I. Introduction

The Episcopal Church (TEC) appreciates the work of the Covenant Design Group (CDG) in offering the St. Andrew’s Draft. We extend our thanks for the process of consultation. It is clearly evident to us that the CDG valued our contributions to the Nassau Draft. The Episcopal Church remains committed to the Communion-wide process of conversation toward an Anglican Covenant. At the same time, TEC wants to emphasize that matters of moral authority and interdependence amongst the churches result from mutuality, not from regulation. The relational voice found in “A Lambeth Commentary” changes the tone of conversation and is very helpful.

The 2006 General Convention passed resolution *A166: Anglican Covenant Development Process* which “[s]upports the process of the development of an Anglican Covenant, directs International Concerns Committee (INC) of the Executive Council to follow the development process and report to Council” (found in the Appendix to this document). The Episcopal Church invited church-wide contributions to its response to the first post-Windsor draft, now called the Nassau Draft and, through a committee appointed by the presiding officers of Executive Council, wrote the response requested of each Province to the CDG.

Following the publication of the St. Andrew’s Draft in February 2008, the Anglican Covenant task force published that same month a short study document to assist bishops in considering the St. Andrew’s Draft (c.f., Appendix). Executive Council approved this study guide and it was distributed to the bishops and made publicly available. That study guide is attached at the end of this response.

The President of the House of Deputies, Dr. Bonnie Anderson, in a letter of 21 April 2008, requested that the diocesan deputations to General Convention meet, including other diocesan leadership as might be useful, and review the St. Andrew’s Draft. These meetings were intended to inform their bishop(s) as to their thoughts on the Anglican Covenant in preparation for discussions thereof at Lambeth Conference 2008. It was also seen that the deputations’ responses would be of help to the Anglican Covenant task force as it prepared Executive Council’s response to the St. Andrew’s draft.

The task force received thirty-one responses from deputations, some of which had conversations with their bishops. None of the responses were from dioceses belonging to the Network of Anglican Communion Parishes and Dioceses, also known as the Anglican Communion Network.

This document, “A Response from the Executive Council of The Episcopal Church to the Saint Andrew’s Draft” serves as the response of The Episcopal Church to the continued work of forming an Anglican covenant. This document draws on responses from these deputations, taking into consideration the work of “A Lambeth Commentary.”
The Joint Standing Committee of the Primates and the Anglican Consultative Council has invited all the Provinces to answer three questions posed by them and to provide a formal evaluation of the St. Andrew’s Draft by March 9, 2009.

We underscore that this response is a provincial response. The covenant can only be embraced on the provincial level, that is, The Episcopal Church, and not on a diocesan level.

II. Concerns of the Task Force with respect to the development of an Anglican covenant

The effort to forge an Anglican Covenant is the results of two strands of recent Anglican Communion history:

(a) Over the last three decades, it has become evident that the Anglican Communion lacks a unified expectation of what could be expected from the churches in the Anglican Communion. Disparities in practice among Anglican Communion churches, e.g. marriage and divorce and the ordination of women, made some ecumenical conversations difficult.

(b) The Windsor Report of 2004 was written in response to the reality that some Provinces had taken offense to the actions of others, primarily those of The Episcopal Church and the Anglican Church of Canada. It sought to recommend ways to repair relationships. Among those was the suggestion that a covenant be developed that would define the basis for, and limitations of, Communion status. The Primates requested that work on a covenant go forward and the Archbishop of Canterbury responded by establishing a Covenant Design Group (CDG) and naming its members and chair. They were charged to produce both a text and a process for perfecting that text.

