

**Discussion Document for members of Affirming Catholicism on An
Anglican Covenant: A Draft for Discussion (ACDFD)**¹

Mark D. Chapman

Affirming Catholicism made a full response to the document *Towards an Anglican Covenant*.² It laid out the theological and ecclesiological principles which should underpin the production of an Anglican Covenant. These principles have shaped this brief response to *An Anglican Covenant: A Draft for Discussion*, which was produced at the first meeting of the Covenant Design Group meeting in the Bahamas in January 2007, and presented to the Primates of the Anglican Communion at their meeting in Tanzania in February 2007.³ It is a more developed version than that included as the appendix to *The Windsor Report*, and is more historically aware about the nature and development of Anglicanism. The contents are divided into six sections, the first is a *Preamble*, the second three describe the *Doctrinal and Missiological Basis of Anglicanism*, and the last two describe the *Existing Institutions and Proposals for Change*. Brief analyses and comments are offered under these three headings:

1. Preamble: the use of the term 'covenant' (§1).

What is most significant is that the first use of the word 'covenant' is as an active verb (§1). The model of covenant used is far closer to the agreements between churches in ecumenical discussion than to any Biblical model – this seems to be far removed from most Biblical covenants which are made between two quite unequal parties (God and human beings). Instead the agreement is made between equals who pledge to work together. It is possible that there would have been greater clarity if the word 'covenant', which has such a complex and contested religious history, had been avoided altogether. As used in ACDFD it means much the same as 'pledge' or 'agree to abide by'. This sense of *commitment* is the key point of the document – this amounts to a voluntary pledge by the individual churches of the Anglican Communion to the definitions and methods of conflict resolution contained in the document.

¹ This critical analysis is based in part on my Introduction to the forthcoming volume: Mark D. Chapman (ed.), *The Anglican Covenant: Unity and Diversity in the Anglican Communion* (London: Continuum, 2007).

² It was released on 13 Dec 2006. This document is available at:
<http://www.affirmingcatholicism.org.uk/UserFiles/Affirming%20Catholicism%20Response%20to%20Covenant%2015%2012%2006.doc>.

³ A slightly modified version was issued in April 2007: Anglican Communion Office, *An Anglican Covenant: A Draft for Discussion* (April 2007), available at:
http://www.anglicancommunion.org/commission/d_covenant/docs/Draft%20Covenant%20Text%20070504.pdf.

2. Doctrinal and Missiological Basis of Anglicanism (§§2-4).

ACDFD seeks to understand Anglicanism broadly along the lines of the Chicago-Lambeth Quadrilateral (§2.1-3), but with a stronger emphasis on the importance of mission (§2.4, 6) and the Reformation formularies (§2.5). It goes on to stress the need for communion and interdependence, both in terms of the common mission to the world and the importance of learning from one another. The catholic and apostolic faith is understood as a shared inheritance (§§ 3, 4). While some may quibble at the explicit emphasis on the 'rich history of the Church in Britain and Ireland' (§4.1), which in a post-colonial context may not be particularly sensitive, The general thrust of the statements is to be welcomed: they are clear, concise, and certainly very different from any form of confession. They do not prescribe specific doctrines or interpretations. Instead there is an emphasis on seeking to sustain communion (§3.2), and reading Scripture respectfully in the light of scholarship and under the authority of bishops and synods (§3.3). Also to be welcomed is the explicit recognition of co-operation with ecumenical partners (§4.3).

3. Existing Institutions and Proposals for Change (§§5, 6).

ACDFD then goes on to discuss the structures to which the member churches would covenant themselves. It reaffirms the historic episcopate (§5.1) and the four 'Instruments of Communion' (which have previously usually been referred to as 'Instruments of Unity') (§5.2 i-iv). These serve to discern the 'common mind in communion issues and to foster our interdependence and mutual accountability in Christ' (§5.2). This section also notes that the member churches are autonomous and governed solely by their own laws (sometimes referred to as 'provincial autonomy').

What is conspicuously lacking in this section, however, is any mention of synodality. While there is an emphasis on one important aspect of Anglican self-definition – 'the historic episcopate locally adapted' – there is no explicit reference that in all provinces bishops share their authority with synods. While it seems to have acquired a quasi-canonical status, the Lambeth Quadrilateral should not be understood as the final word on Anglican polity, which has evolved significantly since 1888. Even in the Church of England, which was relatively late in embracing formal synodical structures, from the very beginning Parliament was sovereign over the church, and the crown was (and still in theory is) responsible for the appointment of bishops: episcopal authority is at the very least shared with synods containing both clerical and lay members. Some formal acknowledgement of the interdependence of the episcopate on synods seems imperative if the Anglican Communion is not to become an episcopally- (or even primatially-) dominated and unrepresentative church (and here, I think, the American criticisms have some substance). The Instruments of Communion might need to be significantly modified better to reflect synodality before member churches will commit themselves to any covenant.

3.3. ACDFD concludes with what is probably its most important constructive set of proposals in a section headed, 'The Unity of the Communion' (§6). The churches will pledge themselves to 'have regard for the common good of the

Communion'. It is to be welcomed that the draft encourages open discussion, listening and perpetual testing, and warns against foreclosure of debate (but would this allow for Resolution 1.10 to be modified, at the very least to allow for a diversity of opinion over the interpretation of Scripture?) (§6.2). The churches then covenant themselves to seek a 'common mind' through the counsels of the communion (§6.3), and promise to

heed the counsel of our Instruments of Communion in matters which threaten the unity of the Communion and the effectiveness of our mission. While the Instruments of Communion have no juridical or executive authority in our Provinces, we recognise them as those bodies by which our common life in Christ is articulated and sustained, and which therefore carry a moral authority which commands our respect (§6.4).

