



A Response to the St. Andrew's Draft of the Anglican Covenant

by the Bishop and General Convention Deputation of the Episcopal Diocese of Utah

June 20, 2008

1 Introduction

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3 The Deputation to the General Convention of The Episcopal Church from the Diocese of Utah, and
4 the Bishop of Utah, have met together to formulate a response to the St. Andrew's Draft (SAD) of the
5 proposed Anglican Covenant.
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7 We are mindful of the resolution from our General Convention 2006, A166 (see text at the end of
8 this document), in which our Province of the Anglican Communion committed itself to ongoing work
9 toward an Anglican Covenant. In that spirit we have considered the SAD, and in our discussions have
10 found ourselves to be "covenant minimalists" at best.
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12 By "covenant minimalists" we mean that we would happily accept Section 2 of the SAD as the
13 entire text of any proposed covenant. This section is an excellent summary of gospel imperatives, our
14 purpose in the AC, and our mission as members of the Body of Christ. We believe such a summary
15 covenant would cohere with the substance of A166.
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17 While there is much to be commended in the entire SAD, we are unanimous that the overall
18 direction of the SAD document and its proposals are not acceptable to us.
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20 Our reasons for opposing a covenant

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22 The reasons we cannot endorse the general premise and direction of the proposed covenant are as
23 follows.
24

25 **1. The proposed Anglican Covenant has arisen not from a desire to strengthen our bonds of**
26 **affection, but to provide a more legal framework for the discipline of member provinces. This**
27 **genesis alone, seemingly punitive and reactionary, is not a firm basis for a long-lasting outcome**
28 **for good in the Anglican Communion.**
29

30 Explanation: There is no question that the current crisis in the AC has arisen from the consecration
31 of The Rt. Rev. V. Gene Robinson as Bishop of New Hampshire in 2003. (Bishop Robinson is by no

32 means the first bishop of the Anglican Communion who is gay, but he is the first to enter into his
33 ordination vows publicly and honestly saying who he is.) That action was taken lawfully and in accord
34 with the canons of The Episcopal Church. Until that time no process or organization was in place to
35 adjudicate any member province's actions. Many voices immediately demanded sanctions against The
36 Episcopal Church. Strong responses from some, but not all, provinces in the AC, fueled by the speed
37 of the Internet and heightened by its ability to amplify voices beyond their ordinary influence, created
38 a climate of fear and condemnation.

39
40 The Windsor Report sought to provide a way forward to address the worldwide concerns. Its text,
41 and subsequently the Nassau and St. Andrew's drafts of a proposed Anglican Covenant, reveal that the
42 desire of disaffected members of the AC is not to enter into learning and dialogue about the issues of
43 human sexuality, but rather to discipline member provinces whose actions other provinces may find
44 unfathomable or, in the words of some, unscriptural.

45
46 **2. The proposed Anglican Covenant lays out a structure and a process for the adjudication of**
47 **Anglican disputes which is new to our experience of being a worldwide Anglican Communion.**
48 **Rather than the bonds of affection, the SAD calls for a more centralized authority in the AC with**
49 **the ability to define full membership and "correct" biblical interpretation.**

50
51 Explanation: The SAD says, "At a time of fragmentation, a covenant is a basis for mutual trust and
52 reduced anxiety. Habits of civility and mutuality of respect have taken us a long way in the past. We
53 are now in a place where our structures must provide a framework for the context of our ministry"
54 (page 2, top). We strongly disagree with the proposal for new structures. We are saddened that
55 greater calls for "civility and mutuality of respect" did not come sooner. Yes, the context of our
56 ministry is worldwide, but the structures which have served us well must not so quickly be superseded.
57 The flexibility and growth of the AC across the centuries is directly attributable to our traditional
58 structures and their local adaptations. Changing them in the wake of one particular issue and crisis is
59 ill-advised and does not bode well for the stability of the Communion as it inevitably addresses other
60 crises in the future.

