

Statute of the old Catholic bishops united in the Union of Utrecht

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Statute of the Old Catholic Bishops United in the Union of Utrecht

A Preamble:

The Ecclesiological Foundations of the Union of Utrecht

- 1 The “Union of Utrecht” is a union of churches and their bishops governing them who are determined to maintain and pass on the faith, worship, and essential structure of the undivided Church of the first millennium. On September 24, 1889, at Utrecht, this determination was recorded in three documents that form the “Convention of Utrecht”: the “Declaration”, the “Agreement”, and the “Regulations”. In uniting to form a Bishops’ Conference, which other bishops joined later, the full communion of the Churches represented by them found its expression.¹
- 2 In the “Declaration of Utrecht”, fundamental for Old Catholic doctrine, the communion of the Union of Utrecht which came into existence in the context of the First Vatican Council confesses the catholic faith as expressed in the Church in the east and west by the seven Ecumenical Councils. It approves of the historic precedence of the Bishop of Rome as *primus inter pares*, but rejects the papal dogmas of the said council and a number of other papal pronouncements as far as they are at variance with the doctrine of the Ancient Church. It affirms its faith in the essence and mystery of the Eucharist. Furthermore the Union of Utrecht shows its awareness of its obligation to do everything that will help to overcome the divisions in the Church, and, based on the faith of the undivided Church, to seek and declare unity and communion with other Churches.
- 3 As has been recognized and expressed ever more clearly in the course of time, the Union of Utrecht and the Convention of Utrecht (whose parts “Agreement” and “Regulations” were revised twice in 1952 and 1974) imply a specific ecclesiology.
 - 3.1 It presupposes that each fellowship and communion of people, which by the reconciliation in Jesus Christ and by the outpouring and the continuous work of the Holy Spirit is constituted as a unity in a given

place around a bishop with the eucharist as its center, is a complete church that carries out its tasks autonomously in that given place. Each local church living the common faith and having its indispensable synodical structures, uniting the ordained ministry and the laity, which express her communion and unity, is a representation of the “one holy, catholic, and apostolic Church”, as confessed by the ecumenical creed of Nicaea-Constantinople (381).

- 3.2 Each of them is “catholic” because, on the one hand, it participates in the whole reality of salvation and truth that comprises God and human beings, heaven and earth and finds therein its unity, and because, on the other hand, it is linked in unity and communion with other local churches, in which it recognizes its own essence. Thus the catholicity of each local church becomes manifest in the unity and communion with other local churches perceived in faith as being identical in their foundation in the redemptive work of the Triune God. The unity and communion of local churches in their supra-diocesan link – i.e., usually in national churches, ecclesiastical provinces, patriarchates – is a representation of the “one holy, catholic, and apostolic Church” as well – however, not as a kind of super-diocese of supra-regional or even universal dimensions, but as a communion of episcopally and synodically organized local churches. It is in this perspective that the relationship between autonomy of the local church (as to the self-government in the broadest sense) and supra-local obligation of each local church (as to the communion of local churches) should be viewed.

That this unity and communion has for a long time not existed universally among all the churches, is a consequence of human shortcomings and sin, which eclipses the fact that in Jesus Christ God has reconciled and called to partnership all human beings who hear his call. This entails the obligation for each church, in obedience to the will of God and in faithfulness to the common tradition, to investigate whether existing separations must continue to be regarded as unavoidable or whether, on the contrary, its own catholicity should be recognized in a hitherto separated church.

- 3.3 Each local church is the Body of Christ in which the members, baptized and confirmed in the name of the Holy Trinity and united in the Eucharist, are called, authorized, and sanctified by the various gifts of the Holy Spirit to live a multifaceted common life in *martyria*, *leitourgia*, and *diakonia*. In communion with the other local churches

they are the people of that God who has elected Israel to be a sign of salvation and has opened up the blessing promised to Abraham to all peoples in the power of the Gospel. Being the manifestation of the renewal of creation that has its origin in Jesus Christ, it is on the way to its fulfillment, a path which all its members have to walk in repentance and hope.

