic.....	63
	Military Vicariate.....	64
	Deaneries and Vicariates Forane.....	65
	Parishes and Missions.....	66
	Ecclesiastical Peculiars.....	68
Title XII	Of Territorial Jurisdiction.....	68
Title XIII	Of Ecclesiastical Courts.....	69
Title XIV	Of Temporal Affairs.....	71
Title XV	Of Property & Possessions of Congregations.....	72
Title XVI	Of Due Process.....	73
Title XVII	Of Securing an Accurate View of the Church.....	74
Title XVIII	Of Religious Life.....	75
Title XIX	Of Seminaries, Houses of Study & Formation.....	77
Title XX	Of Foundations and Institutions.....	78
Title XXI	Of Christian Families.....	79
Title XXII	Of Ecumenical Relations.....	80
Title XXIII	Of Obligations to the Church.....	81
Title XXIV	Of National Obligations.....	81
Title XXV	Of Interpretation of Constitution & Canons.....	82
Title XXVI	Of Canons Conforming to this Constitution.....	82
Title XXVII	Of Effective Date Hereof.....	83
Title XXVIII	Of Amendments.....	83
Title XXIX	Of Immutability of Catholic Faith & Order.....	84

PREFACE TO THE CONSTITUTION OF THE NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH

THE system of government which exists in the Old Roman Catholic Church is divided into two parts; the one of divine institution; the other, the result of human regulation; this second part must, necessarily, be so far dependent upon the first as that no one of its provisions shall in any way counteract any principle or provision of the former. Hence it has always, in the Old Roman Catholic Church, been an invariable and essential rule, that in making those secondary regulations, the principal, if not the exclusive power of legislation should be vested in those persons who were, by the ordinance of our Savior, made the judges and witnesses and preservers of his institutions. A distinction of parts was again made in that portion of the system which was to be the result of human regulation; it comprises ecclesiastical discipline, and the regulation of those temporalities, or that property, which is necessary for the support of religion; the first portion, that is, ecclesiastical discipline, was necessarily to be under the exclusive regulation of those whom the Holy Ghost had placed as bishops to govern the Church of God; it was never known in the Catholic Church that any other body or individual was admitted to have any power therein. Respecting the second part of this head, three questions presented themselves, viz.: How are those means to be procured? In whom are they to be vested? In what manner are they to be expended? A few principles were clear, viz.: That the Church had no divine power of taxation; that there was a general obligation on those who partook of the benefit of religion to contribute to its support; and that they who served the altar had a right to live by the altar. Therefore it was plain, that this general right and general obligation should be made operative by some special regulations. These regulations should necessarily be as variable as the circumstances in which the several separate churches might be found at different times: hence they could never be permanent, invariable, or uniform throughout the world; but it was plain that unless there existed a power of restraint as to the mode of regulation, they might in some instances be made

PREFACE TO THE CONSTITUTION

in direct opposition to, or incompatible with the divine institution itself. Thus the readiest and most effectual mode of raising money might be direct simony, or some other mode equally criminal. Church property might be vested in persons who, though professing a regard for religion, were its worst enemies. In its expenditure, it might be applied to ends subversive of religion, and in actual contradiction to that object for which it was contributed. The spiritual governors of the church might on one side feel it their conscientious duty to prescribe to a clergyman a special line of conduct commanded by the divine law; and the person who controlled the expenditure of the fund, including the means for the support of the priest, might withhold from him those means because of his obedience to the lawful command of his proper superior; and give them to create opposition to the laws of the Church.

We need not have recourse to ancient history, or to foreign nations, to show that those evils have frequently occurred. The scandalous accounts of several churches of the United States, too flagrantly exhibit the exemplification. The experience of the early ages also proved it. We find that originally all this power was-vested in the apostles; they distributed portions of it amongst others, deputing deacons principally to the charge and management of the property. When the churches became more numerous, the bishop constituted an archdeacon to receive the reports and accounts of the deacons of the several churches; from him the bishop received the general report, and through him he gave the general directions; and thus the management of the temporalities of the church was under his control, for the reasons above specified.

In process of time, in some places, the most prudent and zealous of the laity were either appointed by the people or by the bishop to aid the priests and deacons in the management of the property. In the confusion of feudal times, powerful barons and others took the property into their care as patrons, and several new abuses were the consequence. But those abuses were frequently withstood, and in other instances a portion of the right of the church was yielded to preserve the rest. One great principle, however, was kept sacred and inviolable throughout, viz.: That the management of ecclesiastical affairs was solely in the prelates, and that they had at least a negative upon the management of church property.

It is useless to inquire minutely, how attempts to establish a different principle have originated in some of our congregations. A general remark will suffice; they had as their guide, not a knowledge of the laws of their own church, but the example of churches which protested against its doctrines, and its discipline too

PREFACE TO THE CONSTITUTION

frequently served as their model: and a bad custom originating in accident, was soon quoted as an established usage. The Constitution of The North American Old Roman Catholic Church was formed, for the purpose of preventing in future the recurrence of evils of this description within its limits.

The portions of our church government are very like to those of the government of this Union. The entire consists of provinces and dioceses, the bishop of each of which holds his place, not as the deputy of the Primate, but as a successor to the Apostles; as the governor of each state holds his place not as the deputy of the President, but as vested therewith by the same power which vests the President with his own authority. And as all the states are bound together in one federation, of which the President is the head, so are the provinces and dioceses collected into one church, of which the Primate is the head. Each state has power to make its own laws, provided they do not contravene the general Constitution of the United States; so in each province and diocese there exists the power of legislation, provided the statutes made therein be not incompatible with the faith or general discipline of The North American Old Roman Catholic Church. The legislature of the Union is collected from all the states, and the decisions of the majority bind the individuals and the states which they represent; the general legislative body of the church is a General Synod composed of the representatives of each province and diocese, and the decision of the majority binds the members and their provinces and dioceses. It is the duty of the President to have the laws of the Union executed in every state, as it is the duty of the Primate to have the general laws of the church executed in every diocese. The bishop is also bound to have them carried into execution within his own diocese, and he has power, and it is his duty to make such special regulations and laws as circumstances may render necessary for their more effectual observance, and for the spiritual benefit of his own district. As our states are subdivided, so are our provinces and dioceses: and as the laws of Congress and those of the state are binding in each subdivision, so are the general laws of the church and the laws of the province or diocese in each parish or district of the same; but in each subdivision, special regulations are made, each corporate city, town, or district, has its own by-laws, which would be invalid if incompatible with the laws of Congress or those of the states, otherwise they are of force; so in each parish or district, by-laws which are incompatible with the general law of the church or the law of the province or diocese, are invalid.

PREFACE TO THE CONSTITUTION

With this general view, the frame of the following Constitution will be the more easily understood. The object of its formation was to lay down those general principles of law, and to show their special bearing in the most usual cases; and then upon the mode of raising, vesting, and managing church property, to fix the special manner in which the great principles that are recognized by the church should be carried into practice. This was done by consultation, discussion, and arrangement between the bishop, the clergy, and the laity, in several meetings in the several provinces and dioceses.

THE CONSTITUTION

OF THE

NORTH AMERICAN

OLD ROMAN CATHOLIC CHURCH

TITLE I — OF ESTABLISHMENT AND NAME

Article 1

This ecclesiastical Communion constitutes the historic, canonical and unbroken Apostolic Succession emanating from the ancient Archiepiscopal See of Utrecht, translated to other parts of the world, and is known by the historic name first used in Utrecht, Old Roman Catholic.

Article 2

The legal and official name and the name of primary usage and correct ecclesiastical description of this portion of the historic Church Catholic is The North American Old Roman Catholic Church.

Article 3

The North American Old Roman Catholic Church, by virtue of its succession from the See of Utrecht, retains and exercises the privilege obtaining to that See, as set forth in the Bull of Pope Eugene IV (1145) and affirmed by the Fourth Lateran Council (1215) concerning the election of its prelates and clergy, among which are to be found the three Orders instituted by Christ: the diaconate, the priesthood, and the episcopate; as well as the minor orders of ecclesiastical origin.

Article 4

The North American Old Roman Catholic Church, by virtue of its succession from the See of Utrecht, retains and exercises the privilege obtaining to that See, as set forth in the Bull of Pope Leo X (1520) and verified by the Theological Faculties of Paris and Louvain (1717) concerning the adjudication of its affairs, otherwise known as the Leonine Privilege.

THE CONSTITUTION

Title II — Of the Nature and Essence of the Church

TITLE II — OF THE NATURE AND ESSENCE OF THE CHURCH

Article 1

The Catholic Church established by Our Lord Jesus Christ is identified first by the four marks or identifying characteristics of the Church as enumerated in the Creed and as found in the Sacred Scriptures. They are **ONE, HOLY, CATHOLIC** and **APOSTOLIC**.

Article 2

§1. The Catholic Church is **ONE**, because her Founder is the One, True and Omnipotent God, the source of all unity. One God in three Divine Persons, Father, Son and Holy Ghost, and who by virtue of the Second Person of this Blessed Trinity unites within the Godhead, the Divine and Human natures.

§2. The Church is **ONE**, for just as Christ the Head of the Church is one, so too, there is also one body (The Mystical Body of Christ) animated by the Holy Spirit, in which Christ as head and believers as members are united. In this body all the local (particular) churches are united to one another by the unity of faith, worship and order. The unity of faith and worship represents the bond which binds believers with the Redeemer and with one another.

§3. The Church is also **ONE**, because all of its members are united in belief in one Lord; one Faith; one communion of Saints; and one visible structure... the Church Catholic.

§4. The members of this Church Catholic are united as One in professing one God; one Savior, our Lord Jesus Christ; one Church, the Catholic Church; one body of Doctrine, the Catholic Faith; one Sacramental system, Baptism, Confirmation, Holy Eucharist, Penance, Matrimony, Holy Orders and Extreme Unction; one Scripture, the Divine Word of God; one Law, the Holy Gospels; one code of apostolic order, the Sacred Canons; one hierarchy, the Bishops of the Church, who are the successors of the Apostles; one Head of the Church, our Lord and Savior Jesus Christ; and one Spirit who guides and sanctifies the church, the Holy Ghost.

THE CONSTITUTION

Title II — Of the Nature and Essence of the Church

- §5. The Sacred Scriptures records this unity in the Epistle of St Paul to the Ephesians: “There is one body and one spirit, just as you were called to the one hope that belongs to your call, one Lord, one faith, one baptism, one God and Father of us all, who is above all, and through all, and in all.” (*Ephesians 4:4-6*)

Article 3

- §1. The Catholic Church is **HOLY**, because her Divine Founder, our Lord Jesus Christ, the only-begotten Son of God, is holy and gave Himself for her; because it teaches a **HOLY** doctrine; invites and encourages all to lead a **HOLY** life; and because of the eminent HOLINESS of so many thousands of her children throughout the ages.
- §2. The Catholic Church is **HOLY** because she has separated herself from the sinful world and leads her children to a life of holiness. Catholic Christians are not holy in and of themselves but become holy by being sanctified by the Grace of God.
- §3. The Sacred Scriptures records this holiness of the Church in the Epistle of St Paul to the Ephesians: “Christ loved the Church and gave Himself up for her, that He might sanctify her, having cleansed her by the washing of water with the word, that He might present the church to Himself in splendor, without spot or wrinkle or any such thing, that she might be holy and without blemish.” (*Ephesians 5:25-27*)

Article 4

- §1. The Catholic Church is **CATHOLIC** or universal, because Christ its Head is the Lord of all things; because it subsists in all ages, teaches all nations, and maintains all truth. The Church is universal in time because it has existed, taught and labored in every age from the time of the Apostles to the present; it is universal in place, for it has taught throughout the whole world; it is universal in doctrine, for it teaches the same faith everywhere, always and by all of its teachers

Now in the Catholic Church itself we take the greatest care to hold that which has been believed everywhere, always and by all. That is truly and properly ‘Catholic,’ as is shown by the very force and meaning of the word, which comprehends everything almost universally.

THE CONSTITUTION

Title II — Of the Nature and Essence of the Church

The Commonitorium of St Vincent of Lerins, A.D. 343 and its doctrines are suited to all classes of persons; it has converted all pagan nations that have received the Faith and been converted to Christianity.