It is important to note that the driving concerns are both ecumenical and inter-Anglican. The covenant is being proposed as a way to define better just what it means to be part of the Anglican Communion and what others and we can expect. The CDG expressed the hope for a text that was definitive but not regulatory. (In the Lambeth Commentary as offered by the CDG, question 1 on the covenant concept, the CDG affirms, “A covenant may well have contractual elements but while a contract can be fulfilled or completed and a declaration become outdated, a covenant is a dynamic concept which speaks of ongoing relationship and generous attitude.”) None the less, from its inception, the Anglican Covenant project has included, in every proposed covenant text beginning with the appendix to the Windsor Report, matters that are juridical, calling for the beginnings of inter-Anglican canon law or, if not that, inter-Anglican processes for negotiations and settlement of disputes and concerns.
The development of the Anglican Covenant draft texts has provided the context for Communion-wide discussions of the theological and ecclesial “markers” of Anglican Communion identity. It has also given rise to difficult questions concerning the autonomy of the churches. The Windsor Report spoke of subsidiarity and the limits of autonomy. Interdependence, a notion that originally arose from the 1963 Anglican Congress vision of “mutual responsibility and interdependence in the body of Christ,” has begun to be used as a call for submission to a “moral authority” on Communion-wide concerns.

The Anglican Covenant idea thus is linked with both the hopes of our ecumenical partners that we might better speak as one and the hopes within the churches of the Anglican Communion that we might speak with authority to one another as Anglicans. The burdens this places on any such text are enormous. Care needs to be taken that our conversations around an Anglican covenant do not draw us necessarily toward a hierarchical model of a church union or even the perception of Anglicanism as a singular global church.

III. Response to the Joint Standing Committee’s Questions

1. Is the Province able to give an “in principle” commitment to the Covenant process at this time (without committing itself to the details of any text)?

Yes. TEC, by resolution of the General Convention 2006 A166 cited above, has committed itself to the covenant process.

Furthermore, the October 2007 response of the Executive Council to the Nassau Draft said:

“We are prepared to consider a covenant that says who we are, what we wish to be for the world, and how we will model mutual responsibility and interdependence in the body of Christ. We believe we must be open to God’s doing a new thing among us; therefore, we remain open to explore such new possibilities in our common life while honoring established understandings.”

These commitments stand. At the same time, we want to be clear that it is impossible to commit to an idea of a covenant separate from a specific text. The text is the reality of the covenant; the idea is not. In other words, TEC commits itself to the process but this commitment does not implicitly commit TEC to ultimate approval of a covenant.

2. Is it possible to give some indication of any synodical process which would have to be undertaken in order to adopt the Covenant in the fullness of time?
Yes. The only body that has the authority to respond on behalf of Episcopalians to the draft of an Anglican Covenant is the triennial meeting of the General Convention. In order for TEC to engage fully in its expression of synodical process, the triennial General Convention, the following timeline might be envisioned.

First, General Convention meeting in July 2009 could pass an enabling resolution, similar to that of GC-2006 A166, that would commit TEC, through its Executive Council, to continue monitoring and responding to a draft, if advanced, by the Anglican Consultative council in May 2009. These three years of discussion would prayerfully engage the faithful in all the dioceses of The Episcopal Church as to their discernment in respect to the covenant. During the 2009-2012 triennium, TEC would be assisted in its discernment of the Anglican Covenant by listening to the voices of other provinces of the Anglican Communion as they discuss and wrestle with the generalities and particularities of an Anglican covenant.

If it is perceived that the Anglican Covenant forwarded by ACC does not require constitutional changes, the 2012 General Convention could take up the matter and vote on the covenant. However, if an Anglican covenant suggests constitutional changes, then final consideration would have to wait for the 2015 General Convention for a final reading and passage.

Again, if TEC had to postpone a second vote on a proposed covenant until 2015 because of constitutional changes, the delay would provide a fruitful opportunity for TEC to hear the voices of other members of the Anglican Communion as they discuss future drafts.

3. In considering the St Andrew’s Draft for an Anglican Covenant, are there any elements which would need extensive change in order to make the process of synodical adoption viable?

While the particularities of the Saint Andrew’s draft will be discussed in more depth in the following section of this document, we would like to note the following observations raised generally by diocesan deputations.

There is some concern about the clarity of the Introduction to the Saint Andrew’s draft covenant. For example, questions arose with respect to how the “covenant emerges out of communion” and “also serves communion.” One deputation noted, “It places enormous emphasis on the ‘communion’ or ‘unity’ of the church but this goal is attained at the expense of justice and righteousness. This goal is laudable but it cannot become a false unity that comes at the expense of essential biblical justice and love.”