- 3.4 In continuity with its soteriological-trinitarian foundation, the catholicity of the Church is expressed by those elements and processes which are signified by the comprehensive term “apostolic succession”. This means that whatever the Church is doing in word and sacrament, doctrine and ministry, has and must have its origin, in space and time, in the mission of Jesus Christ and the apostles, operated by the Spirit. This includes pre-eminently the passing on of the ordained ministry by prayer and the laying-on of hands. The apostolic succession of the Church requires the full communion of the catholic churches that are headed by the bishops in unison with the college of presbyters and exhibit a synodal structure. It finds its particularly clear expression in the ordination of a locally elected bishop by the other bishops.
- 4 Regarding the Union of Utrecht, all this means that it is primarily the task and service of the bishops to maintain the catholicity of the church in the unity of the tradition of faith, to respond to new problems as they arise and to take decisions concerning the relationships to other churches. For they are at the intersection of primarily belonging, as individuals, to their local or national church on the one hand, and of taking, as a college, primary responsibility for the fellowship and communion of the local and national churches on the other hand. The conciliar unity and committed communion of autonomous catholic churches – be they individual dioceses or national unions of dioceses – is expressed in the bishops’ synodal assemblies, i.e. the IBC meetings.
- 4.1 The reception by the church is a manifestation that the decisions of the bishops, prepared and taken in a comprehensive conciliar process, have been initiated by the Spirit of God and correspond to the will of God for the mission of his Church. Reception therefore includes the participation and joint responsibility of the baptized (clergy and laity) in this process both within each local or national church (synods or other responsible organs) and within the Union of Utrecht as a whole.

But being a process led by the Spirit of God, it cannot comprehensively, let alone conclusively, be put into juridical terms or mechanical finalization.

- 5 Wherever, congruent with the ecumenical self-obligation of the Union of Utrecht, communion with churches outside the Union of Utrecht does exist or seems possible and necessary on account of theological clarifications, the bishops of the Union have to take care, in consequence of the explications above, that mutual consultations be initiated and maintained with these churches.
- 6 In order to maintain their communion and to fulfill common tasks, the bishops of the Union of Utrecht establish, in accordance with the foundations above, the following Order and thereafter the required Rules. By doing so they presuppose that they as well as all the faithful be led by that mind that has been expressed in the words of the holy bishops Cyprian of Carthage and Ignatius of Antioch: Do not decide without the counsel of the presbyterium and the consent of the people (*Ep.* 14:4); do nothing without the bishop (*Phld.* 7:2).

B Order

Art. 1

The International Old Catholic Bishops' Conference (IBC) of the Union of Utrecht includes the bishops who

- (a) together with their churches adhere to the "Declaration of Utrecht" of September 24, 1889;
- (b) maintain the catholicity of ministry, doctrine, and worship in apostolic succession;
- (c) together with their churches are in full communion with the other churches of the Union of Utrecht;¹
- (d) are recognized by the members of the Union of Utrecht as having been elected lawfully and ordained canonically and exercise the catholic episcopacy in their church;

¹ As the IBC declaration of July 14, 1997, states, the full communion of the member churches of the Union of Utrecht does not presently exist, due to the lack of universal recognition of the ordination of women to the priestly ministry.

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- (e) have no links or obligations to other churches contradicting the “Declaration of Utrecht” and the present Statute;
 - (f) exercise their function as ordinary bishops, i.e. govern a church (diocese).²

Art. 2

The IBC does not infringe upon the jurisdiction of its members in their local churches.

Art. 3

The IBC has the following tasks:

- (a) it takes the necessary decisions in all organizational or disciplinary matters concerning the maintenance of communion and regarding joint projects;
- (b) it responds to controversial matters of faith and the ensuing morality as well as to matters of order;
- (c) it issues declarations of faith and principle on behalf of the Union, if inquiries or the circumstances so require;
- (d) it orders relationships to other churches and religious bodies;
- (e) it decides about the admission of a church to the Union of Utrecht;
- (f) it decides about the reception of a bishop into the IBC, aside from the procedure outlined in Art. 8;
- (g) it ascertains whether a bishop has gravely harmed the confession of the “Declaration of Utrecht”, the catholicity of ministry, doctrine, and worship, or this “Statute”, or has seriously violated the moral order, and determines whether he ought to be deprived of membership in the IBC;
- (h) it initiates, whenever possible, a process of discussion regarding matters concerning Art. 3 b–d in universal Old Catholic discussion forums (for instance, International Old Catholic Theological Conference, International Old Catholic Congress), assisted by Office of Information and Communication;
- (i) it exercises jurisdiction over Old Catholic parishes and groups outside the local church of a member of the IBC or in formation, by com-