- §2. The Church unites within her divine mission the marks of unity and catholicity and binds them indispensably together. The church teaches the absolute truth ceaselessly in doctrines and dogmas necessary for each and every Christian to know.
- §3. The Sacred Scriptures records the CATHOLICITY of the church in the Holy Gospel according to St Mark: “And they went forth and preached everywhere, while the Lord worked with them and confirmed the message [the absolute truth] by the signs that attended it.” (*St Mark 16:20*)

Article 5

- §1. The Catholic Church is **APOSTOLIC** because it was founded by her Divine Savior Jesus Christ, the first “Apostle of our confession” [cf. *Hebrews 3:1*] and was built by His Apostles upon the foundation of the Person, Teaching and Events of His life, where He remains as its Head and Cornerstone; it is governed by their lawful successors, the Catholic Bishops; and it has never ceased in ages past, or now, and will never cease to teach their doctrine, pure and undefiled.
- §2. The confession, faith and governance of the early Church provide the ground on which the Apostolic nature of the Church depends. This mark of the Church in its historical existence rests on the Apostolic succession of Bishops from the Apostles themselves henceforth. The Apostolic Teaching of the Church is the basis of the Apostolic Succession of Bishops, which is its external sign.
- §3. The Church as Apostolic signifies that it has a great mission to undertake, both in its very nature and its responsibility of spreading the Word of God and converting people of all nations. Christ called the Twelve Apostles because the attribute of their Commission was that of apostleship, which means to preach the Gospel of Christ to all.
- §4. The Sacred Scriptures records this apostolicity of the Church in the Holy Gospel according to St John: “By this My Father is glorified, that you bear much fruit, and so prove to be My disciples.” (*St John*)

THE CONSTITUTION

Title II — Of the Nature and Essence of the Church

15:8); in the Holy Gospel according to St Matthew: “Go therefore and make disciples of all nations, baptizing them in the Name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you; and lo I am with you always to the close of the age.” (*St Matthew 28:19-20*) and again in the Epistle of St Paul to the Ephesians: “So then you are no longer sojourners, but you are fellow citizens with the saints and members of the household of God, built upon the foundation of the apostles and prophets, Christ Jesus Himself being the cornerstone in Whom the whole structure is joined together and grows into a holy temple in the Lord.” (*Ephesians 2:19-21*) and finally in the Holy Gospel according to St Luke: “He who hears you hears Me, and he who rejects you rejects Me, and he who rejects Me rejects Him Who sent Me.” (*St Luke 10:16*)

Article 6

In addition to the four marks of the Church as delineated in the Creed, the Catholic Church is also endowed with three essential attributes, which are: **AUTHORITY, INFALLIBILITY and INDEFECTIBILITY.**

Article 7

- §1. **AUTHORITY** is the power one person has and exercises over another so as to be able to justify obedience. All persons must derive whatever lawful authority they possess from God Himself from Whom they receive it directly or indirectly. Therefore to disobey our lawful superiors is to disobey God Himself.
- §2. By the authority of the Catholic Church, we mean the right and power the Pope and the Bishops, as successors of the Apostles, to teach and govern the faithful of the Church.
- §3. The Sacred Scriptures records this attribute of authority in the Catholic Church first in the Holy Gospel according to St Matthew: “And Jesus came and said to them, ‘All authority in heaven and on earth has been given to Me.’” (*St Matthew 28:18*) and again in the same Gospel: “And He [Christ] called to Him His twelve disciples and gave them authority...” (*St Matthew 10:1*)

THE CONSTITUTION

Title II — Of the Nature and Essence of the Church

Article 8

- §1. The Catholic Church is endowed by her Divine Founder with the attribute of **INFALLIBILITY**, by which we mean that the Church when it teaches a doctrine of Faith or Morals, can not err.
- §2. By a doctrine of Faith or Morals we mean the revealed teaching that refers to whatever we must believe and do in order to be saved.
- §3. We know that the Catholic Church can not err in matters of Faith and Morals because her Divine Founder, our Lord Jesus Christ has promised that the Holy Ghost would remain with it forever and save it from error. If the Church has erred, then the Holy Ghost must have abandoned it and Christ has failed to keep His promise, which thing is impossible.
- §4. Our Catholic Faith teaches us that the attribute of infallibility is an attribute of the whole Catholic Church and not a personal prerogative of any one person or a group of individuals within the Church, regardless of office or station.
- §5. The Holy Scriptures records this attribute of infallibility of the Church in the Holy Gospel according to St Matthew: "...On this rock I will build my Church and the gates of hell shall not prevail against it. I will give to you the keys of the kingdom of heaven, and whatsoever you bind on earth shall be bound in heaven, and whatsoever you loose on earth shall be loosed in heaven." (*St Matthew 16:18-19*) and again in the same Holy Gospel: "...teaching them to observe all that I have commanded you; and lo, I am with you always, even to the end of the world." (*St Matthew 28:20*)

Article 9

- §1. The Catholic Church is also endowed by her Divine Founder with the attribute of **INDEFECTIBILITY**, by which we mean that the Catholic Church as founded by our Lord Jesus Christ, will last till the end of time.
- §2. The Church differentiates between the doctrine of Infallibility and Indefectibility in this wise: By Infallibility we mean that as long as the Church lasts, it can never err or teach error in matters of Faith and Morals. By Indefectibility we mean that the Catholic Church

THE CONSTITUTION

Title II — Of the Nature and Essence of the Church

will last forever and it will always remain as our Lord founded it and will never change the doctrines which He taught.

- §3. The Sacred Scriptures records this attribute of indefectibility in the Holy Gospel according to St Matthew: "...On this rock I will build my Church and the gates of hell shall not prevail against it." (*St Matthew 16:18*).

Article 10

- §1. The Catholic Church while of Divine institution and primarily a spiritual body is at the same time composed on earth of a visible structure organized by human endeavors and along human elements of association and government.
- §2. The one Church on earth exists in the many local (particular) Churches whose life is centered on the celebration of the Holy Eucharist in communion with the lawful bishop and his priests.
- §3. The spread of the Christian Faith to different lands and among many peoples and the consequent rise of a multitude of local (particular) churches did not abolish the unity of the Church nor does their existence now do so, so long as the local Churches maintain pure and unadulterated in the harmonious disposition of all, the faith transmitted to them from the Lord through the Apostles. Unity in Faith is the supreme principle of the Catholic Church.
- §4. As a fellowship of believers united around the bishop and the priests and as the Body of Christ, each local (particular) Church is the manifestation of the whole Christ in one particular place. It represents the sacramental reality of the whole Church in its own locality. For it is in no divided form, that the life, that has been given to the Church by God the Father through the presence of Christ in the Holy Spirit, is given to the local Churches; each local Church, on the contrary, has that life in its fullness. Thus, for all the differences in custom and usage, the life of the local Churches is in essence one and the same. There are not many bodies but one Body of Christ, undivided and whole, in each place. This unity of life in the local Churches reflects the unity of the Holy Trinity itself.
- §5. The Catholic Church subsists in, and is a federation of, local and particular churches gathered together in professing the unity and
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THE CONSTITUTION

Title II — Of the Nature and Essence of the Church

Faith of the Church, celebrating a common worship of Almighty God, sharing in the same Sacramental Life Blood of the Church and enjoying a common fellowship and Communion with the Church Militant, Triumphant and Expectant.

- §6. These local and particular Churches are often organized according to Diocesan, National, Provincial, Ritual or Ethnic circumstances and origins. The most common being the Latin and Byzantine Rites or Churches. They are sometimes also organized for more specific and autonomous purposes such as personal prelatures, territorial abbasies, and abbasies nullius, vicariates apostolic and apostolic prefectures, military Ordinariates and personal Ordinariates.
- §7. Each particular church is endowed with the fullness of the Catholic Faith and encompasses the fullness of the Catholic Church within itself. It is not merely a part of the Catholic Church... it is in and of itself the Catholic Church within the limits of its own boundaries and purpose. Thus in its essence it is the complete Church on a limited and local basis. The individual particular churches unite together in the Catholic Church in a federation and communion of Faith, Worship, Discipline, Morals and Ecclesial Life for the good order and governance of the faithful and for the extension of the mission of the Church, to spread the Gospel of Jesus Christ to all nations, and inspiring the world to a life of holiness, personal sanctity and Christian service.

Article 11

- §1. The North American Old Roman Catholic Church professes its belief that the One, Holy, Catholic and Apostolic Church established by Our Lord Jesus Christ, subsists in its entirety, in each and every Particular Church, Diocese or Jurisdiction, and possesses all of the duties and responsibilities as well as the plenitude of power and authority to perform and fulfill the same, provided it maintains its membership in the Church Catholic, by professing the same Creeds, living the same Faith, administering the same Sacraments, maintaining the same Apostolic Succession, and ordering her life according to the ways established by the Ancient Fathers during the first millennium of the Undivided Church, and wherever possible, retaining a visible Communion with the Bishops of the other Particular Churches,

THE CONSTITUTION

Title II — Of the Nature and Essence of the Church

which when united together constitute the One, Holy, Catholic and Apostolic Church.

- §2. Thus we believe that each Particular Church is in reality a microcosm of the whole Church in its entirety, and not merely a small portion of it possessing only certain features, powers or responsibilities of the whole Church Catholic. Each Particular Church is thus whole, complete and entire, lacking nothing necessary to its on-going life in Christ.

Article 12

- §1. The North American Old Roman Catholic Church professes and believes that each and every Bishop is a Bishop of the entire Catholic Church and thus has a responsibility for, and is entrusted with, the pastoral care and concern for the whole Church; that the Bishops when acting collegially in Council, or in the ordinary exercise of their magisterium within the life of the local church, are also exercising their pastoral care and concern for, and as Shepherds of, the universal Church Catholic; that by common consent and historic tradition, the Bishops limit their pastoral ministrations and administration to the particular Church, Diocese or Jurisdiction to which each is elected.
- §2. Each Bishop is a Bishop by the Grace of God and the operation of the Holy Ghost, directly by Divine Right, and not by favor of any individual or group of individuals whosoever; and each is entrusted with the plenitude of power and authority to fulfill the vocation and mission entrusted to him by Almighty God. The Church believes that each and every Bishop is sovereign within his own jurisdiction and is not dependent upon, or a delegate of any other Bishop, group of Bishops or Council, as regards his pastoral responsibilities or authority, but is united to the other Bishops and to the Church Catholic by a communion in Faith and Sacramental unity, as well as Fraternal love, correction and accountability.
- §3. It is only under the most extreme and unusual circumstances and solely for pastoral emergencies and the care of souls, that a Bishop will exercise his authority and ministry outside of his own domain.

Article 13

The North American Old Roman Catholic Church believes and professes itself to be constituted as a true and genuine particular church, exercising within its own bounds and limits, the same identity, mission, authority, infallibility and indefectibility, of the One, Holy, Catholic and Apostolic Church as founded by our Lord Jesus Christ and as shared in common heritage, doctrinal foundations and sacramental and liturgical life with the Church centered in Rome from which origins this jurisdiction has its beginnings via the Archiepiscopal See of Utrecht.

TITLE III — OF DOCTRINE

Article 1

Our principle is that man is bound to believe all those things, and only those things which God hath revealed. Hence we have no right to select some of those doctrines which we will believe, and others which we may reject; for the divine authority and credit is equal as to each; therefore we admit no distinction between the doctrines of revelation, so as to call some fundamental, which should be received in preference to others to be called not fundamental, as if they may be rejected; for we believe no person is at liberty to reject the testimony of God in great things or in small things.

Article 2

We are not to reject doctrines revealed by God, because they exhibit to us matters beyond the force of our reason to discover. For the unlimited knowledge of God comprehends many things beyond the discovery of our limited reason — and he may, if he thinks proper, reveal to us that such things do exist, though he should not manifest to us the manner of that existence, nor the reason why those things so be.

Article 3

Faith is the belief, upon the authority of God, of all those matters which he hath revealed to us, even though they should be above or beyond the comprehension of our reason.

Article 4

Although we be not obliged by faith to submit our understanding to our fellow-creature, as to God; yet we may have evidence, and of course certainty, that God hath made that creature his infallible witness to us. In receiving the testimony of that witness, we therefore pay our homage, not to our fellow-creature who testifies, but to the Creator, who, by that witness, reveals to us his doctrines, or gives to us his precepts.

Article 5

We have evidence that God hath spoken frequently, in divers ways in times of old, by his prophets to the fathers, and last of all by his beloved Son, who hath on earth established his church as the pillar and the ground of truth; and who hath commanded all persons to hear and to obey that church as the infallible witness of his doctrine and precepts; which church he hath built upon a rock, making to her a promise that the gates of hell shall not prevail against her.

Article 6

We have evidence that, notwithstanding many persons have in several ages gone out from this church, and formed for themselves new associations, yet that Church of Christ hath subsisted in every age, and still continues to be a visible body of believers, united under one visible head, in the profession of the same faith, using the same sacraments, teaching doctrines of moral and religious observance which are confessedly holy, and which, being reduced to practice, have exhibited, at all times, men and women of eminent sanctity in the bosom of that society spread through the whole civilized world, and tracing its origin through the unbroken succession of its pastors, to the Apostles who were commissioned by the Son of God to teach all nations; and with whom and with whose successors he promised to be, all days, to the consummation of the world.

Article 7

From this church we receive the testimony of the doctrines and precepts which God hath revealed; to which doctrines no man may add, from which doctrines no man may take away; and which precepts by the divine authority are binding upon those to whom they are given.

THE CONSTITUTION
Title III — Of Doctrine

Article 8

- §1. We therefore believe with a firm faith, and profess all and every one of those things which are contained in that creed which the holy Catholic (Roman) Church maketh use of, to wit:
- §2. We believe in one God, the Father Almighty, maker of heaven and earth, of all things visible and invisible. And in one Lord Jesus Christ, the only begotten Son of God, and born of the Father before all ages. God of God; light of light: true God of true God; begotten, not made; consubstantial to the Father, by whom all things were made. Who for us men, and for our salvation, came down from heaven, and was incarnate by the Holy Ghost of the Virgin Mary; and. was made man. Was crucified also for us under Pontius Pilate; he suffered and was buried; and the third day he arose again according to the Scriptures. He ascended into heaven; sitteth at the right hand of the Father, and is to come again with glory to judge the living and the dead; of whose kingdom there shall be no end. And in the Holy Ghost the Lord and lifegiver; who proceedeth from the Father **and the Son**, who, together with the Father and the Son, is adored and glorified, who spoke by the Prophets. And we believe one, holy, Catholic and Apostolic Church. We confess one baptism for the remission of sins; and we expect the resurrection of the dead and the life of the world to come. Amen.
- §3. We most steadfastly admit and embrace apostolical and ecclesiastical traditions, and all other observances and constitutions of the church.
- §4. We also admit the holy Scriptures according to that sense which our holy mother, the church, hath held and doth hold, to which it belongs to judge of the true sense and interpretation of the Scriptures; neither will we ever take and interpret them otherwise than according to the unanimous consent of the fathers.
- §5. We also profess that there are truly and properly Seven Sacraments of the new law instituted by our Lord Jesus Christ, and necessary for the salvation of mankind, though not all for every one: to wit, Baptism, Confirmation, Eucharist. Penance, Extreme Unction, Order, and Matrimony; and that they confer grace; and that of these, Baptism, Confirmation, and Order cannot be reiterated without sacrilege. We also receive and admit the received and approved ceremonies of the

THE CONSTITUTION
Title III — Of Doctrine

Catholic Church in the solemn administration of all the aforesaid Sacraments.

