

Church Constitution for Our Church

With my husband and a few friends, I sometimes celebrate the Eucharist at home – without an ordained priest. When this became publicly known in 2011 with our consent (Austrian television reported on it), my husband and I were excommunicated in 2014.

We had expected this and it does not burden us. Our life, nor our life of faith, has not changed as a result. Excommunication doesn't hurt.

But what really hurts is the experience that there are no written rights for individual church citizens. The proceedings against us contradicted all current rules of case law. The bishop was our accuser and our judge. A defence lawyer was not admitted. We were defendants and should take an oath to tell the truth. We wouldn't have lied anyway, but usually only witnesses have to do that. We were interrogated once, but we didn't get the minutes. We were also not granted access to the files. The bishop spoke to us only once, when he wanted to give us the decree of excommunication. We did not accept that. They sent it to us by mail, we sent it back. What a farce!

The example of Doris Reisinger is much worse: she was sexually and spiritually abused as a young religious. There was a trial in which she was not heard and the perpetrator was acquitted.

But very few of us will have to do with ecclesiastical jurisdiction. But it starts already in the parish. No one of us can do what she wants if the parish priest is against it. I know too many stories of frustration and disappointment.

This has made it very clear to us: our canon law protects the Church as an institution, not the individual. Church citizens have absolutely no written rights. It starts in the communities. Even Parish councils can fail because of the pastor's veto. The pastor has every right to determine what happens. If he doesn't want to, no matter how many good arguments are of no use.

The detailed legal system of the Roman Catholic Church in the Codex juris canonici (CIC) is not a constitution in the formal sense by means of which the individual laws can be checked for their legality. We need an ecclesiastical order in which the dignity of church members is protected from arbitrariness.

To this end, a church constitution must be created that complies with human rights and is based on the standards of proven democratic structures. Our rights must be in writing and enforceable in independent courts. Such a constitution will lead to a fundamental reform of the ecclesiastical legal system. The present structure of the Church, with its comprehensive claim to power from above, is a historically conditioned human institution and cannot be based on the New Testament and the original Christian forms of ecclesiastical organization. "See how they love each other" is obviously not enough – and unfortunately it is not true. A new constitution requires full ecclesiastical recognition of the "Declaration of Human Rights".

Since the 2nd Vatican Council, proposals for a constitution have been made again and again, they disappear into drawers or waste baskets. Now let's try again. "We are Church" has

compiled a "list of principles" that must be included in such a constitution. The John Wijngaards Institute in London with Dr. Luca Badini Confalonieri is working with canon lawyers from all over the world and wants to present it to the World Synod.

I cordially invite all of you to sign our "List of Principles" on behalf of your organizations and send it to Luca Badini at the the John Wijngaards Institute so that this project receives the greatest possible support worldwide.

Dr. Martha Heizer: Even till now, Martha Heizer is a versatile and committed networker.

As a religious educator at the Faculty of Theology at the University of Innsbruck, she was one of the initiators of the KirchenVolksBegehrens. An international movement grew out of this and she was once chairperson of We Are Church (Wsk) Austria and vice-chairperson of We Are Church (WAC) International.

In her private life, she will soon be able to celebrate her golden wedding anniversary with her husband Gerd and is the mother of three grown-up children and two grandchildren.

As a feminist, reform-oriented theologian, she is active in other groups. She will then tell us about her work with the International Catholic Reform Network (ICRN).