

**CHURCH OF ENGLAND PROPOSALS
FOR THE REVISION OF SECTION FOUR
OF THE RIDLEY CAMBRIDGE DRAFT
OF THE ANGLICAN COVENANT**

The following is a submission from the Church of England in response to a request from the Anglican Consultative Council that provinces should suggest revisions to section four of the Ridley Cambridge draft, to address issues of ambiguity and lack of clarity. The work was undertaken on behalf of the Church of England by the House of Bishops' Theological Group and the Faith and Order Advisory Group.

The principles that have shaped this submission

Should an Anglican Covenant along the lines proposed in the Ridley draft begin to be adopted by the churches of the Anglican Communion, there will be a transition period in which there will be three possible categories of Anglican churches.

- Firstly, there will be churches that are listed on the Anglican Consultative Council (ACC) schedule of member churches and are members of the Instruments of Communion that have signed the Covenant.
- Secondly, there will be churches that are on the ACC schedule and are members of the Instruments of Communion that have not signed the Covenant.
- Thirdly, if the proposal in 4.1.5 comes into effect, there will be churches that have signed the Covenant, but are not necessarily on the ACC schedule or members of the Instruments of Communion.

The existence of these three possible categories of churches means that the proposal in the Ridley Covenant Draft (RCD) that the Joint Standing Committee (JSC) should be given oversight of the Covenant (4.2.1) and advise the Instruments on various matters relating to the Covenant (4.2.2-4.2.6) faces the problem that both the JSC and the Instruments will include both covenanting and non-covenanting churches. This raises the possibility of non-covenanting churches making decisions relating to a covenant of which they are not a part whilst some of the covenanting churches have no voice on how the Covenant is implemented.

The Ridley Covenant Draft (RCD) addresses this issue briefly in 4.2.7, which "limits participation in the arbitration process of the Covenant to representatives of churches who have either adopted or are in the process of

adopting the Covenant" (Commentary, p7). However, this short clause is not clear on various counts. For example:

1. What counts as being "in the process of adopting"?
2. Are those churches "in the process of adopting" subject to being challenged for acting in a manner incompatible with the Covenant or only in judging any such challenges to those who have already signed?
3. The 'arbitration process' refers to the Instruments responding to JSC recommendations, but does this mean the Instruments as a whole or only those members who fit with 4.2.7?
4. The rule in 4.2.7 does not appear to apply to amendment of the Covenant as set out in 4.4 and it is not clear whether or not this was intentional.
- 5.

Further work therefore needs to be undertaken to address this issue and this work needs to be based on the following principles:

1. In order to ensure that there is the minimum number of anomalies, as many of the churches on the ACC Schedule as possible should be covenanting churches and vice versa. This means that there should be a presumption that the 'other churches' mentioned in 4.1.5 are, in signing the Covenant, requesting membership of the Instruments.
2. Where the RCD makes reference to the JSC having oversight of the implementation of the Covenant, reference should be made instead to a sub-group consisting of those members of the JSC belonging to covenanting churches, with the possible addition of other members co-opted from covenanting churches while the number of covenanting churches on JSC is still small.
3. The Instruments, even while comprising covenanting and non-covenanting churches, should each manage their own internal life.
4. Even while the Instruments are mixed bodies, they should stand in the same relation to the Covenant and its oversight as covenanting churches by receiving recommendations relating to the Covenant and determining how to respond to them. As the number of covenanting churches grows, the more purchase Covenant recommendations will have within the Instruments.
5. After ten years have elapsed a decision will need to be made about the status of non-covenanting churches in the Instruments.

Summary of key proposals

In the proposals that follow the main central concerns of RCD are maintained (eg the Instruments each order their own life, the JSC plays a key role, the covenanting churches cannot be bound but do recognise the need to take counsel and that there are relational consequences of actions). The key cause of ambiguity and lack of clarity is the transition period discussed above, but the proposals also seek to move from emphasising what the Covenant does not do, to stating both what it does and what it does not do

and to offer more rationale for what this section does (e.g. Proposed 4.1.3, 4.1.4).

In each section the key points in the recommendations are:

Section 4.1 on Adoption

1. Make the purpose of section four clearer (in the proposed new opening section and proposed 4.1.5)
2. Clarify how “life of the Anglican Communion” and “relationships among covenanting churches” are each understood, especially in the transition period (proposed 4.1.2 and 4.1.7).
3. Remove the ambiguity about “direction” in RCD 4.1.3 by reference to “juridical direction” (proposed 4.1.4)
4. Remove ambiguity about who else can sign and how signing relates to application for recognition by the Instruments in RCD 4.1.5 (proposed 4.1.6)
5. Remove the lack of clarity about the implications of signing by establishing a schedule of covenanting churches (proposed 4.1.7)