- §6. We receive and embrace all and every one of those things which have been defined and declared in the holy Council of Trent concerning original sin, and justification.
- §7. We profess, likewise, that there is offered to God in the Mass a true, proper, and propitiatory sacrifice for the living and the dead. And that in the most holy Sacrament of the Eucharist there is truly, really, and substantially, the body and blood, together with the soul and divinity, of our Lord Jesus Christ; and that there is made a conversion of the whole substance of the bread into the body, and of the whole substance of the wine into the blood,—which conversion the Catholic Church calls Tran-substantiation. We also confess that, under either kind alone, Christ is received whole and entire, a true Sacrament.
- §8. We constantly hold that there is a Purgatory, and that the souls therein detained are helped by the suffrages of the faithful.
- §9. Likewise, that the saints reigning together with Christ are to be honored and invoked; and that they offer prayers to God for us, and that their relics are to be respected.
- §10. We most firmly assert that the images of Christ, of the Mother of God, ever Virgin, and also of other saints, may be had and retained, and that due honor and veneration is to be given to them.
- §11. We also affirm that the power of indulgences was left by Christ in the church, and that the use of them is most wholesome to Christian people.
- §12. We also acknowledge the holy Catholic Apostolic Roman Church as the center of all Christian Unity, and as the mother and mistress of all other churches; and we render true filial honor and respect to the Bishop of Rome, successor to St. Peter, Prince of the Apostles.
- §13. We likewise undoubtedly receive and profess all other things delivered, defined, and declared by the sacred canons and general councils, and particularly by the holy Council of Trent. And we condemn, reject, and anathematize all things contrary thereto, and all heresies whatsoever condemned, rejected and anathematized by the church.

THE CONSTITUTION
Title IV — Of Government

§14. This true catholic faith, without which none can be saved, we do at this present, freely profess and sincerely hold, and we promise most constantly to retain and confess the same entire and inviolate, with God's holy assistance, to the end of our lives.

Article 9

The North American Old Roman Catholic Church is one in matters of Faith and Morals, de fide, with the Catholic Church established by Jesus Christ. It embraces all such doctrine of the See of Rome as of the year 1723, and it condemns all heresies and errors condemned by the same See at that time. It accepts as Catholic those who share this doctrine and conduct their affairs accordingly.

TITLE IV — OF GOVERNMENT

The Church of Christ on earth, of which we here treat, is the visible body of true believers under its proper government. (See Title III, Article 6)

Article 1

The government of the Church is not of human invention, nor established by the agreement of men; but it is the positive institution of God; and is subject only to the administration of those persons whom he hath commissioned to regulate and carry it on.

Article 2

It is not in the power of men by any convention or law, or act of authority, or of force, to change the nature of that government which our Lord Jesus Christ hath established for his church.

Article 3

We do not believe that our Lord Jesus Christ gave to the civil or temporal governments of states, empires, kingdoms, or nations, any authority in or over spiritual or ecclesiastical concerns.

Article 4

We do not believe that our Lord Jesus Christ gave to the rulers of his church, as such, any authority in or over the civil or temporal concerns of states, empires, kingdoms, or nations.

Article 5

We do not believe that our Lord Jesus Christ hath appointed any special or particular mode of civil or temporal government for mankind, so that men should be bound by the divine law to adopt or to prefer one mode of civil or temporal government to any other.

Article 6

We believe that as Church government and temporal government are not necessarily united the one to the other, nor dependent the one upon the other; the one unchangeable mode of Church government may therefore continue for ever to subsist, as it hath, during all ages of Christianity, subsisted, in the several nations which have had different modes of temporal government; and that the several members of that one Church may still continue in their respective nations, as they have hitherto been, faithful and meritorious citizens of republics, and loyal subjects of limited or of absolute monarchs. Nor does, therefore, the difference of temporal government in their several nations require or make lawful any change in Church government, so as to assimilate the same to the temporal governments of those several nations.

Article 7

We do not believe that our Lord Jesus Christ gave to the faithful at large the government of the Church, nor any power to regulate spiritual or ecclesiastical concerns ; neither do we believe that he gave to the laity nor to any part of the laity such government nor such power, nor any portion of such government or of such power.

Article 8

We believe that our Lord Jesus Christ hath appointed his Apostles the governors of his Church; to be witnesses of his doctrine in Jerusalem and all Judea, and Samaria; and to the very ends of the earth; his ministers the dispensers of the mysteries of God, the Sacraments instituted by our blessed

Redeemer; and bishops placed by the Holy Ghost to govern the Church of God, by establishing and preserving wholesome discipline therein.

Article 9

We believe that for the purpose of preserving his Church in unity and in that peace which the world could not give, and of making it one as he and his heavenly Father are one, the Savior Jesus Christ did establish one chief ruler amongst his Apostles, with a primacy of honor and of spiritual jurisdiction: to which pre-eminent ruler every member of the Church ought to pay the reverence and the honor justly due to a person placed by the divine authority in so eminent a station.

Article 10

We believe that this pre-eminence in and over the universal church was promised by our blessed Redeemer to Simon the son of Jonas, when the Savior changed the name of that Apostle to Peter, and that it was conferred upon him principally when our blessed Lord told him that he had prayed for him that his faith should not fail, and : exhorted him when he should be converted, to confirm his brethren and again, when after his resurrection the Savior having, required from him a declaration of greater love, gave to him more extensive authority, to feed his lambs and to feed his sheep: we behold in his subsequent acts, evidence of his exercise of this power, and the same doctrine is testified to us by the Church.

Article 11

We are taught, and do believe that this office of a pre-eminent shepherd was ordained by our Lord Jesus Christ to remain in the Church during its existence: and we find undoubted evidence that St. Peter, the chief Apostle, did finally establish his seat of authority in the city of Rome, near to which he and the Apostle St. Paul were put to death, and that the power with which he was invested by our blessed Redeemer was thus caused to descend to the Bishops of that Holy See.

Article 12

We also find that the Christian Churches from the beginning did receive and hold this doctrine of the pre-eminence of one see, and did recognize and acknowledge the fact, that it was vested in the Bishops of Rome, who

have at all times by divine appointment exercised the prerogatives thereof, and to which authority those churches that did continue in the primitive communion have at all times willingly submitted.

Article 13

We therefore acknowledge the primacy of honor and of spiritual jurisdiction throughout the whole world to be, of divine right, in the Pope or Bishop of Rome, duly and properly appointed; and we pay to him the reverence and the honor justly due to his eminent station; and we feel it necessary to adhere, in principle, to his communion and to be subject to his spiritual and ecclesiastical authority, insofar as such reverence and obedience does not diminish nor abrogate our historic and canonical autonomy and does not conflict with this Constitution.

Article 14

We are not required by our faith to believe that the Pope is infallible nor do we believe that he is impeccable, for it is not a consequence of his being vested with great authority that he should be exempt from the frailties of human nature; but we do not believe that his authority would be diminished, nor the institutions of our blessed Savior destroyed, even if the Pope were to be guilty of criminal actions.

Article 15

We do not believe that by virtue of this spiritual or ecclesiastical authority, the Pope hath any power or right to interfere with the allegiance that we owe to our state; nor to interfere in or with the concerns of the civil policy or the temporal government thereof, or of the United States of America.

Article 16

We believe and acknowledge the majority of the bishops of the church, who are the successors of the apostles, gathered in council and in union with their, head aforesaid, to be an ecclesiastical tribunal appointed by our Lord Jesus Christ to decide by his authority, with infallible certainty of truth, in all controversies of doctrine, and to testify truly to us those things which have been revealed by God to man. We also recognize and acknowledge in that same tribunal full power and authority, by the same divine institution,

to regulate and to ordain the general ecclesiastical discipline of the whole Church of Christ.

Article 17

We believe and acknowledge that in the several dioceses, bishops are placed by the Holy Ghost to govern the Church of God. And we acknowledge the bishop regularly appointed, according to the usage of the church, and in due time consecrated according to the form of the same, and where possible, holding communion with the Pope, to be the ordinary lawful governor and ecclesiastical legislator of the church of this diocese, to whom we are bound to pay reverence and obedience in all spiritual and ecclesiastical concerns, according to the divine institution and the canons and usages of the church.

Article 18

During the absence of the bishop, we acknowledge the power of governing the church of this diocese in conjunction with him, to be in the vicar whom he may appoint. And even when the bishop may be present, we acknowledge the vicar appointed by him to be vested with such spiritual and ecclesiastical authority as the bishop may specify, and that such vicar is to be respected and obeyed accordingly.

Article 19

During the vacancy of the see, we acknowledge the power of governing the church of this diocese to be in the vicar who may be regularly appointed by the proper ecclesiastical authority; and that such vicar is to be respected and obeyed accordingly.

Article 20

We acknowledge the priests of the church to be, in subordination to the bishop, the preachers of the doctrine of Christ, the ministers of the sacraments, and, when duly appointed, the local rulers of ecclesiastical districts, and that they ought to be respected and obeyed accordingly.

Article 21

As in the church there are other orders of clergymen, who may occasionally receive from the bishop authority to perform those duties of which they are capable; we acknowledge the existence of the orders of deacon and subdeacon and minor clerks. And according to divine and apostolical institu-

THE CONSTITUTION

Title V — Of the Common and Canon Law

tions, canons, and ancient usages, we will yield due obedience to the authority with which they may be invested, and we will respect themselves, their orders and their offices.

Article 22

As our religion was not invented by men, but revealed by God, and as the government of the church was not framed by human convention, nor by human authority, but by the institution and by the authority of our Lord Jesus Christ; we acknowledge its source to be divine; we therefore disavow and disclaim any right or power, under any pretext, in the laity to subject the ministry of the church to their control, or to interfere in the regulation of its sacred duties, this being the exclusive province of those persons whom the Holy Ghost hath placed bishops to govern the Church of God.

TITLE V — OF THE COMMON AND CANON LAW

Article 1

This Church submits itself and subscribes to the Seven Ecumenical Councils of the ancient and undivided Catholic Church and to their Doctrine, Definitions of the Faith, Letters, Epistles, Acts and Decrees, both doctrinal and synodal, and the Letters and Decrees of the Regional Councils or Synods, and of the Fathers received, accepted and affirmed by the same Ecumenical Councils, all as received in the Roman Catholic Church through the year 1723, as well as the Canons, Canonical Acts and Decrees and the canonical rulings thereof or made therein, and the canonical principles expressed therein, as have been accustomed and used in the Church since their promulgation and which have neither been expressly altered or amended by positive action of this Church nor have fallen into and remained in desuetude.

Article 2

Any matters not expressly legislated by or provided for by this Constitution and Canons, or the Constitution and Canons of any Province, Diocese or other jurisdiction thereof shall be referred to and be subject to the Pio-Benedictine Code of Canon Law of 1918 of the Roman Catholic Church not expressly altered or amended by any Synod or Synods of this Church or

THE CONSTITUTION
Title VI — Of Canonical Authority

rendered inapplicable in the particular circumstances thereof, are incorporated by reference and are to be of continued force and effect.

Article 3

Terminology used in the Canon Law of this Church may, from time to time, be defined and set forth in an official Schedule or Glossary of Terms annexed to these Canons, as may be determined by the direction of the Primate of this Church, after taking expert advice and with the consent of the College of Bishops.

Article 4

All words and terms used in the Constitution and Canons of this Church as well as the provisions set forth therein, and all other canonical legislation of this Church, shall be given their normal meaning and natural construction in accordance with the norms, general practice, and principles of Ecclesiastical Legislation and Canon Law and the accustomed usage of the Church, unless the context shall indicate otherwise, and in accordance with the provisions set forth elsewhere herein.

TITLE VI — OF CANONICAL AUTHORITY

Article 1

The laws governing The North American Old Roman Catholic Church are those prescribed in this Constitution and Codex of Canon Law, as approved by the College of Bishops of this Church and the General Synod thereof, together with any amendments or other canons, laws, rules, regulations, statutes, etc, which may lawfully be prescribed by the authority of this church and its College of Bishops and General Synod in accord with the provisions of this Constitution and Codex of Canon Law.

Article 2

As true Old Roman Catholics, this Church is also governed by the Codex Juris Canonici (Code of Canon Law, also known as the Pio-Benedictine Code of Canon Law) promulgated under the seal of Pope Benedict XV in his Apostolic Constitution *Providentissima Mater*, May 27, 1917, *mutatis mutandi*, wherever such Code is not in conflict with this Constitution and Codex of Canon Law, and those supplemental laws as properly provided by

this Constitution and Codex of Canon Law, and which are not in conflict with matters de fide.

TITLE VII — OF WORSHIP AND HOLY SCRIPTURE

Article 1

The North American Old Roman Catholic Church, as a true Old Roman Catholic body, in accordance with the Principles of The North American Old Roman Catholic Church, conforms strictly to the liturgical works of the Roman Catholic Church prior to 1964. We adhere strictly to the *Missale Romanum*, *Rituale Romanum*, *Pontificale Romanum*, *Martyrologium Romanum*, and the *Cæremoniale Episcoporum*, and their lawful vernacular translations, variations, and emendations as approved by our College of Bishops.

Article 2

In accord with the principle of “*Salus animarum suprema lex*” (The salvation of souls is the highest law), this church retains the right to approve, authorize or establish other liturgical texts for groups of Christians who unite with us from other traditions, always ensuring that such alternate texts are in strict conformity with the doctrine of The North American Old Roman Catholic Church.