² The Prime Bishop of the Polish National Catholic Church, although presently not governing a diocese, is a member of the IBC.

missioning one or more bishops (whether or not a member of the IBC) to fulfill this task;

- (j) it maintains a permanent Office of Information and Communication for the benefit of the Union of Utrecht and other churches, staffed by a theologian;
- (k) it maintains a Documentation Center for Old Catholic Literature and Publications of the member churches of the Union of Utrecht.

Art. 4

Each member of the IBC is bound

- (a) to take part in the meetings of the IBC;
- (b) to bring problems, insights, and developments which are receiving significance beyond his church, thereby affecting the Union of Utrecht as such, to the attention of the IBC early enough and with sufficient explanation and to get them on the agenda as a business item for a statement;
- (c) to initiate in his church a discussion of matters concerning Art. 3 b–d which will be dealt with in the IBC, assisted by the Office of Information and Communication, so that he can express his views in the IBC in knowledge of the conviction of his church;
- (d) to make known in his church as doctrinal statements of the bishops united in the Union of Utrecht any declarations and statements of the IBC in matters of faith and the ensuing morality as well as order, thereby including the given justification;
- (e) to implement himself, or have implemented, the decisions of the IBC on discipline, organization, and common endeavors in his church according to its internal order;
- (f) to carry out in his church the decisions of the IBC on relationships to other churches and religious bodies in suitable ways;
- (g) to bring to the attention of the IBC the eventual non-reception of decisions of the IBC.

Art. 5

- (a) A member of the IBC according to Art. 1 f is in principle bound to vote in decisions taken concerning Art. 3 a–g.
A member does not take part in a vote on a matter immediately touching his personal interests.
- (b) A bishop who does not take part in the meeting has to authorize another bishop of his own or of another church of the Union of Utrecht

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- (whether or not a member of the IBC) or another member of the clergy of his church to speak on his behalf and to vote.
- (c) In the case of a vacancy that particular church may delegate the diocesan administrator or another member of the clergy as an observer to the meeting. This person has advising rights. If, however, that church is represented by an ordinary bishop of the same national church, he may only cast his own vote.
 - (d) Abstentions are not taken into consideration at the voting results.

Art. 6

- (a) In decisions and statements concerning Art. 3 b–d, the following procedure is observed. The same applies if a matter about to be decided is, after the first debate in the IBC, regarded by two of its members to be a matter touching the further maintenance of the communion of the Union of Utrecht.
- (b) This procedure provides as a first step for an agreement by the IBC for the fixing of a period in which a consultation is held in all the national churches, possibly also in universal Old Catholic discussion forums, on the matter under discussion, the results of which are being made known to both the members of the IBC and the synodal governing bodies of the national churches. At the same time a simple majority is required for determining when the matter under discussion will be put on the agenda of the IBC for further decisions.
- (c) The matter once again being put on the agenda will then be discussed by the bishops in a second reading. By doing so, they are to take into particular account the written results of the consultations and of possible further expert opinions requested as well as the possible effects of a decision for the Union of Utrecht and for its existing ecumenical relationships.
- (d) Normally the second reading is followed by a vote in which all members of the IBC present take part.
- (e) A unanimous decision is communicated to the member churches as a decision of the IBC, with the justification provided.
- (f) If a decision is not unanimous but reveals the mind of the IBC in the sense that a majority of bishops from each national church is in favor, the result is made known to the member churches as a decision of the IBC, together with the arguments of those in favor as well as the arguments of those opposed.

- (g) If there is no unanimous decision or a decision “of one mind” according to Art. 6 e and f, no decision has been taken by the IBC, and the item is removed from the agenda. This result is made known to the churches of the Union of Utrecht, together with the arguments advanced in the IBC, the local churches, and – if it is the case – in universal Old Catholic discussion forums.