Section 4.2 on Maintenance of Covenant and Dispute Resolution

1. Clarify whose task it is to maintain and resolve disputes, especially during the transition period. This is clearly the task of the covenanting churches as represented on JSC (here RCD 4.2.1 as qualified by RCD 4.2.7 is reworked as proposed in 4.2.2).
2. Confirm that no binding decision can be imposed on churches but add (cf St Andrew’s Draft) that covenanting churches are obliged to receive and respond to requests (Proposed 4.2.3)
3. Reintroduce mediation and reconciliation as imperatives of the gospel that are lacking in RCD (Proposed 4.2.4 and 4.2.8)
4. Incorporate covenanting churches more explicitly so that requests from JSC go to covenanting churches as well as Instruments (Proposed 4.2.5)

Section 4.3 on Withdrawal

1. Remove reference to withdrawal as this undermines the binding commitment of covenant and should not be necessary given other parts of the Covenant (RCD 4.3.1)
2. Address the implications of not signing the Covenant (Proposed 4.3.2)

Section 4.4 on Amendment

1. Include Introduction of Covenant so integrated and amendable
(Proposed 4.4.1)
2. Clarify amendment needs to involve only covenanting churches
(Proposed 4.4.2)

Proposed revision of the Ridley text

What follows sets out:

- each clause of section 4 of the Ridley Covenant Draft (RCD),
- a commentary on it and
- a proposed redraft with any additions to a clause marked in bold.

Proposed Preamble

Each church affirms the following framework of procedures, necessary for the Covenant's effective adoption, implementation, oversight, and ongoing engagement in a life of mutual Christian commitment and discipline and, reliant on the Holy Spirit, each church commits itself to a life according to these guidelines.

Commentary

In its present form this section of the Covenant assumes that the Communion will consist of both covenanting and non-covenanting Churches. However, the long-term goal of the Covenant process is a situation in which every church that is part of the Communion will also be a covenanting church.

4.1 Adoption of the Covenant

Ridley Draft	<i>Comment</i>	Proposal
	<p><i>In order to make clear the purpose of section four, it probably needs an introduction that says something like this:</i></p>	<p>In order for the Covenant to be effective there needs to be a framework to allow for churches to adopt the Covenant, for oversight of the implementation of the Covenant in the life of the Communion and for issues concerning potential or actual breaches of the Covenant to be addressed in accordance with the need for mutual commitment and discipline referred to in paragraph 4 of the Introduction to the Covenant. This section of the Covenant provides such a framework.</p>
<p>(4.1.1) Each church affirms that it enters into the Covenant as a commitment to relationship in submission to God. Participation in the Covenant expresses a loyalty grounded in mutuality that one church freely offers to other churches, in which it recognises the bonds of a common faith and order, a common inheritance in worship, life and mission, and a readiness to live an interdependent life, but does not represent submission to any external ecclesiastical jurisdiction.</p>	<p><i>The clear statement that the Covenant does not establish an extra-provincial jurisdiction to which covenanting churches are subject is an important addition. The relationship between "an interdependent life" and "autonomy", understood as non-submission to "any external ecclesiastical jurisdiction", is a key issue about which this section needs to be clearer in a number of places.</i></p> <p><i>There are no obvious problems or ambiguities that need amendment, except that an additional 'participation' helps to clarify what is proposed.</i></p>	<p>(4.1.1) Each church affirms that it enters into the Covenant as a commitment to relationship in submission to God. Participation in the Covenant expresses a loyalty grounded in mutuality that one church freely offers to other churches, in which it recognises the bonds of a common faith and order, a common inheritance in worship, life and mission, and a readiness to live interdependently; participation does not represent submission to any other ecclesiastical jurisdiction.</p>
<p>(4.1.2) In adopting the Covenant for itself, each church recognises in the preceding sections a statement of faith, mission and interdependence of life which is consistent with its own life and with the doctrine and practice of the Christian faith as it has received them. It</p>	<p><i>The conclusion of this clause refers to "the life of the Anglican Communion" and "the relationships among the covenanting churches".</i></p> <p><i>The nature of the distinction and relationship</i></p>	<p>(4.1.2) In adopting the Covenant for itself, each Church recognises in the preceding sections a statement of faith, mission and interdependence of life that is consistent with its own life and with the doctrine and practice of the Christian faith as it has received them. It recognises these elements as</p>