Article 3

The Mass, the administration of the Sacraments, the Divine Office and other ceremonies and rites may be conducted in either Latin or in the vernacular language of the country or people of the parish, as pastoral requirements dictate and according to local custom and the local Ordinary’s instructions, but in all cases such linguistic renderings shall be uttered with precision. The use of the Latin Canon in Masses offered in the vernacular, as well as the use of Latin for the essential form of the administration of the Sacraments, may be determined as appropriate by the local Ordinary.

Article 4

The Primate shall designate a cleric or a properly trained and educated layman who shall have the duty of formulating the official Calendar of this Church each year. The Calendar shall conform to the essentials of the Cal-

THE CONSTITUTION

Title VII — Of Worship and Holy Scripture

endar extant prior to Vatican Council II, with the provisions that saints canonized since that time shall be included and that all special Holy Days and Observances of this Church are also included. It will be submitted to the Primate for approval and will bear his *Imprimatur* and the *Nihil Obstat* of the appropriate Ordinary.

Article 5

- §1. The North American Old Roman Catholic Church receives and esteems the Holy Scriptures to be the inspired Word of God. It understands and believes the Holy Scriptures of the Old and New Testaments to be the authentic record of God's revelation of Himself, His saving activity, and moral demands — a revelation valid for all men and all time.
- §2. The Douay-Rheims version and the Revised Standard Version (Catholic or Ecumenical editions) of the Sacred Scriptures are the received and official standard English translations of the Bible approved for general use within the North American Old Roman Catholic Church. Other translations may be used and approved by the College of Bishops according to local needs and custom.
- §3. No translation of the Holy Scripture, in whatever language however, may take preeminence or can claim an authority superior to the original text in which the Sacred Scripture was composed.
- §4. We profess the reading of the Sacred Scripture in the vernacular tongue can not be lawfully forbidden
- §5. The Holy Scriptures being recognized as the primary rule of Faith, we agree that the genuine Tradition, i.e. the unbroken transmission partly oral, partly in writing of the doctrine delivered by Christ and the Apostles is an authoritative source of teaching for all successive generations of Christians. This Tradition is partly to be found in the consensus of the great ecclesiastical bodies standing in historical continuity with the primitive Church, partly to be gathered by scientific method from the written documents of all centuries
- §6. This Church accepts all of the Canonical and Deutero-canonical Books of the Old and New Testaments as contained in the Latin Vulgate edition by Saint Jerome. The Names of the Books of the Old

THE CONSTITUTION

Title VIII — Of Membership and Its Obligations

Testament shall conform to those used in the Revised Standard Version.

TITLE VIII — OF MEMBERSHIP AND ITS OBLIGATIONS

Article 1

A member and believer of the North American Old Roman Catholic Church is one who professes the principles of this church and acknowledges them as the norms and rules of his life.

Article 2

Persons shall be eligible for membership in this Communion who are validly baptized, who are willing to publicly profess the Profession of Faith as provided in the *Rituale Romanum*, and who faithfully abide by this Constitution and Codex of Canon Law, and all other laws and legislation of this church.

Article 3

A believer in the Old Roman Catholic Church is one who enrolls as a member and who accepts the teaching of this Church as a norm of life, and pledges to try to live according to its principles.

Article 4

A practicing member of this Church is one who along with others joins a parish or mission and along with them strives to build the Kingdom of God on earth to make this a better world to live in.

Article 5

An active member of this Church is one who believes in the ideals, principles, and aims of the Church; participates in the Sacraments; conforms to the Constitution and Canons of the Church; and cooperates with others in the work of the Church.

Article 6

The obligations of members are of two kinds, spiritual and material.

THE CONSTITUTION

Title VIII — Of Membership and Its Obligations

Article 7

The spiritual obligations of members are Worship, Love and Obedience to God. Members of this Church express such acts of worship, love and obedience to God by:

- Private Prayer
- Active participation in the corporate worship of the Church
- Active participation in the Sacramental Life of the Church, i.e.: receiving the Sacraments of Baptism and Confirmation; by receiving the Holy Eucharist and confessing their sins in the Sacrament of Penance at least once a year during Eastertide; and participation in the other Sacraments instituted by our Lord Jesus Christ for the sanctification and perfection of mankind, according to their state and condition in life.
- The proper rearing and education of children and the good examples of parents and guardians, through pastoral preparation in home, school and in church, and which ends temporarily with the Sacrament of Extreme Unction. In its essence the Christian life continues eternally.

Article 8

The material obligations of members are those enacted:

- By the General Synods;
- By the Special Synods;
- By the Provincial Synods;
- By the Diocesan Synods;
- By the local Parishes or Missions;
- By the College of Bishops.

Article 9

Outside of definite dues determined by Synods, church members endeavor to make free-will contributions for their parishes, missions and the various causes of their diocese and the North American Old Roman Catholic Church as needed and/or required

THE CONSTITUTION

Title VIII — Of Membership and Its Obligations

Article 10

A voting member of this Church must:

- Be not less than eighteen years of age;
- Be a believer of this Church, who is enrolled in and is united with others in a visible society called a Parish or Mission;
- Contribute his offerings, labor and life to fulfill the goals of his Parish or Mission and those of the North American Old Roman Catholic Church;
- Believe in and receive the Sacraments regularly;
- Believe in the ideals, principles and aims of this Church;
- Complies with the Constitution and Canons of this Church;
- By personal charity and active cooperation with the Bishops, Priests and lay members of his parish, helps to realize the aims and mission of the North American Old Roman Catholic Church.

Article 11

If a member fails to meet his parish obligations for a period of one year, without any special reason, and after due notice in writing, fails to rectify or justify the same within sixty days, and continues to decline to meet them, loses his privileges in the parish.

Article 12

A person who has lost his rights and privileges as a voting member of this church, may present to his Pastor, Bishop or Primate and/or to the Parish Vestry or Committee, a request for restoration of said rights and privileges together with any unpaid financial obligations or justification for his failure to fulfill those obligations. Upon the approval of the appropriate ecclesiastical authority, his rights and privileges shall be restored.

Article 13

If a member fails to live up to the moral and spiritual standards of the Church, he is to be admonished in a brotherly way, and every effort should be made to get him to mend his way as the Scripture advises (Mt 18 : 15-20).

THE CONSTITUTION

Title VIII — Of Membership and Its Obligations

Article 14

A member who harms, slanders or libels this Church or any of its Parishes, Missions, clergy or members in a moral or material manner, may be summoned by his Pastor, his Bishop or by the Primate, or persons authorized by the same, to repair the wrong committed by him. Should he refuse to do so, the matter shall be referred to the proper Church Tribunal for adjudication, under this Constitution and these Canons.

Article 15

Members of the North American Old Roman Catholic Church are expected to appreciate the bonds of their Christian fellowship, their common affiliation in the Catholic Faith, and to respect their spiritual leaders and to assist them in the discharge of their duties.

Article 16

Every member, living up to his obligations, shares in the rights and privileges guaranteed him by this Constitution and by these Canons.

Article 17

Members of this Church have the right, individually or collectively, to present their grievances and complaints to the appropriate Church authorities as herein provided by this Constitution and these Canons.

Article 18

Members of the North American Old Roman Catholic Church have the right to file any grievances or complaints that they may have or to make any suggestions for the good of the Church, and all such Church authorities of this jurisdiction, are under a solemn obligation to take them into thoughtful consideration and to render their judgment.

Article 19

Members that have been actively affiliated with a Parish or Mission for a year may be chosen to office in the said Parish or Mission. Members that have been active with a Parish or Mission for not less than two years may be elected as delegates to Synods or to other official positions in the Diocese or Church at large. Parishes newly organized are exempt from this regulation

THE CONSTITUTION
Title IX — Of Persons

Article 20

Members of this Church who have been actively affiliated with a Parish or Mission for not less than two years, may be elected or appointed to offices within the North American Old Roman Catholic Church, and those who have been members for not less than five years may be elected or appointed to membership on the Synodical Council of the North American Old Roman Catholic Church.

Article 21

Persons are received into the membership of this Church by the parish priest through Baptism, Confirmation or Reception by the Bishop; they receive their parochial rights and privileges from the parish priest after consultation with the parish committee.

TITLE IX — OF PERSONS

Primate

Article 1

- §1. The Primate is the chief spokesman for this Communion. His duties are to preside at Synods and Councils; to negotiate, in the absence of a local ordinary, with local churches for the appointment of pastors and other members of the clergy; to consecrate to the episcopate those lawfully designated to that charge; to admonish and teach according to Catholic norms; to impose ecclesiastical sentences and censures for due cause; to act as liaison between this Communion and other church bodies, should such dialogue occur; to approve the establishment of religious communities; to create ecclesiastical territories, subject to confirmation by the General Synod; and to delegate by specific letter to the Primatial Vicar the carrying out of any of the aforementioned duties.
- §2. The Primate shall have the power to veto any action of the General Synod when in his judgment such action would not be for the good of the whole of this jurisdiction.
- §3. The Primate's veto shall be set aside and overridden upon passage of a pertinent motion by two-thirds of those present and voting.

THE CONSTITUTION

Title IX — Of Persons

- §4. Should fifty percent of the Bishops present, not including the Primate, vote with the Primate, the Primate's veto shall be sustained.

Article 2

Any bishop of this Communion who has attained to the age of thirty three years shall be eligible for the Primacy of this Communion.

Article 3

- §1. Upon learning of the vacancy of the Primacy of this Communion, the Primatial Vicar shall provide for the election of a successor to the former Primate by convoking a Special General Synod, as provided within this Constitution, at which he shall preside; a Primate shall be elected when no fewer than two-thirds ($2/3$) of the ballots designate one individual.
- §2. Upon notification of his election, the Primate-Elect shall either accept or reject the office by notifying the Primatial Vicar of his intent. If he rejects the Primacy, balloting shall be renewed, but his name shall be stricken from subsequent ballots. If he accepts the Primacy, his administration begins immediately with his acceptance.

Article 4

- §1. The election to the Primacy is a personal honor conveyed by one's fellow priests and bishops.
- §2. Upon election, the Primate succeeds to the See of Nova-Terra in historic and canonical continuity. He is the possessor of that See for the remainder of his life or until otherwise removed, as provided within this Constitution.

Article 5

- §1. The Primate shall be styled the Metropolitan-Primate of the North American Old Roman Catholic Church, and Archbishop of the See of Nova –Terra.
- §2. The Primate shall retain his office as Ordinary and/or Metropolitan of the See of which he was the possessor at the time of his election to the Primacy of this Church.
- §3. He will retain both offices for life, unless he resigns or is deposed according to the Canons and this Constitution.
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THE CONSTITUTION

Title IX — Of Persons

Article 6

If the Primate is impaired in the actual administration of that See, he may appoint a titular bishop or administrator for the See, and the Primate himself is free to retain his residence in whatever locale suits his convenience.

Article 7

In the event of the election of a bishop's subordinate to the dignity of the Primacy, the new Primate shall not usurp his former Ordinary's jurisdiction. Should need be, the new Primate may, with concurrence of the Council, create a local ordinary jurisdiction to accommodate his election.

Article 8

The Primacy shall be vacated by death of the Primate, or by the Primate's tendering to the General Synod, through his Primatial Vicar, a letter of resignation, or by deposition as provided by Canon Law.

Article 9

The Primate may be deposed only for cause, such as serious breach of Canon Law, or for violation of this Constitution, and only by the College of Bishops with the concurrence of the General Synod, for which motion the Primatial Vicar shall preside in the Sacred Consistory. The Primate shall be deposed following balloting on that question in which the results of such balloting indicate unanimous affirmation of the Sacred Consistory, the Primate's veto notwithstanding.

Article 10

The Primate is empowered, with the advice and consent of the College of Bishops, to institute Religious Orders, Societies and Organizations in connection with the North American Old Roman Catholic Church, and to confer and bestow Titles and Honors of Merit, non-academic Degrees and Marks of Distinction upon any person(s) who shall have achieved distinction in the Arts and Sciences or Humanitarianism, or who have made a significant non-financial contribution to the good and welfare of this Church and who have demonstrated a love and zeal for the work and ministry of this Church and who have assisted in the extension of her apostolic work and mission.

THE CONSTITUTION

Title IX — Of Persons

Article 11

All Pastoral Letters issued by the Primate, shall be read in all churches of the North American Old Roman Catholic Church within thirty days of their receipt unless so directed to be read on a certain date or within a certain specified time frame. They will be read to the congregation either by the pastor or cleric-in-charge or by a person designated by him for that purpose.

Primatial Vicar

Article 1

As soon as possible after assuming the Primacy, the Primate shall select a Primatial Vicar, to serve at the Primate's good pleasure, from among the bishops of this Communion.

Article 2

The Primatial Vicar shall serve at all times at the pleasure of the Primate. He shall not carry out the duties of the Primate that are specifically identified in this Constitution, unless specifically deputed in Primatial letters to do so. He shall serve as interim administrator when the Primacy is vacant.

Article 3

The Primatial Vicar shall serve at the pleasure of the Primate. He may be removed only by the Primate for serious cause and only with the concurrence of the College of Bishops.

Article 4

Should the Primatial Vicar survive the Primate or hold that post when the Primate either resigns or is deposed, the Primatial Vicar shall administer the routine affairs of the Church until a successor to the previous Primate accepts the Primacy, at which time the position of Primatial Vicar becomes vacant until the new Primate shall appoint a bishop to that office.

Metropolitans

Article 1

§1. Each Province of this Church having one or more ordinary jurisdiction(s) within this Communion shall be entitled to the dig-

THE CONSTITUTION

Title IX — Of Persons

nity of one and only one Archbishop-Metropolitan, not including the Metropolitan-Primate.

- §2. The duties of the Archbishop-Metropolitan shall be governed by the provisions of Canon Law.