61
62 The Instruments of Communion, that arose independently and for different purposes, have now
63 become—even before the communion-wide discussion and acceptance, if any, of the Windsor
64 Report—seemingly official bodies of the AC. A glance at www.anglicancommunion.org will confirm
65 that these Instruments have already become quasi-official in assuming greater authority. A new
66 structure for the AC is emerging without provincial buy-in. Indeed, some of the Instruments have
67 already assumed authority they do not yet have (for example, in Lambeth Conference resolutions that
68 some claim have Communion-wide priority, and in the Primates' Communiqué from Tanzania, in
69 which the Primates collectively spoke, in our opinion, beyond their authority) relying on the
70 "emergency" in the AC for justification.

71
72 The addition of the Appendix to the SAD, and the fact that it now forms a substantial portion of the
73 overall text, makes it clear that the Covenant is at least as much, if not more, about the means of
74 dissolving communion rather than promoting it. Far from reflecting the traditional emphasis of the AC
75 on finding ways to be together, the document leans toward disciplinary action, defining the roles of
76 judge and jury and significantly changing Anglican polity.

77
78 This Covenant is being proposed by many who want a way to say "You are wrong. We therefore
79 have no need of you. This Body *can*—even *should*—exist without one or more of its members."

80 Nothing could be more unbiblical. We fear the medicine to the perceived illness of the Body will be
81 worse than the present dis-ease.

82

83 **3. The St. Andrew's Covenant still does not appear to understand that the polity of The**
84 **Episcopal Church, and even that of other provinces, does not allow for some of the provisions it**
85 **proposes. As the canons of The Episcopal Church stand, there is no legitimate authority which**
86 **can supersede the General Convention. Also, the House of Bishops cannot act for the entire**
87 **Episcopal Church.**

88

89 Explanation: Unlike some Anglican provinces whose bishops, or single bishops, have the authority
90 to speak and act for the whole, The Episcopal Church's General Convention is the only authority
91 which may do so with binding force. The General Convention is composed of the House of Bishops
92 and the House of Deputies (equal numbers of laity and priests/deacons), and the two houses must
93 concur in every decision.

94

95 The Episcopal Church holds, through its baptismal covenant and its catechism (*Book of Common*
96 *Prayer* 1979, pp. 302 and 855), that the ministry of the Church is four-fold: lay persons, bishops,
97 priests, and deacons. Bishops are indeed "guardians and teachers of faith, leaders in mission,
98 and... visible sign(s) of unity" (SAD 3.1.3), but the work of the laity, priesthood, and diaconate is
99 essential as well to the transmission of doctrine and the development and implementation of discipline.

100

101 We strongly resist, therefore, the increasing role the SAD proposes for bishops and synods of
102 bishops both in the Primates' Meetings and in the Lambeth Conference, as well as their suggested
103 greater presence on the Anglican Consultative Council.

104

105 **4. The proposed new structures of authority to not comply with the Anglican Consultative**
106 **Council's Resolution 1331, which calls for gender equality in all Church bodies.**

107

108 Explanation: The SAD would create authoritative structures in which women are and will likely
109 remain into the future in the great minority. The Primates have one woman among them. The
110 Lambeth Conference around twenty, the ACC a quarter of its number, and only if they are chosen by
111 member provinces. Many provinces still do not call women into lay and ordained leadership, which
112 excludes women even from having access to global roles. The exclusion of the voices of women in all
113 but very small numbers is simply unacceptable in this day when the Anglican Communion supports the
114 empowerment of women.

115

116 **5. Much of the world's response to actions taken by The Episcopal Church stems from a more**
117 **conservative, even fundamentalist, approach to the reading of Holy Scripture. This is not**
118 **historically the only Anglican approach, and we resist covenant language that could reduce**
119 **"catholic tradition" to one hermeneutical model.**

120

121 Explanation: We are heartened to see the SAD expand its discussion of the authority of the Church
122 to include the creeds, historic formularies of the Church, and the newness of Christian expression for
123 each generation-- in addition to the witness of the Holy Scripture (Sect. One). We know, however,
124 that many provinces of the AC do not have a tradition of reading Holy Scripture with the aid of
125 modern biblical criticism.

