

A Discussion of Proposed Amendments to the DOK Bylaws  
by Fr. Michael Gemignani, Diocesan Chaplain, Diocese of Texas

Available in PDF format on this website are proposed amendments to the DOK Bylaws. Basically, these changes try to do the following:

- 1) Remove the distinction between affiliate members and members by deleting the term affiliate.
- 2) Clarify the language of several sections without changing the substance.
- 3) Put into the Bylaws certain matters concerning the Junior Daughters that were previously only in the Junior Daughters Handbook, if there.
- 4) Grant permission for non-Episcopal Daughters to form "parallel" structures.
- 5) Make some of the specifically Episcopal terminology more ecumenical.
- 6) Reorder some sections to make the flow of the Bylaws more consistent.

While I do not think these changes go as far as they should to address some of the problems with the current Bylaws, they are decidedly a step in the right direction. In particular, it still seems to me that there are matters that should be addressed in the Bylaws that are not, and matters that are addressed that are inappropriate for inclusion in Bylaws. Moreover, not all logical inconsistencies have been removed. But I do not wish to analyze the current Bylaws in this memo. I do want to try to address as objectively as I can the issues that I think will be raised at Triennial, particularly with regard to (1) and (4) above.

Currently, the Bylaws state that a woman is eligible to become a Daughter if a) she is a member of TEC, or b) is a member of denomination with the historical episcopacy, or c) is a member of a denomination in full communion with TEC. "Historic episcopacy" means to me bishops consecrated in historic apostolic succession. Some interpret this phrase to mean that a bishop is consecrated in the historic faith handed down from the Apostles. One interpretation does not imply the other. Indeed, the whole question of apostolic succession is a Pandora's box I do not want to open.

At the Orlando Triennial, the delegates voted overwhelmingly to seat delegates from affiliate chapters with voice and vote, thus supporting a decision that the National Council had already made earlier. A minority of delegates believed that the Order should be exclusively Episcopal.

The crux of this issue is what, if any, distinction is to be made between "affiliate members" and "members." Although the two types of membership are referenced in the Bylaws, there is nothing in the Bylaws that disenfranchises affiliate members. Indeed, the Bylaws are silent on the distinction between these two classes of members concerning voting rights. Those arguing against seating affiliate members reference the initial Articles of Incorporation of the Order and claim that the mere reference to two classes of members implies that affiliate members do not have the rights of members. Those wishing to seat affiliate members point out that they pay their dues to National and, therefore, should have representation. Moreover, since the Bylaws are silent on any distinction, the Bylaws should be interpreted in the manner most favorable to those

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who would otherwise be harmed. As noted, both the National Council and the Orlando Assembly voted almost 80% to give the affiliate members the same rights as members.

After Orlando, a group of Daughters campaigned to have the Orlando vote declared invalid and the membership of the Order restricted to members of TEC. This would exclude Roman Catholics, members of the ELCA, and Anglicans, including members of churches in the USA that broke from TEC. At a recent meeting of the Council in Anaheim, the attorney for the Order was present and made it clear to the Council that, according to Georgia law, the vote in Orlando was binding.

However, what the Assembly giveth, the Assembly can taketh away. Orlando basically abolished the distinction between members and affiliate members, thus, the proposed Bylaw change that deletes the term "affiliate." Those who want to the Order to be exclusively Episcopal will probably do two things in Anaheim. First, they will move that the affiliate members should not be seated until and unless the proposed Bylaw change is adopted, thus reversing the Orlando vote. Second, they will oppose the Bylaw change, or even offer a substitute restricting the rights of affiliate members. (Note: It is my understanding that Georgia law forbids an organization to collect dues from individuals while denying them voting representation, but I am not a Georgia attorney. I got this report from someone else.)

One option that the Bylaw amendments holds out is for "affiliate members" to form their own parallel structure that would basically mirror the current structure of the Order, but would be for members of another denomination. Thus, the Daughters in Nigeria, for example, could form their own national structure, as could the Roman Catholics or Anglicans in this country. Presumably, the parallel structures would have their own central office to which they would pay dues, although a proposed bylaw encourages officers of parallel structures to visit one another's national meetings. However, there are currently no parallel structures, nor is it clear that there are enough Daughters outside TEC to make any such structure feasible at present. I point out that setting up a parallel structure is permissive, not mandatory.

Thus, there is a basic question that will have to answered in Anaheim: Is the Order to be strictly associated with TEC, or is it to be an ecumenical, international Order? The Bylaws, the vote in Orlando, and the proposed amendments assume the latter. Those who want to make the Order exclusively Episcopal will argue for the former.