Article 2

The Primate shall designate the Metropolitan for each Province from among the existing bishops of that Province.

Article 3

The said Metropolitan shall hold that position for his lifetime or until removed as provided by Canon Law, he resigns, or by deposition of the College of Bishops and the General Synod.

Bishops

Article 1

- §1. In order to be ordained and consecrated as a Bishop in this Church, a man shall have been validly baptized and confirmed, and he shall have been validly and canonically ordained to the Diaconate and the Priesthood.
- §2. He shall meet the Scriptural, Apostolic, and Patristic qualifications for ordination and consecration, and he shall be free from any significant objection that he is justly liable to evil report, either for error in religion or for viciousness of life. He shall preserve chastity, and he shall not have disavowed a valid marriage, nor shall he be married to a woman who has done so. He shall be of sound mind and body. He shall meet such other qualifications as the Canons shall prescribe.

Article 2

- §1. Any man elected to the Office of Bishop in this Church must be approved for ordination and consecration by at least three fourths of the Bishops of the Province concerned, meeting collegially, and by the Metropolitan thereof, and in accordance with all other provisions as set forth in this Constitution and the Canons of this Church.
- §2. When such election has been duly certified to the Metropolitan, he shall take order for the Consecration of the Bishop-Elect.
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THE CONSTITUTION

Title IX — Of Persons

Article 3

No man shall be ordained and consecrated Bishop until he shall have attained the age of thirty years, nor shall he be consecrated by fewer than three Bishops, unless for grave cause the Metropolitan, or the College of Bishops, shall so direct.

Article 4

A Bishop shall confine the exercise of his Office to his own Diocese unless he shall have been requested to perform Episcopal Acts in another Diocese by the Ecclesiastical Authority thereof, or unless he shall have been authorized by the Metropolitan, acting with the advice and consent of the College of Bishops, to act temporarily in case of need within any territory not yet organized as a Diocese of this Church.

Article 5

Nothing contained in the legislative jurisdiction of the General Synod or the Provincial Synod shall limit or affect the powers, jurisdiction, and authority inherent in the Office of Bishop as Apostle, Shepherd, Prophet, Evangelist, and Teacher or exercised collegially by the Bishops of the Church, excepting that office and government of the same shall not be in conflict with this Constitution or the Canons enacted pursuant hereto.

Article 6

It is hereby declared to be the particular duty of the high priestly Office of Bishop, as a Steward of God and an Ambassador of Christ, to proclaim the Word of God and the Gospel of Christ to all men, to sanctify the faithful committed to his charge and safe-keeping, and, together with other Clergy and the Laity, guard and defend the Church's Faith and Moral Teaching.

Article 7

Any Bishop holding an Episcopal Office may resign that Office at any time by written notice to his superior or to the next senior Bishop and in accord with the Canons of this Church.

Article 8

§1. Upon attaining the age of seventy-five (75) years, a Bishop serving in any Episcopal Office, except the Primate and the Metropolitan of any Province, shall submit to the Primate and the College of Bishops

THE CONSTITUTION
Title IX — Of Persons

his offer to retire. If his offer is accepted by that Synod, his retirement shall become effective 180 days from the date of his letter of notification from the Primate. Such retired Bishop may perform spiritual acts at the request of the Metropolitan, or the Ecclesiastical Authority of a Diocese.

- §2. If his offer to retire is not accepted, he must, every three years following, renew his offer to retire from office.

Sacred Consistory and College of Bishops

Article 1

The College of Bishops of this Church is composed of all Bishops recognized as being in good canonical standing within the North American Old Roman Catholic Church, and who are in full communion with the Primate of Nova-Terra and the Primate of this jurisdiction.

Article 2

The College of Bishops of this Church with and under the Presidency of the Primate thereof shall have charge of the Government and Administration of this Church.

Article 3

The College of Bishops of this Church shall perform all duties prescribed for the College by the Constitution and Canons of this Church.

Article 4

- §1. The Primate of this Church shall summon all the Bishops subject to the authority of this Church into a formal meeting of the College of Bishops thereof on at least two occasions during each calendar year; such meetings to be separated by an interval of at least three months.
- §2. He shall send to each Bishop entitled to sit therein a written summons to the formal canonical meeting, giving both the time and place thereof at least three weeks prior to the same.
- §3. No Bishop so summoned shall absent himself from any such regular meeting unless for grave and sufficient cause prevented from attending, which cause of absence shall be expressed in writing and communicated to the Primate prior to the meeting.

THE CONSTITUTION

Title IX — Of Persons

Article 5

If, for grave and sufficient cause, not more than one regular semi-annual canonical meeting be in any year impeded, then with the written consent of two-thirds of the members of the College of Bishops, such meeting shall be waived. In such case a special meeting of the College of Bishops shall be held pursuant to Article 6 following, and the special meeting shall be held as closely as possible to the date of the waived canonical meeting.

Article 6

- §1. The Primate of this Church, may summon the members of the College of Bishops to other meetings thereof as he may deem necessary for the accomplishment of essential business, giving ten days notice thereof, designating the time and place of the meeting.
- §2. A waiver of the ten days notice may be executed by all the members of that College of Bishops.

Article 7

If any Diocesan Bishop or Bishop Ordinary of this Church be absent, the Primate shall forward to the Senior Clerical and Lay Officials of the Jurisdiction of the absent Diocesan Bishop or Bishop Ordinary a summary of all the non-privileged actions taken at the meeting of the College of Bishops from which their Bishop was absent. He shall also forward to them a statement noting the absence of their Ordinary and the cause stated for the same made by their Ordinary for that absence.

Article 8

If any Diocesan Bishop or Bishop Ordinary of this Church is absent without grave and sufficient cause having been prevented from attending for two consecutive regular meetings of the College of Bishops, he shall be deprived of his vote therein for a period of four months following the second consecutive inexcusable absence.

Article 9

If a Bishop is absent without grave and sufficient cause having been prevented from attending for three or more consecutive regular meetings of the College of Bishops, and the first and the last such meetings being at last five months apart, the Primate shall take action against that Bishop as provided

THE CONSTITUTION

Title IX — Of Persons

in the Canons for the Abandonment of the Communion of this Church and shall provide pastoral oversight for those previously under the jurisdiction of that Bishop.

Article 10

- §1. The College of Bishops of this Church possesses the inherent authority to determine, from time to time, such rules and regulations for its meetings as it deems expedient for regulating the practice and procedure thereof.
- §2. Further, the College of Bishops has the inherent authority and power to act by maximum requirement of three-fourths majority for collegiality, unless the Constitution of this Church, the Canons, or its own rules and regulations mandate a higher quorum.
- §3. The College of Bishops may act by simple majority of a canonical quorum of one-half of its membership, providing always that it has the consent of the Primate.

Article 11

- §1. The Sacred Consistory of Bishops of this Church is composed of all active Ordinaries, Metropolitans and the Primate of this Church.
- §2. The Sacred Consistory shall perform those duties and responsibilities as delineated for it in this Constitution and the Canons of this Church.

Clergy

Article 1

The designations of the clergy in the administration of this Church are: The Primate; the Metropolitans; the Diocesan Bishops (Ordinaries); the Co-Adjutor Bishops; the Auxiliary Bishops; the Missionary Bishops; the Vicars Apostolic; the Canons of the Primatial See; the Monsignors; the Pastors; the Administrators; the Assistant Priests or Curates; and the Deacons.

Article 2

The clergy of this Church consist of those clerics who have received the First Clerical Tonsure and who are designated as Clerics; those who have received the Minor Orders and are designated as: Porters, Lectors, Exorcists; Aco-

THE CONSTITUTION

Title IX — Of Persons

lytes and Subdeacons (the last of which have sometimes been considered to have been ordained to Major Orders); those who have been ordained to the Major Orders of the Diaconate and are known as Deacons and those who have been ordained to the Presbyterate and are designated as Priests. The highest Order of the Clergy is the Episcopate, the Bishops ... Successors of the Apostles, who possess the fullness of the Sacred Priesthood of Christ.

Religious

Article 1

- §1. Men or women wishing to live the Religious Life shall apply to the Bishop of the Diocese, Missionary Diocese or other Jurisdiction of this church wherein they are canonically resident for his guidance, and for his initial approval of a Rule or Constitution in keeping with the intention of the Order, Community, or Institute to live the Contemplative, Active, or Mixed Religious Life, as the case may be.
- §2. The Ordinary will then forward all information and documentation to the College of Bishops for their recommendation and finally to the Primate for his authorization and approbation.

Article 2

Nothing in such Rule or Constitution shall be changed or altered, once approved by the Primate, without his express consent and approval, or that of his Successor, given in writing upon due Petition of the Chapter or similar Body of that Order, Community or Institute, which Petition and Approval shall both be kept amongst the records or archives of the Diocese, of the Primatial See and of that Order, Community or Institute itself.

Article 3

The Rule or Constitution of any Religious Order, Community, or Institute shall provide for the selection of an Episcopal Visitor who shall be a member of the College of Bishops of this Church, whose duty it shall be to approve and receive the Solemn Vows or Life Profession of Religious; to visit, enquire, and investigate that Order, Community or Institute to see that the Rule or Constitution, as approved, is duly observed and all its requirements fulfilled; and to hear and receive appeals, either from the Order, Community, or Institute, or any House thereof, or from any individual Religious

THE CONSTITUTION

Title IX — Of Persons

thereof, whether professed or not, as to any and all transgressions of the Rule or Constitution.

Article 4

No fully Professed Member of any Order, Community, or Institute may be dismissed therefrom without the Member's right of appeal to the Episcopal Visitor of that Order, Community, or Institute, with further appeal to the Metropolitan of that Province, and to the Primate, unless the Member, by written and signed Declaration, given of his or her own free will and volition, waive his or her right of appeal; and no fully Professed Member or any other Member under Vows, subject to the authority of this Church, shall be released from his or her obligation to or under such Vows or Profession without written Dispensation of the Episcopal Visitor of that Order, Community or Institute and of the Primate of this Church.

Article 5

- §1. Members of Religious Orders, Communities, or Institutes who are in any of the Holy Orders of the Church shall be and are subject to all Constitutions, Canons and Laws Ecclesiastical of this Church concerning the Clergy, and are in no wise exempted therefrom on account of their Religious Profession or other such standing.
- §2. Except where the approved Rule or Constitution provides otherwise, they shall not be required to leave the enclosure of that Order, Community or Institute in compliance with canonical duties or obligations of that Holy Order as might be applicable outside the confines of the cloister.

Laiety

Article 1

The laity shall share in the temporal governance of each secular church, parish or mission and whenever feasible in each religious community, by means of the establishment of boards of directors, as provided elsewhere in this Constitution.

THE CONSTITUTION
Title IX — Of Persons

Article 2

No lay person shall serve in the capacity of president, chairman or in any such office of chief responsibility on such boards, but a layman may serve as vice-president, vice-chairman or similar designation; and such person may preside in the absence of the ecclesiastical superior.

Article 3

The laity shall not impinge upon the spiritual governance of ecclesiastical superiors. Temporal matters shall always be subordinate to spiritual matters. The ecclesiastical superior is solely responsible for liturgical matters, including, but not limited to, the church sanctuaries, sacristies, church music, spiritual societies, and church adornment. However, pastors of souls shall not exclude the laity from offering suggestions in matters that directly affect lay participation.

Article 4

No layman shall function in any liturgical capacity within this Communion except as a Mass Server and other liturgical services server, without the written consent of the local Ordinary, and then only for grave reason.

Article 5

Women, according to ancient Catholic custom are usually permitted in the sanctuaries of this Communion for the following reasons only: to pronounce marriage vows or to be an official witness to such vows; to pronounce vows of religious profession; and for the care and maintenance of the sacred places outside of liturgical services.

Article 6

The laity shall have free access to their temporal facilities, provided due consideration be given to the responsibility of the ecclesiastical superior.

Article 7

It shall be the duty of every Baptized member of this Church to follow this Rule of Life:

- To pray daily and read the Holy Scripture regularly;

THE CONSTITUTION

Title IX — Of Persons

- To attend Divine Service regularly on the Lord's Day, and on other days of obligation, as a Christian Duty, and as an act of Worship and Witness, unless hindered by sickness or other unavoidable cause;
- To receive Holy Communion regularly when Confirmed or otherwise admitted thereto, and always on the principal Festivals; and, if possible, on personal occasions, after due preparation through repentance and faith, and with thanksgiving;
- To practice Christian self-discipline, in harmony with the teaching of the Old Roman Catholic Church;
- To undertake personal service in Congregation and community; and in the faithful fulfillment of daily work to serve the Lord Jesus Christ;
- To express the principle of stewardship by generous and systematic giving of money, and especially by the discipline of tithing except when unable, for the work of the Church at home and abroad, and for relief of the needy, and by the generous giving of alms for other good works;
- To study the Christian Faith and its principles of personal and social conduct, and thus to be able to bear convincing witness in the fellowship of the Church;
- To preserve and strengthen Christian home and family life, by upholding the Church's teachings on marriage, and by training children to love and serve the Lord; and
- To promote harmony and good will in the relationships of daily life, as opportunity offers as a faithful disciple of Christ.

Article 8

All members of this Church shall celebrate and keep the Lord's Day, commonly called Sunday, and other days of obligation by regular public worship in the Church, by attending Holy Mass, by hearing the Word of God read and taught, by resorting to the Sacrament of the Holy Eucharist when the same may be had, and by other acts of devotion and works of charity, using all godly and sober conversation.

THE CONSTITUTION

Title IX — Of Persons

Article 9

The Holy Sacrifice of the Mass is the chief act of Christian worship. On all Sundays and Holy Days of Obligation, and whenever else possible, it shall be the duty of every Priest in charge of a Congregation to see that the Mass is celebrated and the Sacrament of the Holy Eucharist is administered at the time and place at which the greater part of the Congregation may conveniently attend.