Art. 7

- (a) Decisions on the admission of a church to the Union of Utrecht (Art. 3 e) are taken in accordance with Art. 6 e–g.
- (b) In all other matters, a decision has been taken if and when the absolute majority of the members of the IBC present agree to it.

Art. 8

The election of a bishop is carried out by the respective church according to its order, the consecration is performed by the bishops of the Union of Utrecht.

Art. 9

- (a) The respective church carries out the election being aware of the following impediments to consecration as determined by the IBC:
- the lack of theological formation and pastoral experience required for the episcopal ministry;
 - a conduct of life incompatible with the dignity of the episcopal office;
- (b) The responsible church authority notifies all the member churches of the Union of Utrecht of the election and supplies the respective certification.
- (c) The president of the IBC for his part notifies the members of the IBC of the election.
- (d) If within three weeks after the notification by the president of the IBC a member of the IBC raises an objection against the election or the elected person, the question will be dealt with at a special session of the IBC and there decided by simple majority after it has heard the respective church. If the IBC objects to performing the consecration, it is up to the respective church to draw the appropriate conclusions.
- (e) If within three weeks after the notification by the president of the IBC no objection or to the election to the elected person is raised, the president will send a copy of the “Declaration of Utrecht” and of the “Statute of the Old Catholic Bishops United in the Union of Utrecht”

to the bishop elect requesting him to declare his assent to them by signing them.

- (f) After having received the copies of the “Declaration of Utrecht” and the “Statute of the Old Catholic Bishops United in the Union of Utrecht” carrying the signature of the bishop elect, the president of the IBC notifies the members of the IBC that the consecration may be performed; he also communicates this fact in a letter to the responsible authority of the respective church.
- (g) A member of the IBC who performs a consecration to which the IBC has objected in accordance with Article 9 d incurs suspension *ipso facto* pending a final decision by the IBC at its next meeting (cf. Art. 3 g).

Art. 10

- (a) All the bishops of the Union of Utrecht are to be invited to the consecration by the respective church.
- (b) If possible, the three principal consecrators are to be taken from ordinary bishops of various traditions of the Union of Utrecht. Whenever possible, the predecessor is not to be among the three principal consecrators.

Art. 11

- (a) The bishops do not enter into any obligations concerning the ministry, doctrine, or worship towards other bishops or churches, nor do they terminate them, without prior joint discussion and approval of the IBC.
- (b) In particular, the bishops commit themselves not to consecrate any bishop for other churches or to take part in the laying-on of hands without the approval of the IBC.
- (c) In the case of consecrations of bishops in churches with whom the Union of Utrecht is in full communion, a decision of the Bureau suffices which is notified to the other members of the IBC.

Art. 12

The bishops distribute among themselves the constitutions, their canonical provisions, pastoral letters, official prayer books and hymnals, rituals, pontificals, catechisms, manuals, the annual lists of clergy, the minutes of their synod, the study and examination regulations, particularly important decisions, and the like.

Art. 13

Deacons and priests going from one Old Catholic diocese to another and living there for a longer or shorter period are as a rule licensed to function if provided with letters of recommendation by their bishop; a formal reception into the clergy of another diocese can be made only after the canonical dismissal by the competent bishop. This does not apply to a member of the clergy being elected bishop of another diocese.

Art. 14

- (a) Each bishop is bound to ordain or receive only such candidates to the diaconate and presbyterate who are duly qualified and can prove the required training, theological studies and examinations according to the order of the bishop's church.
- (b) Candidates for the diaconate and presbyterate from other dioceses are ordained to the respective order only at the request or with the consent of the competent bishop or their church.

C Rules*Art. 1*

- (a) The International Old Catholic Bishops' Conference (IBC) takes its decisions in plenary sessions. In order to fulfill its other duties as well as to prepare its decisions, it may be assisted by its organs or special commissions established by decision.
- (b) Organs are the president, the secretary, the *quaestor* as well as an *assessor* who together function as the Bureau of the IBC.
- (c) The Archbishop of Utrecht is the president of the IBC. In case he is prevented from attending, he is represented by a member appointed by him; if he has failed to appoint a member, by the senior member of the Bureau.
- (d) The IBC elects the secretary, *quaestor*, and *assessor* from its members for a period of six years.