126

127 The catholic tradition was largely responsible for the “invention” of modern biblical criticism, both
 128 in England and on the Continent. Many Anglican seminaries throughout the world have historically
 129 welcomed and taught critical methods. We support the use of the term “catholic tradition,” if by that
 130 term the authors mean the breadth of that tradition, not its more recent, restrictive use to describe what
 131 some are naming “Anglican orthodoxy.”

132
 133 We are concerned that key terms in the covenant, most especially “catholic tradition,” remain
 134 undefined, therefore open to wide interpretation and the possibility of becoming the ground for further
 135 dissension.

136
 137 **6. Some provinces of the Anglican Communion have shown no willingness to undertake the**
 138 **listening process called for in the Windsor Report. We cannot commit ourselves to a covenant**
 139 **proposal knowing that other provinces have not taken action to approach the issue of human**
 140 **sexuality in a respectful, serious way.**

141
 142 Explanation: Many provinces in the AC have yet even to begin serious study and discussion of
 143 human sexuality. Some of the provinces which decry The Episcopal Church’s failure to keep this or
 144 that provision of the Windsor Report (which we hold to be a discussion document at this time, not an
 145 agreed-upon course of action), are not themselves willing to study difficult issues beyond searching the
 146 Scriptures for the Bible’s last word. Our decades of study and prayer have convinced us that the Bible
 147 is not the only word on this subject, and that it must be considered alongside many ways of hearing
 148 God’s word to us in our generation. The SAD will not create a climate in which rigorous, open,
 149 biblical, traditional, and scientific study and dialogue on human sexuality—or any other difficult
 150 topic—can take place across the Communion. Rather, it may truncate such study and conversation by
 151 the premature wielding of a club of authority should any province reach beyond another’s comfort
 152 zone. No listening process can flourish in a climate of fear.

153
 154 **7. We do not support the creation of a covenant whose provisions are unlikely to be followed by**
 155 **Anglican conservatives around the globe. Actions of some primates and provinces have not**
 156 **convinced us that they are willing to be guided by authority beyond themselves, despite their**
 157 **repeated calls for disciplinary action against “wayward” provinces.**

158
 159 Explanation: We in The Episcopal Church have suffered the repeated and unwelcome visitations of
 160 bishops and even primates of other provinces without the consent of our own bishops, action that is
 161 contrary to the canons of every province in the AC.

162
 163 The Primate of the Southern Cone has repeatedly defended his uncanonical transfer of the now
 164 former bishop and many churches of the Diocese of San Joaquin to his province, causing great distress
 165 to those persons formerly in his flock who wished to remain in The Episcopal Church. He has attached
 166 a diocese in Brazil, Recife, to his own province despite the prohibitions in his own provincial canons to
 167 extending the province beyond contiguous boundaries.

168
 169 Other provinces and bishops have set up missions and have ordained clergy in our dioceses without
 170 the permission of our bishops. They have claimed ownership of Episcopal Church properties.

171
 172 Most egregiously, some primates, bishops, and priests have refused to receive communion with the
 173 Primate and other members of The Episcopal Church with whom they disagree, a clear sign that the
 174 listening process cannot possibly succeed if reconciliation at the Table of the Lord is not even possible.

175 The refusal of some to attend the upcoming Lambeth Conference further demonstrates the
 176 unwillingness of some even to being in the same room or in dialogue with those they have already
 177 judged to be in error. The creation of the GAFCON conference, the frequent references to the
 178 Communion’s already-broken state, the “mutinous” talk of establishing a second Anglican
 179 Communion—all these speak louder to us than words calling for a covenant.