TITLE X — OF SYNODS, CLERICUS, AND OTHER MEETINGS

Article 1

Synods are the supreme legislative body and power in an ecclesiastical jurisdiction of this church ...a General Synod for the General Church, a Provincial Synod for the meetings of the Province, and a Diocesan Synod for meetings of the Diocese, provided that legislation for its jurisdiction is not in conflict with this Constitution and Canons or any other laws of this Communion.

Article 2

The composition of each Synod will be determined by the appropriate canons and the Constitution of the relevant jurisdiction.

Article 3

The various synods shall have the power of legislating those matters not specifically provided for by this Constitution and Codex of Canon Law, by the General Synod or by the 1918 Code of Canon Law.

Article 4

The Metropolitan of a Province and the Ordinary of a Diocese or similar ecclesiastical entity shall have the same veto power in a Provincial or Diocesan Synod respectively, as is provided for the Primate in General Synod (Title IX, Article 1); and if necessary, fifty percent of the Provincial House of Bishops or the Diocesan Curia respectively, shall sustain such veto.

Article 5

§1. The Ordinary of each Diocese, the Metropolitan of each Province and the Primate of this Church shall periodically gather together

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

all of the clergy under their pastoral oversight, at times other than Synod Meetings, Clergy Retreats or Quiet Days, for the purpose of timely instruction, communication, discussion and deliberation of topics and issues of common concern or labor for the clergy. Such meetings shall be termed Clericus Meetings, and the body of clerics gathered as the Clericus of that Diocese, Province or of The North American Old Roman Catholic Church.

- §2. All Clericus groups and their meetings shall be governed by the Constitution and Canons of the respective jurisdiction or by special regulations established for that purpose.
- §3. All clergy of the respective dioceses, provinces or of the North American Old Roman Catholic Church, who are in good canonical standing in their own diocese of incardination or residence, are to be considered as members of their respective Clericus.

Article 6

All other meetings of this Church, including Parish Meetings, Deanery or Vicariate Meetings etc, shall be conducted according to the rules and regulations as established and approved by the respective appropriate ecclesiastical authority and in conformity with this Constitution and Canons and the directives of the respective Ordinary.

TITLE XI — OF ECCLESIASTICAL JURISDICTION

Primatial See of Nova Terra

Article 1

The Primatial See of the North American Old Roman Catholic Church shall be designated as the Primatial See of Nova Terra.

Article 2

This Primatial See is synonymous with and is the perpetuation of the original historic Primatial See as established during the Primacy of Archbishop Carmel Henry Carfora, which has been designated by other names throughout the years since it was first known as the Metropolitan See of the United States and Canada.

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

Article 3

- §1. The Primatial See is not a geographical entity in the same way as the various Provinces and Diocese are. The Primatial See include within its jurisdiction, all Old Roman Catholics who are in communion with and are constituent members of the North American Old Roman Catholic Church.
- §2. The North American Old Roman Catholic Church has jurisdiction in its own name and right in the United States of America, the Dominion of Canada, the United States of Mexico and in any other part of the world wherever it may be established.

Article 4

The Primate of this Church, while holding the Primatial Office, is the Titular Archbishop of Nova Terra, and he retains his office as the Ordinary of his own Diocesan or Metropolitan See, at the time of his election to the Primacy.

Patrimony of the Primatial See

Article 1

The Patrimony of the Primatial See of Nova Terra consists of all constituent member Provinces, Dioceses, Vicariates, Missionary Dioceses, Military Vicariates, Deaneries, Parishes, Missions, Congregations, Religious Orders and Communities, Clergy and Laity, by whatever designation they may be known, who are in communion with and in good canonical standing within the North American Old Roman Catholic Church.

Article 2

Upon receipt of allegations of canonical or other irregularities on the part of any of the Metropolitans or Ordinaries made by one or more Parishes or Congregations in any Diocese or other Jurisdiction within this Church, the Primate of this Church shall attempt to achieve a reconciliation of any conflict involved and a resolution of the problem. Failing to achieve the same, the Primate may forthwith take the same Parishes or Congregations under his immediate pastoral care and Primatial oversight until such time as the truth be tried or other disposition may be made of the case, in the College of

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

Bishops, assembled within three months of his assuming direct patrimonial jurisdiction and care.

Article 3

During the exercise of extraordinary Primatial jurisdiction, the Primate may, either in his own person or by his Vicar General, Officialis, Vicar or Vicars Delegate, or other officials or deputies, convene and hold such Synod or synods as may seem good to him for the enactment of Canons or other legislation, and for other ecclesiastical administration as he and such Synod or Synods shall or may deem good or necessary; and he may appoint by Warrant of Commission such Vicar General, Officialis, Vicar or Vicars Delegate, or other officials or deputies as need may require for the good and right ordering and well-being of Christ's Clergy and People within his Patrimonial jurisdiction and care.

Article 4

When, in the opinion of the Primate so exercising his jurisdiction, it would be impossible for a significant number of Clergymen, Parishes, or Congregations within the Patrimony otherwise to obtain sufficient participation at and through their Diocesan Synod or have their voice adequately heard in affairs of their own Diocese, the Primate may on their behalf request the General or Provincial Synod to admit the Clerical and Lay Delegates duly elected by such Patrimonial Synod and from the Patrimony, which Delegates may be seated with or without vote in that General or Provincial Synod as that General or Provincial Synod shall at its discretion determine and subject to such restrictions as that General or Provincial Synod may impose.

Jurisdictions Held in Titulum et in Commendam

Article 1

The Office of the Primate of this Church has assigned to its Ecclesiastical Jurisdiction, all territories not assigned to any other jurisdiction of this Church.

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

Article 2

Any former independent jurisdictions or dioceses of the North American Old Roman Catholic Church which have been dissolved or suppressed, are held, by the Primatial See of Nova Terra, “in Titulum et in Commendam”.

Provinces

Article 1

General Synod, at the request of the Primate, may create new Provinces of this Church under the following circumstances:

- When a nation or series of neighboring nations has four or more contiguous dioceses and the conditions recommend the presence of a Metropolitan for more efficient episcopal oversight, administration and coordination of apostolic labors.
- When a nation or series of nations is of such great distance from the nearest Metropolitan of this Church, and the needs and labors of the Church in these regions recommends the creation of a new Metropolitan Province.

Article 2

- §1. An independent regional Church, a Diocese or a Province of a Church or any other jurisdiction thereof, being of undoubted Catholic Faith and Apostolic Order, already constituted, in existence, or established, may accede to this Church by formal petition of their Bishops or Bishop or appropriate Synod or Synods concerned, or both, as the case may be, to the Primate of this Church, who may receive such aforesaid ecclesiastical entity or entities provisionally under his jurisdiction and authority.
- §2. The Primate shall investigate the matter and, upon his being fully satisfied therein, may accept and receive such aforementioned Church or Province or jurisdictions thereof into full union with this Church with the advice and consent of the College of Bishops of this Church and with other canonical consent as may be necessary.
- §3. However, when any such action aforesaid is to be taken within a six month period prior to any meeting of the General Synod, then the Primate may accept and receive such aforementioned Church or

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

Province or jurisdiction thereof into full union with this Church, only with the advice and consent of the General Synod.

Dioceses

Article 1

Every Diocese shall form a territorially contiguous unit.

Article 2

Each Diocese of this Church shall be duly organized with a Constitution and Canons, or both, as follows:

- Each such Diocese shall have an Ordinary who shall be a Bishop in the line of Apostolic Succession and who shall possess and exercise such inherent power, authority, and jurisdiction as is recognized by Ancient Canons and Tradition for such Bishop to possess and exercise, subject to the provisions of this Constitution.
- Each such Diocese shall have a Synod which shall have and possess the legislative jurisdiction therein and which Synod shall consist of three constituent authorities, namely:
 - a. the Ordinary thereof;
 - b. all the other Clergy canonically resident in that Diocese concerned;
 - c. Delegates of the Laity from each of the congregations in union with that Diocese concerned. Such legislative jurisdiction shall be exercised by such Synod aforesaid provided that all the foregoing constituent authorities shall agree. Such legislative jurisdiction shall be subject and subordinate to the Common Law of the Church, this Constitution, and Canons enacted pursuant to this Constitution.
- No enactment or resolution in any such Synod shall have effect neither without the assent of the Ordinary, which assent is not lightly nor without the gravest cause, to be withheld. The reason for any withholding of Assent shall be given in writing.
- Each such Diocese shall have either a Diocesan Court of the Ordinary or a Consistory Court, through which the judicial authority of the Or-

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

dinary shall be exercised, and which Court shall have jurisdiction within that Diocese over:

- a. the Clergy, excepting Bishops, and the Laity for the trial of offences against Ecclesiastical Discipline and Law;
 - b. any and all constitutional and canonical controversies;
 - c. all other Ecclesiastical Causes. Appeals from the Diocesan Court may be taken to the Provincial Court, as provided for by Canon.
- Each such Diocese or similar jurisdiction shall be empowered to enact a Constitution and Canons for its government under the direction of its Bishop, providing at all times that such Constitution and Canons do not conflict with or supersede the Constitution and Canons of the North American Old Roman Catholic Church.

Article 3

All legislative jurisdiction, not otherwise provided for by this Constitution, and the Canons enacted in pursuance thereto, shall be reserved to the Dioceses.

Article 4

New Dioceses may be established from the territory of one or more existing Dioceses with the consent thereof or from territory not part of an existing Diocese with the consent of the Provincial Synod exercising missionary jurisdiction over such territory. Dioceses and Provinces shall adopt Constitutions or Canons, or both, consistent herewith, allowing for the convenient establishment of new Dioceses. No Diocese or Province shall unreasonably withhold or delay its consent to the establishment of a new Diocese that meets the provisions of this Article when petitioned to give such consent by the appropriate numbers of congregations and priests.

Article 5

Whenever a new Diocese is established from the territory of one or more existing Dioceses, it shall have as its Constitution and Canons, those of the Diocese from which the new Diocese drew the greater number of its founding congregations or, if such cannot be ascertained, then those of the oldest of the Dioceses from which it has drawn any of its founding congregations,

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

except as local circumstances may prevent, until it shall have opportunity to adopt a Constitution or Canons, or both, of its own.

Article 6

When a new Diocese is established from territory not part of an existing Diocese it shall adopt and operate under a provisional Constitution or Canons, or both, until it shall have adopted a permanent Constitution or Canons, or both.

Article 7

The General Synod shall, by decree, assign territories to the Dioceses and shall make appropriate provisions for the establishment of new Dioceses and the exercise of episcopal authority in other areas.

Missionary Dioceses

Article 1

When, in the opinion of the College of Bishops, there is the need therefor, the College may create a Missionary District or Diocese in any area outside of the United States of America, with a Bishop, even where there are fewer Clergymen and congregations than are customarily required for a new Diocese.

Article 2

In the event of the death, resignation or vacancy occurring in a Missionary District or Diocese the canonical oversight of the said District or Diocese shall devolve (*per jus devolutionis*) upon the Primate of this Church, who may appoint another Bishop of this Church as his vicar to administer the canonical affairs of the District or Diocese until a new Ordinary is appointed.

Vicariates and Prefectures Apostolic

Article 1

The Primate of this Church, with the advice and consent of the College of Bishops and the General Synod, when circumstances recommend it, may designate specific regions of this Church as Vicariate or Prefectures Apostolic, subject to the direct and immediate jurisdiction of the Primate.

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

Article 2

If the Ecclesiastical Authority of the said region is committed to the administration of a Bishop, it will be designated as a Vicariate Apostolic. If the administration of the region is committed to a Priest, it will be designated as a Prefecture Apostolic. In both cases the Vicar or Prefect will act by designated jurisdiction from the Primate's Office and may only exercise such jurisdiction as has been delegated to him in writing by the Primate.

Military Vicariate

Article 1

The Primate, by and with the advice and consent of the General Synod, shall appoint an Ordinary or Vicar for the Jurisdiction of The Armed Forces.

Article 2

§1. The Bishop or Vicar so appointed shall be, except as he shall be limited by this Constitution or Canons, the Ordinary or Vicar for The Armed Forces, and shall have ecclesiastical jurisdiction over all Clergymen of this Church on active, retired, or reserve duty in the Armed Forces of the United States of America, and with the Veterans Administration; and of such congregations, chaplaincies, and mission work, as shall now exist, or shall come to exist, among the Armed Forces of the United States; provided, however, that the spiritual jurisdiction and care of such Chaplains, other Clergymen, and congregations, shall in no way infringe upon the jurisdiction of any Diocese or Missionary Diocese or District over the civilian Clergy or the civilian Laity thereof.

§2. For the purpose of jurisdiction, the terms of the civilian Clergy and the civilian Laity shall exclude personnel of the Armed Forces on Active Duty, their spouses, and their dependants.

Article 3

In the event of need, the Primate of this Church, as circumstances may permit or occasions may require, may appoint other Bishops with the same

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

authority and jurisdiction aforesaid as near as possible as set forth in this Article for the Forces of other nations.

Deaneries and Vicariates Forane

Article 1

The various dioceses are divided into vicariates presided over by a Vicar Forane whose job it is to represent the Ordinary and to coordinate with the various pastors of their vicariate, the apostolic work of the church and the programs of the diocese.

Article 2

Vicar Forane is a title of rank. Functionally, they are the bishop's assistants within designated districts of the diocese.