The vast majority of diocesan deputations had significant concern about Section 3.2.5 and following. The concern focused on what was perceived as an embrace of binding arbitration, mediation and evaluation, as well as “moral authority.” This section was perceived as being overly juridical in its process: e.g., while 3.2.5.e
affirms autonomy, it also affirms the force of binding decisions, including “a
relinquishment by that Church of the force and meaning of the covenant’s
purpose....”

The inclusion of the appendix, though intended not to be a part of the covenant,
cannot be ignored specifically because it is consistently referred to in 3.2.5.a-e.
Those deputations who did mention the appendix found it to be highly
problematic because of its embrace of juridical process for resolving disputes in
the Anglican Communion.

IV. Discussion of Text

We turn now to a discussion of specific observations and possible changes
recommended by some of the readers. While many of these comments of the text
are critical but hopefully constructive, we begin by observing that we have
significant appreciation for the work that has been done in this draft.

Introduction

The second paragraph describes our salvation story, setting the idea of covenant
within the context of Noah and David as well as describing Jesus as the new
covenant. Some have raised concerns that the covenant in Jesus Christ is a
different sort than those covenants with Israel described in the Hebrew
Scriptures. The former covenants were not sealed with the blood of an innocent.

Paragraph 4 rightly signals our communion as a “special charism” that comes
from God. Missiologically, the last sentence of this paragraph should emphasize
the focus of our participation in God’s mission in the world, rather than “our”
mission.

Concern was raised that unity not be seen as uniformity as suggested in
paragraph 6 (“through a common voice”). As one deputation stated, “Achieving
unity in diversity is never finished business and it is often messy.” Response to
the needs of people everywhere, through solidarity of prayer and action, joins us
as Anglicans across cultures and nations.

The Introduction conveys a solid theology of God’s mission and the Anglican
Communion’s place in it. This Introduction is an aid to understanding the
theological context in which the covenant is proposed. It is not part of the
covenant itself and would not be a determining factor in acceptance or rejection
of a covenant.

Preamble

Deputations did not engage in much discussion or critique of this part.
We have observed and appreciated the new format that begins each section with affirmations followed by specific commitments. This is a helpful framework that works for the first two Sections of the draft. The nature of affirmations and commitments seem to be different in Sections One and Two from those in Section Three. In particular, we note that the voice changes in the introduction of each affirmation and commitment in Section Three, which we do not find helpful. We will discuss this further below.

Section One: Our Inheritance of Faith

1.1.1: Reference to the Preface to the Declaration of Assent, Canon C15, does not elucidate the statement. If such a reference is made, then the corresponding text should be provided. Further, why does the covenant reference only the Preface to the Declaration of Assent of the Church of England in footnotes 2, 5 and 6? Such a Preface does not apply to all provinces of the communion and, therefore, should be eliminated.

1.1.2: Again, referencing only the historical formularies of the Church of England leaves out the other members of the communion. While other members of the Anglican Communion have declarations of assent, they may not have the same wording.

1.1.5: The CDG, in preparing the Saint Andrew’s Draft, recognized the centrality of liturgy, and this is a welcome inclusion.

1.1.6: The CDG also added the importance of ecumenical concerns. The church participates in God’s mission in the apostolic vocation as the whole people of God and is shared with other churches. This addition opens up the conversation to include all of the people of God, not just bishops. We suggest that “vocation” be substituted for the word, “mission,” because the focus is on our response and not on God’s action (missio Dei).

1.2.1: We appreciate that the commitment here is both to the primacy of Scripture and the valuing of the tradition of the church. We note that adding “reason” after “Scripture” would bring this into line with Hooker’s formularies. Only with the moderating voice of reason do we arrive at the Anglican ethos of balance between Scripture and tradition.

1.2.2: Generally, deputations appreciated the change of wording away from “biblically derived moral values” to “moral reasoning and discipline that is rooted in and answerable to the teaching of Holy Scripture and the catholic tradition...” This said, there still remains concern as to who determines what constitutes “moral reasoning and discipline.”
1.2.4: Concern was raised as to the presentation that the truth of the biblical text is revealed “primarily through the teaching and initiative of bishops and synods.” The reading of scripture in our personal and corporate lives by the whole people of God (in liturgy) has historically been the way by which Anglicans engage in biblical interpretation. We suggest “the teaching and initiative of bishops and synods” be deleted and the words “corporate prayer and individual study informed by rigorous scholarship” be inserted (Lex orandi, lex credendi).