Art. 2

- (a) The IBC meets at least once per year for a plenary session. In addition, the Bureau can convene further plenary sessions; this has to be done if at least two members (from different national churches) require so in writing, with their reasons given.

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- (b) The minutes of the plenary session are taken by the person staffing the Office of Information and Communication of the IBC. They are written in German; they are translated into an English version approved by the IBC. The minutes are to be mailed to all the members within three months after the end of the meeting, after the chairman and the taker of the minutes have authenticated the German version by their signatures.

Art. 3

In plenary sessions or meetings of special commissions, each member has the right to call in two persons as experts or interpreters at his own expense. In addition, the IBC may call in experts and interpreters.

Art. 4

- (a) The Bureau supports the chairman, does the organizational and administrative work of the IBC and prepares the sessions of the IBC and its commissions.
- (b) The Bureau establishes an official list of the bishops belonging to the Union of Utrecht, and of their churches.
- (c) The Bureau also establishes a list of those churches to whom notice is to be given in the case of a vacancy and filling of an episcopal see of the Union of Utrecht.
- (d) The Bureau supervises the work of the Office of Information and Communication.

Art. 5

The Bureau of the IBC determines the place and time of the meeting after consultation, if possible, with the members. The invitations are issued by the secretary, together with the agenda as well as any additional documents. All the members are to be invited; in the case of a vacancy, the invitation is to be mailed to the responsible church body. The invitation is to be made four months prior to the meeting; the Bureau may refrain from keeping the deadline in urgent cases.

Art. 6

The discussions of the IBC, their commissions and the Bureau are confidential to the extent that confidentiality was agreed to. Decisions and everything that contributes to the necessary participation of the local and national churches in debates are to be published in suitable ways,

with the assistance of the Office of Information and Communication of the IBC.

Art. 7

Each member church pays an annual contribution to cover the running expenses of the IBC. The *quaestor* drafts a rough estimate that includes the expenses of the plenary sessions, the Bureau, the Office of Information and Communication, the special commissions, the experts and interpreters called in by the IBC as well as the travel expenses resulting from charges of the IBC and a reserve fund for unforeseeable expenses. The payment of each member church is established by the IBC under proper consideration of the financial abilities of that church in such a way that the expenses contained in the estimate can be met.

D Concluding Provisions

Art. 1

This “Statute of the Old Catholic Bishops United in the Union of Utrecht” supersedes the “Agreement between the Old Catholic Bishops United in the Union of Utrecht” and the “Regulations of the International Old Catholic Bishops’ Conference of the Union of Utrecht” of September 12, 1974, as well as its supplements of 1983, 1991, and 1994. It comes into effect on January 1, 2001.

Art. 2

This Statute can be amended in accordance with Article 7 a of the Order.

Art. 3

The German and English texts of this Statute are equally authentic.

Wrocław, May 25, 2000

The President of the IBC:
Antonius Jan Glazemaker,
Archbishop of Utrecht

The Secretary of the IBC:
Hans Gerny,
Bishop of the Old Catholic
Church of Switzerland

Appendix:

The Declaration of Utrecht

(September 24, 1889)

In nomine ss. Trinitatis.

Johannes Heykamp, Archbishop of Utrecht,
Casparus Johannes Rinkel, Bishop of Haarlem,
Cornelius Diependaal, Bishop of Deventer,
Joseph Hubert Reinkens, Bishop of the Old Catholic Church of Germany,
Eduard Herzog, Bishop of the Christian-Catholic Church of Switzerland,

assembled in the Archiepiscopal residence at Utrecht on the four and twentieth day of September, 1889, after invocation of the Holy Spirit, address the following declaration

to the Catholic Church.

Being assembled for a conference in response to an invitation from the undersigned Archbishop of Utrecht, we have resolved henceforth to meet from time to time for consultations on subjects of common interest, in conjunction with our assistants, councillors, and theologians.

We deem it appropriate at this our first meeting to summarize in a common declaration the ecclesiastical principles on which we have hitherto exercised and will continue to exercise our episcopal ministry, and which we have repeatedly had occasion to state in individual declarations.

1. We adhere to the principle of the ancient Church laid down by St Vincent of Lérins in these terms: "*Id teneamus, quod ubique, quod semper, quod ab omnibus creditum est; hoc est etenim vere proprieque catholicum*" [We hold that which has been believed everywhere, always, and by all; that is truly and properly catholic].