- They supervise the work of the church within specified districts;
- They hold conferences with the clergy and the parish committees within their given districts regarding the work of the church, and submit their reports to the bishop;
- They hold retreats with the clergy of their district, with the consent of the Diocesan Bishop;
- They look into and examine parish records, and report their condition to the Diocesan Bishop;
- In case of need and/or desirability they call parish meetings and discuss parish matters and report to the bishop;
- They make necessary preparations with the parish priests for official Episcopal Visitations;
- They assist the Parishes within their districts in the raising of the funds voted by the synod;
- They install pastors in their new pastorates when delegated by the bishop.
- In short, they perform whatever responsibilities the bishop lays upon them.

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

Article 3

The vicariates are in turn divided into Deaneries presided over by a Dean to enable a more localized and focused concentration of the labors and resources of the church for the welfare of the faithful and the expansion of the missionary work of the Church.

Article 4

- §1. The office of Dean shall not be attached to any particular parish. Within each Deanery the Dean shall note whether the law of residence is observed, whether the word of God is preached and the faithful are instructed, whether the sick are attended, whether parish records are properly made and diligently safeguarded, whether the tabernacle and its key are securely guarded, whether the parish property is kept in good condition, whether any difficulties have arisen which need the intervention and decision of the Ordinary. To secure this information the Dean shall personally visit each parish in his Deanery.
- §2. Normally, twice a year, each Dean shall examine the ecclesiastical registers of each parish within his Deanery, in accordance with the instructions of the Ordinary and promptly report his findings to the Ordinary.
- §3. The Dean shall make a report each year to the Ordinary, to be filed at Chancery Office during the week after Pentecost, as to the priests and properties of the Church within his Deanery.

Parishes and Missions

Article 1

The parish/mission constitutes a legal collective unit, a corporate body. It may or may not be incorporated according to state law, but must possess a charter from the Diocesan Bishop.

Article 2

Every parish/mission in union with the Diocese is subject to the rules and regulations of the Diocese, not only in spiritual and moral matters, but also in matters of property and finance.

THE CONSTITUTION

Title XI — Of Ecclesiastical Jurisdiction

Article 3

If a parish/mission fails to conform to the rules and regulations of the Diocese, it will, according to Scriptural injunction, be admonished to alter its course of action. If it fails to do so, it may be suspended or even excluded from union with the Diocese.

Article 4

The right to exclude a parish/mission from fellowship is the right of the Diocesan Bishop exclusively. This should be clearly stated in every charter of every parish/mission at the time of its organization. Also no parish/mission may be dissolved without written permission of the Diocesan Bishop. This too should be clearly stated in the charter.

Article 5

The objective of every parish/mission is to cultivate among its people, the youth in particular, a religious, patriotic, and social frame of mind by bringing them up in a spirit of those ideals that gave rise to the North American Old Roman Catholic Church. To attain this end, the parish is to organize within its range, the typical church organizations such as a Sunday School, Men's and Women's Clubs, Children's and Young People's Organizations.

Article 6

Whenever there are a sufficient number of people in a given area, desirous to have an Old Roman Catholic Church, and the conditions warrant such an organization, they usually turn for advice to the pastor of a neighboring parish. He in turn informs the Diocesan Bishop of the situation. The Bishop after an investigation and examination, may authorize the priest to assist the people in their organization of the parish or mission.

Article 7

After the new parish organization has been effected, the people turn to the Diocesan Bishop for the assignment of a pastor. The bishop, if he has more than one available candidate, suggests two or three candidates, and the parish chooses by a two-thirds vote the candidate preferred. The candidate chosen is submitted to the Bishop for approval. Except in extraordinary cases, the Bishop's approval is usually granted. The priest receives his assignment only by official appointment of the Bishop, and not by the vote and election

THE CONSTITUTION
Title XII — Of Territorial Jurisdiction

of the parish. He exercises his legitimate pastoral authority only upon his canonical installation as Pastor by the Bishop or his duly appointed delegate.

Ecclesiastical Peculiars

Article 1

The Primate of the North American Old Roman Catholic Church and the Metropolitan of any Province of this Church, with the advice and consent of his College of Bishops, may establish an Ecclesiastical Peculiar anywhere within his Province and exercise Ordinary Jurisdiction therein, either in person or through his deputy, provided the Bishop Ordinary of the Jurisdiction within which the Ecclesiastical Peculiar lies, with the advice and consent of his Council of Advice, shall have consented to the establishment of such Ecclesiastical Peculiar.

Article 2

The Primate or the Metropolitan may assign Episcopal oversight, jurisdiction, and his Visitation Powers to a Diocesan Bishop to administer as if it were a part of that Diocesan Bishop's Jurisdiction. Other than a Bishop, no Clergyman, or no Lay member of any Congregation included within such a Peculiar may be a voting Delegate in any Diocesan, Provincial, or General Synod so long as he or they shall retain canonical residence in such Peculiar.

Article 3

The Primate or the Metropolitan, with the advice and consent of his College of Bishops, may disestablish at any time such an Ecclesiastical Peculiar situated within his Province.

TITLE XII — OF TERRITORIAL JURISDICTION

Article 1

Every Province and Diocese of this Church shall form a territorially contiguous unit.

Article 2

The General Synod shall assign territories to the various Provinces and Dioceses and shall make appropriate provisions for the establishment of new

THE CONSTITUTION
Title XIII — Of Ecclesiastical Courts

Provinces and Dioceses and the exercise of episcopal authority in other areas.

Article 3

When, in the opinion of the College of Bishops, there is the need therefor, the College may create a Missionary Diocese or a Vicariate Apostolic in any area outside of the territory of an existing Diocese, and may appoint or assign a Bishop, conforming in all such matters to this Constitution and Canons, even where there are fewer Clergymen and congregations than are required for a Diocese.

TITLE XIII — OF ECCLESIASTICAL COURTS

Article 1

§1. The Ecclesiastical Courts or Tribunals of this Church are of four degrees:

- The Diocesan Tribunal, under the jurisdiction of the local Ordinary and his Curia;
- The Provincial Tribunal, under the jurisdiction of the Metropolitan and his Curia;
- The Tribunal of the General Synod, under the jurisdiction of the Primate and the Curia of the Primatial See of Nova-Terra;
- The Tribunal of the College of Bishops, under the jurisdiction of the said College.

§2. Each of the first three Tribunals shall be composed of two departments, the Matrimonial Tribunal, and the General Tribunal, each with its own rules and regulations for adjudicating the cases brought before it.

Article 2

Each Tribunal shall be appointed as provided for in the Canons, and shall possess and enjoy all powers for the compelling of the attendance of witnesses, the conducting and regulating of its business, and the enforcement of the judgments, decrees, decisions, or sentences made therein.

Article 3

Except as to findings of fact in matrimonial causes, it is hereby declared that no Bishop, or Court, or tribunal, or decision, or Diocesan, Provincial, or Holy Synod has or shall have the right to limit or restrict appeals from his or its judgments or decrees or decisions or sentences to any higher Court of this Church.

Article 4

Furthermore, this Church reaffirms the ancient Christian right of every individual subject of the Church, both clerical and lay, to appeal to his Metropolitan, even in cases not elsewhere herein specified, and this right shall remain inalienable.

Article 5

- §1. In each Province there shall be a Court of the Metropolitan or the Provincial Tribunal which shall exercise original jurisdiction over all matters and the enactments of the Provincial Synod pursuant to this Constitution not reserved to the Tribunal of the General Synod, and the trial of all Bishops of that Province.
- §2. Except as to findings of fact in matrimonial causes, said Court shall also have appellate jurisdiction over all Diocesan Courts and tribunals, and of appeals from the judgments, or decrees, or decisions, or sentences of the Ordinaries of that Province in matters of Discipline, of Offences against the Laws Ecclesiastical, of Law, of all Ecclesiastical Causes, of Doctrine, and of Worship.

Article 6

- §1. There shall be created a Court of Appeal of this Church which Court shall be the Supreme Court of this Church and shall be called and styled The Tribunal of the General Synod.
- §2. Said Court shall exercise original jurisdiction over all matters relating to this Constitution and the Canons enacted by the General Synod pursuant hereto, and shall have jurisdiction to hear and determine any appeal from the judgments, or decrees, or decisions, or sentences of any Court or tribunal of this Church or from the judgments, or decrees, or decisions, or sentences of any Bishop of this Church, except as to findings of fact in matrimonial causes.

THE CONSTITUTION

Title XIV — Of the Temporal Affairs of Congregations of This Church

Article 7

No Metropolitan or Bishop shall sit in judgment on decisions from any appeal taken from his own Diocesan or Provincial Court or from any decision of his, as Ordinary or Metropolitan.

Article 8

Those who shall bring charges held to be frivolous or false against any person in the jurisdiction of the Ecclesiastical Courts of this Church shall be held accountable for their acts by the Courts.

Article 9

All Bishops, other Clergymen, and the Laity of this Church are subject to this Constitution and to such Canons as may be enacted hereunder and are amenable to the Ecclesiastical Courts and tribunals provided for herein.

Article 10

- §1. The College of Bishops of this Church is empowered to establish a Tribunal composed of Bishops of this Church in good canonical standing, to exercise original jurisdiction over cases involving the jurisdiction of Bishops of this Church, and to hear appeals from the decisions of the Primate and of the General Synod in all cases arising within this Church involving the jurisdiction and authority of the Bishops of this Church.
- §2. This Tribunal shall also have original jurisdiction and power to adjudicate all matters arising before it, concerning doctrinal issues such as charges of heresy, schism and apostasy.

TITLE XIV — OF THE TEMPORAL AFFAIRS OF CONGREGATIONS OF THIS CHURCH

Article 1

The right of congregations to control of their temporalities, and to freedom from claims of any General, Provincial or Diocesan or Synodal Trust or implied Trust by virtue of adherence of such a congregation to the communion of this Church, or by its adherence to the Constitution or Canons of any Diocese, Province, or Synod shall be forever recognized and protected.

THE CONSTITUTION

Title XV — Of the Property and Possessions of Congregations of this Church

Article 2

No person or ecclesial body of this Church shall ever resort to any civil court for the purpose of depriving any congregation departing from this Church or any property or right pertaining to it.

TITLE XV — OF THE PROPERTY AND POSSESSIONS OF CONGREGATIONS OF THIS CHURCH

Article 1

Notwithstanding the provision of Title XIV which pertains to the protection of the right of each congregation of this Church to govern its own temporal affairs as to the ownership of property and possessions, while it is still constituted as a congregation of this Church, this Title shall cover the eventualities of a schism within the said congregation or its dissolution, disbandment or liquidation.

Article 2

In the event of a schism within a congregation of this Church, the property and possessions of the congregation will belong by right and by law to the portion of the church which is in the majority (a majority of at least two-thirds is needed to constitute a majority for this purpose), and if the said congregation vote to withdraw from union with this Church, the congregation is free to take all of its property and possessions with them to their new affiliation, and its right to take this action is governed by Title XIV of this Constitution.

Article 3

If the portions of the congregation are not clearly divided into a majority and minority (i.e. if there is not at least a two-thirds majority determined) then the property and possessions of the said congregation will belong by right and by law to the portion of the congregation which continues to conform to the Rites, Constitution, Canons, Laws, Rules, Regulations, Customs, Usages and Hierarchy of this Church.

THE CONSTITUTION
Title XVI — Of Due Process

Article 4

In the event that a congregation of this Church, while still remaining a constituent congregation of this jurisdiction, votes to disband the congregation and to liquidate its assets, then all of its legally acquired or accumulated funds, moneys, and property, whether real or personal, shall revert to and become the property of The North American Old Roman Catholic Church in accordance with the provisions and Canons of this Church.

Article 5

When a congregation of this church has been disbanded and its assets liquidated, then all of its legally acquired or accumulated funds, moneys and property, whether real or personal, shall revert to the Diocese in which the said congregation was located, and shall be held in trust by the said Diocese for a period of not more than five years for the purpose of re-establishing the said congregation or of establishing a new congregation within the same Diocese. Failure to re-establish the said congregation or a to establish a new congregation within the said period of time, the property, whether real or personal, held in trust by the Diocese shall become the property of The North American Old Roman Catholic Church.

Article 6

Should a congregation of this Church be suppressed by the canonical authorities or its Warrant and Charter be withdrawn, then the procedures for determining the disposition of the property of the said congregation shall conform to those established herein for congregations of this Church voting to withdraw from this jurisdiction.

TITLE XVI — OF DUE PROCESS

Article 1

All courts and tribunals of this Church shall be governed first of all by the desire for truth and justice, and to protect and guarantee the Christian rights of all parties brought before them.

THE CONSTITUTION

Title XVII — Of the Mode of Securing an Accurate View of the State of this Church

Article 2

In all trials before any Court of this Church, the accused shall be entitled to due process, as said term is defined by the Supreme Court of the United States in Article XII, Section 2 of the U.S. Constitution.

Article 3

All courts and tribunals of this Church shall publish the rules by which they are governed and by which trials, hearings and judicial proceedings are conducted.

TITLE XVII — OF THE MODE OF SECURING AN ACCURATE VIEW OF THE STATE OF THIS CHURCH

Article 1

§1. A report of every parish and every congregation of this Church shall be prepared annually for the year ending December 31, preceding and shall be sent not later than February 1 to the Bishop of the Diocese or where there is no Bishop, to the Chancellor of the Diocese. The report shall include the following information:

- the number of baptisms, confirmations, marriages, and burials during the year; the total number of baptized persons and communicants in voting status at the time of the report; and for all purposes the number of members of this Church shall be deemed to be the number of baptized persons;
- a summary of all the receipts and expenditures, from whatever source derived and for whatever purpose used;
- Such other relevant information as is needed to secure an accurate view of the state of this Church, as required by the approved form.

§2. The Bishop or the Chancellor of the Diocese shall prepare, upon the blank form approved by the Synodical Council, a condensed summary of the statistics required by the preceding and forwarded, not later than Easter, copies of this summary to the Office of the Primate and to the Secretary of the Synodical Council.