180

181 Far more dangerous to the health of the Anglican Communion than the consecration of Gene
 182 Robinson are the actions of some so-called “orthodox” provinces and bishops whose uncanonical,
 183 illegal, and uncharitable moves have damaged the very fabric they seek to protect.

184

185 In short, we do not trust that, were The Episcopal Church to enter into covenant with the wider
 186 Communion, many other provinces would see themselves equally bound by its provisions. We
 187 perceive the provisions of the proposed covenant to be aimed in one direction: against progressive
 188 provinces who have interpreted the SAD directive “to seek to transform unjust structures of society”
 189 (2.2.2.d) in a way deemed unacceptable.

190

191 (Note: The paragraphs in this section were written just prior to June 19, 2008, when the GAFCON
 192 document *The Way, the Truth, and the Life: Theological Resources for a Global Anglican Future*, was
 193 published in Jerusalem. This document does nothing to allay our fears that the train of “orthodox”
 194 schism has already left the station and that the most conservative members of the Communion do not
 195 seek to be bound by a covenant.)

196

197 **Conclusion**

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199 Talk of any covenant is premature when members of the communion are actively seeking division.
 200 The Anglican Covenant will neither repair the breach nor promote respectful, serious study of difficult
 201 issues.

202

203 For all these reasons we cannot accept the proposals of the St. Andrew’s Draft. We do not believe
 204 that the solution to the fragmentation—even schism—of the Communion is in the restraint of law and
 205 the proposal of discipline, no matter how well couched in cooperative words the solution may be.

206

207 We ask, therefore, that the Anglican Communion take its time in evaluating our way forward. The
 208 covenant seems like too quick a fix, unseemly and even dangerous at this time. We commit ourselves
 209 to prayer, fellowship at the Lord’s Table, listening, and service.

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211 Signed:

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213 **The Tenth Bishop of Utah**

214 The Right Reverend Carolyn Tanner Irish, D.D.

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216 **The Deputies to General Convention, 2009**

217 The Rev. Canon Mary June Nestler

Mr. Stephen F. Hutchinson, Esq.

218 The Rev. Canon Dr. Pablo Ramos

Ms. Toni Marie Sutliff, Esq.

219 The Rev. Canon Dr. David E. Bailey

Ms. Barbara Losse

220 The Rev. Lee Shaw

Ms. Nancy Appleby

221

222 **The Alternate Deputies to General Convention, 2009**

223 The Rev. Susan Wiltsey Smith Mr. Russell C. Babcock
224 The Rev. Steve Keplinger Col. Jay P. Stretch
225 The Rev. R. Michael Mayor Mr. Matthew T. Seddon
226 (vacant) Ms. Kathryn B. Horvat
227 **Text of Resolution A166** (referred to in this document on line 7), GC 2006:
228

229 *Resolved*, the House of Deputies concurring, that the 75th General Convention of the Episcopal Church,
230 as a demonstration of our commitment to mutual responsibility and interdependence in the Anglican
231 Communion, support the process of the development of an Anglican Covenant that underscores our
232 unity in faith, order, and common life in the service of God's mission; and be it further
233

234 *Resolved*, that the 75th General Convention direct the International Concerns Standing Committee of
235 the Executive Council and the Episcopal Church's members of the Anglican Consultative Council to
236 follow the development processes of an Anglican Covenant in the Communion, and report regularly to
237 the Executive Council as well as to the 76th General Convention; and be it further
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239 *Resolved*, that the 75th General Convention report these actions supporting the Anglican Covenant
240 development process, noting such missiological and theological resources as the Standing Commission
241 on World Mission and the House of Bishops' Theology Committee to the Archbishop of Canterbury,
242 the Joint Standing Committee of the Anglican Consultative Council and the Primates, and the
243 Secretary General of the Anglican Communion; and that the Presiding Bishop of the Episcopal Church
244 report the same to the Primates of the churches of the Anglican Communion.