1.2.6: Deputations raised the question if it is possible to discern once and for all God’s Truth? This presupposes that churches in the communion can know fully what God is doing in Jesus Christ by the power of the Holy Spirit. We recommend that the words “to discern the Truth” be deleted so that this sentence will read, “to pursue a common pilgrimage that enables people from all nations to be set free to receive the new and abundant life in Jesus Christ.”

Section Two: The Life We Share with Others: Our Anglican Vocation

2.1.1: Comments from some diocesan deputations asked why Ireland was included in this historical summary. An explanatory footnote would be helpful.

2.1.3: The sentence should begin, “Our common vocation in God’s mission is shared....” Once again, this gives primacy to God’s mission, not our mission.

2.2.1: “Evangelism” is the process of sharing the Good News of God in Christ; replace “evangelisation” with “evangelism.” The quotation, “for our blessed but broken, hurting and fallen world,” comes directly from IASCOME report to ACC 13, “Communion in Mission” and should be noted as such.

2.2.2: It is noted that participating in God’s mission is a blessing rather than an action of the church. We suggest substituting the word “undertakes” with “is blessed.” We recommend deleting “the Mission of Christ” because it implies that the five marks of mission are a comprehensive presentation of all that God is doing in Jesus Christ.

Overall, there was vast affirmation by deputations for Section 2 as representing a covenant for the Anglican Communion. Many deputations wished that the covenant ended with these missiological affirmations and a few deputations stated that Section 2 itself was sufficient to stand for the whole covenant. They referenced the IASCOME’s “A Covenant for Communion in Mission.”

Section Three: Our Unity and Common Life

By far, most of the responses from deputations (with two exceptions) express concern and uneasiness with this section. By and large Part 3.2 is the most problematic section. Recommendations from the deputations as to how to handle
Section 3 fall under three categories: a) delete the entire section; b) stop at the end of 3.2.5 without adding any of the “a-e”; c) maintain it all but excise any reference to an appendix schedule. One or two deputations state that they do not like that any one instrument of communion could initiate proceedings. One deputation says, “We are trying to fix a mystery, treating it like a problem when in actuality it is revelation.”

3.1.1: “Ministry” should be added to “Baptism and Eucharist,” as the primary marks of faith and order as affirmed by the Ecumenical Movement (as per the Lima text of 1982). “The body of Jesus Christ, the Church” clarifies the language so that it is clear the document is not referring to the “Church of Christ,” a specific denomination here in the United States.

3.1.2: Add to the second sentence “therefore described as autonomous-in communion” the words “as is described in the Windsor Report.” Several deputations’ comments note that the Instruments of Communion do not necessarily give us “a common mind.” As one deputation recommends, the sentence would be clearer if it read, “to affirm our common life facilitated by instruments of communion which our Churches establish in order to develop a common mind.”

3.1.3: Here is an excellent place to make clear the primacy of the baptized and a theology of Baptism. A deputation offered this constructive rewrite of all of 3.1.3: “… the primacy of Baptism for participation in God’s mission and the central role of bishops as guardians and teachers of faith, leaders in mission, and as a visible sign of unity. The historic threefold ordained ministry of bishops, priests and deacons called to serve the Church of God, as they call all the baptized into the mission and ministry of Christ. These ministries are exercised personally, collegially and within and for the Eucharistic community.”

3.1.4: Many deputations note that Anglicans come together in God’s mission in many important ways beyond the four Instruments of Communion. We suggest that this statement emphasize first the participation of all God’s people, the baptized, in God’s mission, through such entities as companion diocese relationships, Mother’s Union, missionaries, relief and development agencies and even Anglican congresses. With respect to the Instruments of Communion we believe: 1) the description of the Archbishop of Canterbury is accurate; 2) the Lambeth Conference does not “guard the faith and unity of the Communion” — we suggest that the words “expresses episcopal collegiality worldwide, gathers the bishops for common counsel, consultation and encouragement and equips bishops as leaders in God’s mission” be substituted; 3) the ACC represents the Provinces of the Anglican Communion and not the provincial synods and 4) the description of the Primates’ Meeting is accurate.