THE CONSTITUTION
Title XVIII — Of Religious Life

§3. The forms adopted by the said Synodical Council must be approved by a two-thirds vote of the College of Bishops. Once the said forms have been approved, as herein set forth, the same can only be amended in the same manner that the said forms can be adopted.

Article 2

Copies of the financial disclosures, on forms prepared by the Synodical Council, for each Mission, Parish, or Religious Community shall be filed with the Chancellor of the Diocese, and the Chancellor of the Diocese shall be required to file said information with the General Synod, along with the Annual Disclosure Form for review and incorporation into the filings of this Church.

Article 3

The Church shall be financed through assessment of tithes, quotas, or pledges. Tithes shall be on operating income which shall be defined as all pledge and plate income. Parishes are required to pay their tithes, quotas, or pledges to their geographic dioceses as each diocese shall determine. Parishes that are unable to pay this tithe, quota, or pledge must petition the Diocesan Council for relief after demonstrating a good faith effort. Dioceses shall pay their tithe, quota, or pledge to the General Church. The Synodical Council shall determine what sum shall be paid to the General Church by each Diocese based on the budget approved by the General Synod. A Diocese that is unable to pay this sum or any portion thereof must petition the Synodical Council for relief after demonstrating a good faith effort to pay said sum.

TITLE XVIII — OF RELIGIOUS LIFE

Article 1

§1. The Primate alone has the power to sanction and approve the establishment of religious communities of men and religious communities of women, and he shall not approve such establishment without receiving the recommendation of the Committee on the Religious Life and having personally received and reviewed the written Rule

and/or Constitution of such community and without having approved the same.

- §2. No such community shall be established within a jurisdiction without the Ordinary's invitation or consent.

Article 2

- §1. In all respects, religious communities of men and religious communities of women shall conform to the provisions of the Code of Canon Law.
- §2. The waiver of a provision or the dispensation from a provision, of the Code is reserved to the Primate and not to the religious superiors of such religious communities.

Article 3

- §1. The provisions of Canon Law provide for the jurisdictional affairs concerning religious communities and local Ordinaries.
- §2. Faithful adherence to the Code in all respects shall reduce potential conflicts between the religious community and the local Ordinary.
- §3. Conflicts which may arise shall be resolved by the Primate or his delegate, with the right of appeal to the General Synod.

Article 4

No local Ordinary or other local ecclesiastical superior has the power or authority to suppress any religious community. Such power and authority is reserved to the Primate alone for good and sufficient cause, and is subject to appeal to the General Synod.

Article 5

Religious communities wishing to establish another house in the same jurisdiction or diocese shall receive, and not presume, the written permission of the Ordinary.

Article 6

- §1. Religious communities wishing to establish their first house in another diocese or jurisdiction must secure the permission of both the Ordinary in which the Motherhouse is located as well as the Ordi-

THE CONSTITUTION

Title XIX — Of Seminaries, Houses of Study and Houses of Formation

nary of the diocese or jurisdiction in which the proposed new house will be located.

- §2. To establish any subsequent house to be located in the new diocese or jurisdiction only the permission of the local Ordinary is required.

TITLE XIX — OF SEMINARIES, HOUSES OF STUDY AND HOUSES OF FORMATION

Article 1

The General Synod alone may establish Seminaries, Theological Colleges, Schools of Divinity, Houses of Study or Houses of Formation for the sound, preparation, education and training of men for both the Sacred Priesthood and the Diaconate of this Church, as well as for the continuing education of the clergy and others, and may approve any statutes, rules, regulations and governance for the same as the General Synod may deem good, necessary or beneficial.

Article 2

Saint Francis of Assisi Theological Seminary is the primary seminary of the North American Old Roman Catholic Church, having been founded by the second Primate of the Church in 1919 and has been educating the clergy of the Church ever since.

Article 3

General Synod may grant permission to the various dioceses to establish local seminary programs which are affiliated with and conform to the standards established for Saint Francis of Assisi Theological Seminary.

Article 4

Any such seminary program once established and approved by the General Synod may be suppressed by the respective diocese only with the permission of General Synod.

Article 5

All qualifications for admission to Saint Francis Seminary or any other local seminary program of this Church will be uniform and standard throughout the jurisdiction.

Article 6

The curriculum of any local seminary program affiliated with Saint Francis Seminary shall conform to the curriculum and standards as established by the Board of Regents of Saint Francis Seminary.

Article 7

- §1. Uniform General Ordination Examinations for use by all seminaries of this Church shall be composed annually by the Seminary Commission in conjunction with the Board of Regents of Saint Francis Seminary, and will be administered to all seminarians on the same dates and times regardless of residence, location or seminary attended observing the same regulations and time frames as established by the Seminary Commission and the Board of Regents.
- §2. The General Ordination Examinations shall be administered by a local proctor approved by the local Ordinary and the Seminary Commission.
- §3. The General Ordination Examinations do not replace the mandatory examinations required by the Canons and which is to be conducted by the Board of Clerical Examiners. They also do not substitute for or replace any examinations required by the Seminary.

TITLE XX — OF FOUNDATIONS AND INSTITUTIONS

Article 1

The General Synod and the Provincial Synods may enact Canons governing the reception, establishment and suppression of educational, charitable and benevolent foundations and institutions.

Article 2

Notwithstanding other provisions of this Constitution, no Canon suppressing any such institution previously received or established may be enacted

except by a three-fourths vote of the constituent authorities of the General or Provincial Synod concerned.

TITLE XXI — OF CHRISTIAN FAMILIES

Article 1

- §1. A valid Christian marriage creates a life-long Sacramental Bond between one man and one woman, and in obedience to our Lord's teaching, this Church dedicates itself to the faithful preservation and defense of the historic teachings of Catholic Christianity concerning Matrimony, as received in the tradition of the Church, and affirms the Christian principle that, once a person has contracted a valid marriage, that person cannot enter into a valid marriage with any person other than the original spouse, during the lifetime of the original spouse.
- §2. While this Church affirms its adherence to this basic Christian principle, it also retains the right to attend to the faithful, in virtue of its pastoral mission and vocation to lead all persons into a close relationship with Christ, in a pastoral manner and in faithful yet circumspect ministry to those persons whose marriages have clearly died and when it is clear that all possible options for reviving and enlivening the marriage have failed and where there is no hope of recovery without mortal spiritual harm resulting to one or both partners and/or their families.
- §3. The Church bases its pastoral ministry in these circumstances upon the words of our Lord when He said: "Whatsoever you bind on earth will be bound in heaven, and whatsoever you loose on earth shall be loosed in heaven." (St Matthew 16:19) This Church holds that these sacred words place the Church in the position of acting "in persona Christi" both in binding the spouses in marriage, and also in releasing them from that bond, where all circumstances indicate that as the appropriate pastoral remedy.

Article 2

Every human being, from the moment of conception, is a creature of God, made in His image and likeness, and an infinitely precious soul, and this

THE CONSTITUTION
Title XXII — Of Ecumenical Relations

Church reaffirms the ancient Christian principle, enunciated by the early Fathers and Councils, that the intentional taking of the life of an innocent human being at any stage is a grave sin and is condemned under the Fifth Commandment.

Article 3

- §1. All children are creatures of God, and, when baptized in the Church, are also Children of God.
- §2. It is the obligation of the members of this Church beginning with the parents, then the Godparents, and then the Bishops, Clergy and the Laity, all of whom have a right and responsibility, which cannot be abdicated to or abrogated by any temporal authority, to endeavor that children be born into stable families, and that children be nurtured and protected spiritually, morally, intellectually and physically.

Article 4

The Clergy and Laity of the Church have the Christian responsibility to provide such pastoral care and counseling as may be appropriate to accomplish the purposes of the foregoing Articles.

Article 5

The General and Provincial Synods shall enact Canons not inconsistent with this Constitution for the implementation of these principles.

TITLE XXII — OF ECUMENICAL RELATIONS

Article 1

This Church may enter into sacramental communion (*communio in sacris*) with other branches of Christ's One Holy Catholic and Apostolic Church as set forth in formal Concordats ratified by the General Synod of this Church in the manner as outlined in the Codex of Canon Law.

Article 2

No cleric of this Church may function in any church or other ecclesiastical establishment which in his judgment deviates from the principles of Catholic belief as outlined in Titles II and III of this Constitution.

Article 3

No priest or cleric of any rank, who is not incardinated within this Communion, shall function in any church, chapel or other ecclesiastical establishment of this Communion without the Ordinary's approval and permission.

Article 4

Members of this Communion may receive the Sacraments of Penance, the Holy Eucharist and Extreme Unction from Priests they perceive to be Catholic as outlined in Titles II and III of this Constitution.

TITLE XXIII — OF OBLIGATIONS TO THE CHURCH

Article 1

Every ecclesiastical entity, both religious and secular, has the obligation to contribute to the financial necessities of the Primatial office, as shall be determined by legislation of the General Synod.

Article 2

Every ecclesiastical entity, both religious and secular, within a diocese or similar ecclesiastical jurisdiction, has the obligation to contribute to the support of such jurisdictional necessities, as shall be determined by legislation of the Synod of that jurisdiction.

TITLE XXIV — OF NATIONAL OBLIGATIONS

Article 1

It is required that the National Flag of the country in which a church, chapel, etc is located, display that flag at all times in an appropriate place within the church; however such flag together with the flag of our North American Old Roman Catholic Church is not to be displayed within the Sanctuary of any church, chapel oratory, etc.

Article 2

All members of this Church are under a solemn obligation to support and defend the Constitution and Laws of the various countries, states, provinces, etc in which said members live. This obligation is based upon the words of

THE CONSTITUTION

Title XXV — On the Interpretation of the Constitution and Canons

Our Lord Himself, when he said: “Render therefore unto Caesar the things that are Caesar’s and to God the things that are God’s.” (St Matthew 22: 21)

TITLE XXV — ON THE INTERPRETATION OF THE CONSTITUTION AND CANONS

Article 1

All words and provisions contained within this Constitution and Codex of Canon Law shall be interpreted strictly in accordance with their plain, literal and grammatical meaning at the time of the writing of the same, and in accordance with the general principles, definitions and meanings of such terminology as commonly applied in Canon Law.

Article 2

In the event that there is a need for further clarification of the meaning of any words or provisions of this Constitution and Codex of Canon Law, the Canon Law Committee will first study and review the issue and forward their recommendation to the College of Bishops, who will review the work of the Committee, and will then make the final determination as to the correct interpretation or application of the same. The Primate will publish the interpretation as defined by the College of Bishops and at that time it will become definitive and binding upon the entire Church.

TITLE XXVI — OF CANONS CONFORMING TO THIS CONSTITUTION

Article 1

The North American Old Roman Catholic Church, gathered in General Synod, may establish Canons, Laws, Rules, Regulations, Statutes and such supplemental legislation as may be needed to properly regulate its life and ministry.

Article 2

All such Canons and supplemental legislation must conform to the principles enunciated in this Constitution, such that, if any such legislation is

THE CONSTITUTION

Title XXVII — Of the Effective Date of this Constitution and the Codex of Canon Law

deemed by the appropriate ecclesiastical and canonical authorities to be contrary to this Constitution, all such Canons and supplemental legislation shall be deemed null and void.

Article 3

In the same manner, all Constitutions, By-Laws, Canons, Statutes etc of any subordinate body within this church (i.e. parishes, missions, dioceses, religious orders or communities, etc) must also conform to the terms and principles enunciated in this Constitution, and any such legislation which may be deemed contrary to it, shall be declared to be null and void.

TITLE XXVII — OF THE EFFECTIVE DATE OF THIS CONSTITUTION AND THE CODEX OF CANON LAW

Article 1

This Constitution and Codex of Canon Law, adopted simultaneously herewith shall be effective from and after the ratification thereof in General Synod, gathered for that purpose.

TITLE XXVIII — OF AMENDMENTS AND THE METHODS OF AMENDING THIS CONSTITUTION AND CANONS

Article 1

This Constitution and Codex of Canon Law may be amended according to the method delineated in this Title of this Constitution.

Article 2

Proposals for amendments shall be submitted to the Canon Law Committee for review and recommendation.

Article 3

The Canon Law Committee shall forward the summary of their review and recommendation to each house of the General Synod.

THE CONSTITUTION

Title XXIX — Of the Immutability of the Catholic and Apostolic Faith and Order

Article 4

Any proposed amendment must be submitted to General Synod if it has received a two-thirds affirmative vote in each house of the General Synod.

Article 5

Such proposed amendments must also be ratified by at least three-quarters of the constituent Diocesan Synods of this Church, by a two-thirds affirmative vote within a twenty-four month period from the date the proposed amendment was first approved by General Synod.

Article 6

All such amendments having been ratified by the required quorum of the Diocesan Synods of this Church, shall then be presented for a second reading and vote in the next subsequent General Synod, and must now receive a three-fourths vote of each house of the General Synod.

Article 7

Any amendment having passed this process successfully shall take effect immediately upon promulgation by the Primate when he approves the minutes and proceedings of this General Synod.

TITLE XXIX — OF THE IMMUTABILITY OF THE CATHOLIC AND APOSTOLIC FAITH AND ORDER

Article 1

The following documents and portions of this Constitution are not subject to amendment:

- The Statement of Belief of 1911
- The Statement of Principles of 1926
- The Preface to this Constitution
- Titles I through VI of this Constitution
- This Title (Title XXVII) of this Constitution

THE CONSTITUTION

Title XXIX — Of the Immutability of the Catholic and Apostolic Faith and Order

Article 2

No Synod or any Episcopal or Ecclesiastical Authority shall have any power to alter, abolish, change, impair or impede any part of Catholic and Apostolic Faith and Order.

LAUS DEO