Therefore we abide by the faith of the ancient Church as it is formulated in the ecumenical symbols and in the universally accepted dogmatic decisions of the ecumenical synods held in the undivided Church of the first millennium.

2. We therefore reject as contradicting the faith of the ancient Church and destroying her constitution, the Vatican decrees, promulgated July 18, 1870, concerning the infallibility and the universal episcopate or ecclesiastical plenitude of power of the Roman Pope. This, however, does not prevent us from acknowledging the historic primacy which several ecumenical councils and the Fathers of the ancient Church with the assent of the whole Church have attributed to the Bishop of Rome by recognizing him as the *primus inter pares* [first among equals].

3. We also reject the dogma of the Immaculate Conception promulgated by Pope Pius IX in 1854 as being without foundation in Holy Scriptures and the tradition of the first centuries.

4. As for the other dogmatic decrees issued by the Bishops of Rome in the last centuries, the bulls *Unigenitus* and *Auctorem fidei*, the Syllabus of 1864 etc., we reject them on all such points as are in contradiction with the doctrine of the ancient Church, and do not recognize them as binding. Moreover we renew all those protests which the ancient Catholic Church of Holland has made against Rome in the past.

5. We refuse to accept the decisions of the Council of Trent in matters of discipline, and we accept its dogmatic decisions only insofar as they agree with the teaching of the ancient Church.

6. Considering that the Holy Eucharist has always been the true focal point of worship in the Catholic Church, we consider it our duty to declare that we maintain in all faithfulness and without deviation the ancient Catholic doctrine concerning the Holy Sacrament of the Altar, by believing that we receive the Body and the Blood of our Saviour Jesus Christ Himself under the species of bread and wine.

The Eucharistic celebration in the Church is neither a continual repetition nor a renewal of the expiatory sacrifice which Christ offered once and for all on the Cross; the sacrificial character of the Eucharist, however, consists in its being the perpetual commemoration of that sacrifice and a real representation, being enacted on earth, of the one offering which Christ according to Heb. 9:11–12 continuously makes in heaven for the salvation of redeemed humanity, by appearing now for us in the presence of God (Heb. 9:24).

This being the character of the Eucharist in relation to Christ's sacrifice, it is at the same time a sacrificial meal, by means of which the faithful, in receiving the Body and Blood of the Lord, have communion with one another (1 Cor. 10:17).

7. We hope that the theologians, while maintaining the faith of the undivided Church, will succeed in their efforts to establish an agreement on the differences that have arisen since the divisions of the Church. We urge the priests under our jurisdiction in the first place to stress, both by preaching and by religious instruction, the essential Christian truths professed in common by all the divided confessions, carefully to avoid, in discussing still existing differences, any violation of truth or charity, and, in word and deed, to set an example to the members of our parishes of how to act towards people of a different belief in a way that is in accordance with the spirit of Jesus Christ, who is the Saviour of us all.

8. We believe that it is in faithfully maintaining the teaching of Jesus Christ, while rejecting all the errors that have been added to it through human sin, as well

as rejecting all the abuses in ecclesiastical matters and hierarchical tendencies, that we shall best counteract unbelief and that religious indifference which is the worst evil of our day.

Given at Utrecht, the 24th September, 1889.

Johannes Heykamp.
Casparus Johannes Rinkel.
Cornelius Diependaal.
Joseph Hubert Reinkens.
Eduard Herzog.

Note. – This is a fresh translation made from the German original (cf. *IKZ* 84, 1994, p. 40–42). The first English translation of the Declaration of Utrecht was published in *The Foreign Church Chronicle and Review* 13 (1889) pp. 225–227. The most widely circulated translation is to be found in C.B. Moss, *The Old Catholic Movement*, London, 1964, 281f. Moss claims his somewhat paraphrasing translation to have been accepted by the Old Catholic bishops as correct. It was already published in the Report of the Lambeth Conference of 1930, p. 142 (with minor orthographical and other variations). It should be noted that his quasi-official English version reproduces an abbreviated text without the introductory section, as it was in use in Old Catholic circles around 1930.