It is important to note (and to be welcomed) that this proposal resists the temptation to create a new Anglican Communion canon law (although it may well be the case that at some point provinces will incorporate the Covenant voluntarily into their canons). The Covenant thus recognises that acceptance of the 'counsels' of the Communion rests on the *voluntary commitment* of member churches. Covenant is thus an active verb rather than simple passive assent.

3.4. §6.5 moves on to describe the methods for resolution in matters which cannot be settled by 'mutual admonition and counsel'. The Draft proposes that these problems are submitted to the Primates' Meeting (§6.5.1), who may ask for further guidance from the other Instruments of Unity (§6.5.2), after which they will offer 'guidance and direction' (§6.5.3). Where the member churches refuse to heed the guidance, there can be no 'legal' sanctions (since these have been ruled out, §§5.2, 6.4). Where member churches choose not to 'fulfil the substance of the Covenant as understood by the Counsels of the Instruments of Communion' they will then be understood as having relinquished the Covenant's purpose. The one sanction is what is called a 'process of restoration and renewal'. This amounts to (temporary) expulsion from the Instruments of Unity and thus the Communion altogether, which would presumably be a decision of the Primates or the Archbishop of Canterbury, until such time as this 'restoration and renewal' has been effected (that is, that the 'common mind' of the Communion has been accepted). The section reads:

We acknowledge that in the most extreme circumstances, where member churches choose not to fulfil the substance of the covenant as understood by the Councils of the Instruments of Communion, we will consider that such churches will have relinquished for themselves the force and meaning of the covenant's purpose, and a process of restoration and renewal will be required to re-establish their covenant relationship with other member churches (§6).

There are several important issues arising from this section. First, a voluntary but binding commitment by member churches to abide by a decision of what amounts to an understanding of international catholic order and structure, upon which the Covenant is founded, appears to be sensible if the Anglican Communion is to withstand the contemporary conflicts. However, the proposed solution seems untenable – while relatively cheap and easily convened, the Primates' Meeting, which is rather like the US Senate in giving equal

representation to all provinces regardless of size, is unlikely to command the respect necessary for a Covenant to succeed. Given the disparity of membership in the churches and the quite different systems of accountability, appointment, and perceptions of primacy, the emphasis on the Primates' Meeting (composed of 38 men and one woman) does not seem to be a sensible way forward, and downplays the importance of synods. There is, after all, little point in creating a structure that few would pledge themselves to abide by and which would inevitably prove ineffective. Besides, there is something disingenuous about giving more power to determine membership of the Communion and to decide what constitutes the 'common mind' of the Communion to a group who do not even know how to share eucharistic communion with one another.

It may well turn out that none of the current Instruments of Unity is capable of commanding sufficient authority across the churches. Consequently, what the drafting group should focus on is creating some form of Anglican Representative Council which would command respect and to which member churches would be content to delegate their sovereignty. Otherwise it is hard to imagine the Covenant becoming a workable agreement. Furthermore, if anything is to work, there will also need to be a huge effort to create a consultative system that promotes dialogue and conversation in a more open and engaged manner – ecclesiastical politicians like Primates may not be the best people to conduct this sort of business, and more weight needs to be directed towards the educational structures of the Communion in promoting scholarship and free enquiry.⁴

Final comments:

Ensuring that people talk to one another is crucial – the right sort of Covenant might promote open conversation within certain boundaries. While 'prophetic' acts by certain churches may simply make matters worse, complete foreclosure on debate (as with Lambeth, 1990 Resolution 1.10) devalues the 'listening process' (not simply over homosexuality) and the possibility that even bishops may have got things wrong, which must always remain a possibility – simply think of slavery, or even contraception. There is little point in agreeing to a moratorium on certain actions (like the blessing of same-sex partnerships) if it is impossible even to imagine that change to the 'common mind' of the Anglican Communion might be possible. It is worth reminding the Covenant Drafting Group of Article XXI of the Thirty-nine Articles of Religion mentioned in ACDFD (§2.3): General Councils (and that would include all the Instruments of Communion), 'when they be gathered together, (forasmuch as they be an assembly of men, whereof all be not governed with the Spirit and Word of God,) ... may err, and sometimes have erred, even in things pertaining unto God.' The common mind of Anglicanism needs to be tempered by the humility to

⁴ See especially the promising work of the group *Theological Education for the Anglican Communion* which reported to the February 2007 Primates' Meeting. In May 2007 it produced a brief document, *The Anglican Way: Signposts on a Common Journey*, which speaks of the need to 'follow the Lord with renewed humility'. This is available at: <http://www.anglicancommunion.org/acns/articles/42/75/acns4289.cfm>.

acknowledge human fallibility, even among the leaders and decision-makers of the church.⁵

Instead of creating institutions to make decisions, which some but not all would obey, it might be better for the Anglican Communion to refocus on parochial, diocesan and other personal links that enable communication (and communion) to happen informally in Christian love and charity – and not just with Anglicans. There is no substitute for worshipping, studying, learning, and eating together – and sometimes even stumbling to wash one another's feet. Indeed it may be that *companionship* is a better way forward than Covenant, and will lead to a far deeper sense of communion. But this is unlikely to be promoted by a set of primates, not all of whom have the ability to share eucharistic fellowship with those they regard as 'sinners'.

The Rev'd Dr Mark Chapman

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⁵ Since Resolution 1.10 has become the test of orthodoxy among significant portions of Anglicanism, there is little chance of this happening (and exclusion of North Americans may be what many desire). This does not inspire much optimism about the success of the Covenant.