3.2.1: We are called to support all the agencies of the Anglican Communion and not simply the Instruments of Communion. We suggest adding the words “the Anglican Communion Office” before the words “the Instruments of Communion.”
3.2.2: This point would present a good opportunity to reference “Mutual Responsibility and Interdependence in the Body of Christ” (Anglican Congress 1963) rather than simply the Dar es Salaam Communiqué of February 2007. We recommend changing the sentence to read, “while upholding mutual responsibility and interdependence amongst the Churches” and footnote MRI. We further recommend the sentence end here.

3.2.3: There is appreciation for the need to consult widely in our discernment in the leading of the Holy Spirit in our various contexts; yet concern is raised as to how that might be “tested by shared discernment.” We thus recommend that the post colon clause, “all therefore...” be deleted.

3.2.4: Our churches have canon laws; there is not one set of canon law for the whole Anglican Communion. We recommend that the final clause read, “canon laws.”

3.2.5: Many deputations (those who fall under Group B as above) suggest that the document end with “credibility of its service to God’s mission” and delete the rest.

The few deputations that retain 3.2.5 collectively want to delete the two references that say, “according to such procedures as appended to this covenant” and excise the appendix.

They further have the following suggestions:

- 3.2.5.b: excise this statement or change to “accept the legitimate concern of the Instruments of Communion.”
- 3.2.5.c: End with the word, “conflict.”
- 3.2.5.d: “moral authority” is nebulous in its use. End this sentence with the word, “articulated” — the instruments do not sustain our life, nor do they create communion. They are “bodies by which our common life is articulated.”
- 3.2.5.e: If this paragraph is not excised entirely, the first sentence should be eliminated. Neither the Primates’ Meeting nor the most recent Lambeth Conference has passed resolutions. The Instruments of Communion can invite churches voluntarily not to participate with respect to their own body. Questions to the church’s participation in each particular instrument are left up to the policies and procedures of each instrument. We suggest the following rewrite, “Should a church not accept the particular course of action suggested by an Instrument of Communion, that decision may be understood by the church itself, or by other members of the Communion as a relinquishment by that church of the force and meaning of the covenant.”
3.2.6: What is the “highest degree of communion” other than table fellowship, which is both more inclusive and embodied than what this document would suggest.

Declaration

Members of The Episcopal Church will recognize use of the Easter blessing from 1979 Book of Common Prayer at the end of this document as most fitting because it looks to new hope in the resurrected body of Christ.

V. Summation

The Saint Andrew’s Draft is a substantial development to the literature of the Anglican Communion and deserves education and prayerful response from all members of the Anglican Communion. For this reason, we believe that it is important to have the full triennium period to digest fully the document following the meeting of the Anglican Consultative Council meeting in May 2009.

TEC is committed to a continuation of a covenant process but withholds commitment to the final document until it is perfected and received by the Anglican Consultative Council. As a final question, TEC asks, “How does the covenant help us look like Christ?” How does a covenant reflect the idea that communion is founded on the mutual recognition that each church sees in the other evidence of our communion in Christ?
Resolved, That the 75th General Convention of The Episcopal Church, as a demonstration of our commitment to mutual responsibility and interdependence in the Anglican Communion, support the process of the development of an Anglican Covenant that underscores our unity in faith, order, and common life in the service of God’s mission; and be it further

Resolved, That the 75th General Convention direct the International Concerns Standing Committee of the Executive Council and The Episcopal Church’s members of the Anglican Consultative Council to follow the development processes of an Anglican Covenant in the Communion, and report regularly to the Executive Council as well as to the 76th General Convention; and be it further

Resolved, That the 75th General Convention report these actions supporting the Anglican Covenant development process, noting such missiological and theological resources as the Standing Commission on World Mission and the House of Bishops’ Theology Committee to the Archbishop of Canterbury, the Joint Standing Committee of the Anglican Consultative Council and the Primates, and the Secretary General of the Anglican Communion; and that the Presiding Bishop of the Episcopal Church report the same to the Primates of the churches of the Anglican Communion.

