

Virginia Supreme Court sides with Episcopalians: A battle over parish property

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Virginia's Supreme Court has sided with the Episcopal Church in its dispute with breakaway conservatives over historic and valuable parish property—a partial but important victory for the embattled denomination. The June 10 ruling overturned a lower court's decision, which had ruled in favor of nine Virginia congregations that broke with the Episcopal Church in 2006 and 2007 over disagreements on homosexuality and the Bible.

The matter is far from settled, however, as the case was remanded to the lower court to decide complex questions of who owns the church buildings. The conservatives have remained on the property, which has been valued in the millions, while the court battle continues.

At issue was a Civil War-era law that allows congregations that are members of a “church or religious society” that later divides to decide which branch to join. After quitting the Episcopal Church several years ago, the nine congregations looked for help overseas, joining the Convocation of Anglicans in North America (CANA), which is part of the Anglican Church of Nigeria.

Virginia's Supreme Court ruled that the Episcopal Church and its Diocese of Virginia have divided, but that CANA is not technically a “branch” of either, since it was founded by the Nigerian church. Justice Lawrence Koontz wrote, “The statute requires that each branch proceed from the same polity, and not merely a shared tradition of faith.”

The court also ruled that the Anglican Communion, the international fellowship that includes the Episcopal Church and the Anglican Church of Nigeria, has not divided.