Study Resource for Considering the Draft Anglican Covenant (known as the St. Andrew’s Draft)

The Executive Council is charged by General Convention to follow and respond to the development of a draft Anglican Covenant. The International Concerns Committee (INC) #021 Task Force of Executive Council facilitates and coordinates this process. The INC #021 Task Force thus has prepared this resource to assist the Bishops and their dioceses to consider the new draft of the Proposed Anglican Covenant (known as the St. Andrew’s Draft) in preparation for discussion at the 2008 Lambeth Conference.

This resource offers three levels of engagement with the St. Andrew’s Draft Covenant, each digging deeper into the text and issues raised by the draft. This resource is offered for your use in your diocese and does not presuppose that your diocese need make any formal response to the INC #021 Task Force. It is thus an offering from the Executive Council to assist you in your ministry.

I. First Level of Engagement with the Text
Read the Saint Andrew’s Draft Covenant in its entirety: Introduction, Covenant, and Appendix. After reading, consider the following initial questions:
• What in the document did you find compelling? What resonated with you and why?
• What in the document caused you the most concern and why?
• What in the document surprised you the most and why?

II. Second Level of Engagement with the Text
This level offers a brief introduction to each major section of the Draft Covenant and then poses more in-depth questions for discussion:
Section 1: The document begins with four affirmations based on the Chicago-Lambeth Quadrilateral and then makes two affirmations based on liturgy and ecumenism.
• Do you find these affirmations a sufficient statement that describes the inheritance of our faith?

Section 1.2: This section describes how the above historical affirmations are lived out in various contexts. It also speaks about the nature of authority at various levels.

• Does this section appropriately describe how you understand a) the authority of the Bible, and b) the exercise of episcopate in The Episcopal Church?

Section 2: This section focuses on our vocation in the world as Anglicans in service to the mission of God.

• Is this description of the history of the Anglican Communion faithful to your understanding of God’s mission in the world?

Section 2.2: This section describes our vocation as Anglicans in service to God’s mission in the world through the five marks of mission.

• How does your diocese live into the five marks of mission and are they essential elements of our Anglican vocation?

Section 3: This section describes some of the elements of our common life together in baptism, Eucharist and ministry and moves to elaborate more recent understandings of our life in the Anglican Communion. It identifies ways by which the Anglican Communion comes together and then describes the four Instruments of Communion in their appropriate historical development.

• What meaning and impact do the four Instruments of Communion have for you in your diocese?

Section 3.2: Here the covenant focuses on challenges to the Anglican Communion. The voice changes from descriptive of our common life to proscriptive direction of how to proceed when our common life is threatened.

• Do you think it is necessary to articulate processes when communion is threatened and, if so, do you find these processes of consultation and conversation as outlined in 3.2 useful?

Appendix: Section 3.2.5 b & c of the Draft Covenant assume a schedule of procedures that are intended to accompany the Covenant. The Appendix provides a draft framework outlining procedures for the resolution of disagreement.

• Should our possible agreement to a Covenant be contingent on subscribing to a set of procedures for addressing disagreements in the Anglican Communion. If so, is this draft framework (the Appendix) helpful?

• Do you see an emerging set of canons for the Anglican Communion in this Appendix? If so, is this beneficial or not to the Anglican Communion at this time?

III. Third Level of Engagement with the Text

To enter into a deeper conversation with this text of the Anglican Covenant and earlier drafts,
1) Read the first draft of the Anglican Covenant ("Nassau draft")

2) Read the response to the Nassau Draft from the Episcopal Church as prepared by the INC #021 Task Force and agreed to by the Executive Council in October 2007.

3) Reread the St. Andrews’s Draft Covenant and then:
   • Compare and contrast the first and second versions of the draft Covenant in light of the recommendations from Executive Council.

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\[3\] http://www.episcopalchurch.org/79901_91392_ENG_HTM.htm