<p>recognises these elements as fundamental to the life of the Anglican Communion and to the relationships among the covenanting churches.</p>	<p><i>between these two categories is another key issue about which this section needs to be clearer in a number of places.</i></p> <p><i>There are no obvious problems or ambiguities that need amendment.</i></p>	<p>fundamental to the life of the Anglican Communion and to the relationships among the covenanting churches.</p>
<p>(4.1.3) The Covenant operates to express the common commitments that hold each church in the relationship of communion one with another. Recognition of, and fidelity to, the text of this Covenant, enable mutual recognition and communion.</p> <p>Nothing in this Covenant of itself shall be deemed to alter any provision of the Constitution and Canons of any Church of the Communion, or to limit its autonomy of governance. Under the terms of this Covenant, no one church, nor any agency of the Communion, can exercise control or direction over the internal life of any other covenanted church.</p>	<p><i>The current clause tends to emphasise what is <u>not</u> being done by the Covenant. It would be good for the clause to express "mutual recognition and communion" more fully. The additional words seek to express this drawing on the CDG's Commentary on RCD.</i></p> <p><i>The wording of this part of 4.1.3 is now best made a separate clause. The language of "direction" is ambiguous – it could be argued that later provisions amount to a loose form of "direction". It would be best to clarify this by including an adjective such as "juridical".</i></p>	<p>(4.1.3) The Covenant operates to express the common commitments which hold each church in the relationship of communion one with another. Recognition of, and fidelity to, the text of this Covenant, enable mutual recognition and communion.</p> <p>The Covenant involves a willingness by each church, for the sake of mission and unity, voluntarily to limit its own freedom of action (including its right to determine matters of doctrine) on the basis of the discernment of the wider Church. It also involves an acknowledgment that the exercise of its autonomy to ignore or reject decisions taken by, or on behalf of, the covenanting churches as a whole would have consequences for its relations with other churches, as discussed more fully in 4.2.5 to 4.2.7 below.</p> <p>(4.1.4) Nothing in this Covenant of itself shall be deemed to alter any provision of the Constitution and Canons of any Church of the Communion, or to limit its autonomy of governance. Under the terms of this Covenant, no one church, nor any agency of the Communion, can exercise juridical control or direction over the internal life of any other covenanted church.</p>
<p>(4.1.4) Every church of the Anglican</p>	<p><i>This clause is the obvious place to add the</i></p>	<p>(4.1.5) Every church of the Anglican Communion, as</p>

<p>Communion, as recognised in accordance with the Constitution of the Anglican Consultative Council, is invited to adopt this Covenant in its life according to its own constitutional procedures. Adoption of the Covenant by a church does not in itself imply any change to its Constitution and Canons, but implies a recognition of those elements which must be maintained in its own life in order to sustain the relationship of covenanted communion established by this Covenant.</p>	<p><i>rationale for the procedures that follow in 4.2.6 of RCD. While there is no longer the TWR proposal of a Communion Canon and each church will determine its own way of implementing the Covenant in its own jurisdiction, it is important that those adopting the Covenant acknowledge its significance on their autonomous internal decision-making.</i></p>	<p>recognised in accordance with the Constitution of the Anglican Consultative Council, is invited to adopt this Covenant in its life according to its own constitutional procedures. Adoption of the Covenant by a church does not in itself imply any change to its Constitution and Canons. However, it does imply:</p> <p>(a) a recognition of those elements which must be maintained in its own life in order to sustain the relations with the other covenanting churches established by this Covenant,</p> <p>(b) a commitment to take these relations into account when considering proposed innovations in its teaching, mission, or practice,</p> <p>(c) a willingness to be held accountable for such innovations to the other churches belonging to the Covenant and to the Anglican Communion as set out more fully in 4.2.3-4.2.7 below.</p>
<p>(4.1.5) It shall be open to other churches to adopt the Covenant. Adoption of this Covenant does not bring any right of recognition by, or membership of, the Instruments of Communion. Such recognition and membership are dependent on the satisfaction of those conditions set out by each of the Instruments. However, adoption of the Covenant by a church may be accompanied by a formal request to the Instruments for recognition and membership to be acted upon according to each Instrument's procedures.</p>	<p><i>A clause of this form is important for a number of reasons:</i></p> <p><i>(a) the Covenant must be outward-looking beyond those invited to join in the preceding clause;</i></p> <p><i>(b) the Covenant offers the future possibility of healing both historic and more recent fractures within global Anglicanism;</i></p> <p><i>(c) the Covenant must not, however, offer itself as a replacement for ecumenical dialogue as if we expect all other churches to sign;</i></p> <p><i>(d) as noted in the Lambeth Commentary, a diocese should be able to sign up for the Covenant, where permitted by provincial law;</i></p>	<p>(4.1.6) It shall be open to particular churches of the Anglican tradition not otherwise included in this Covenant, including dioceses, to adopt the Covenant. Adoption of the Covenant by a church does not bring any right of recognition by, or membership of, the Instruments of Communion but shall constitute a formal request to the Instruments of Communion for recognition and membership to be acted upon according to each Instrument's procedures, as it pursues as far as possible the goal of maintaining and developing full visible unity among Anglicans in concert with continuing efforts to reach this goal more fully among all Christian churches.</p>

	<p><i>(e) while the national/ regional church (province) is the norm, the ACC Schedule already includes the United Churches of South Asia and extra-provincial churches, dioceses and one parish.</i></p> <p><i>As the Instruments are recognised in section 3 of the Covenant and play a key role in maintaining the Covenant, it is desirable that becoming a Covenant signatory begin a relationship with the Instrument. However, the Instruments must not be bound to accept any body which subscribes to the Covenant or to act within a rigid timetable.</i></p>	
<p>(4.1.6) This Covenant becomes active for a church when that church adopts the Covenant.</p>	<p><i>The following sub-section of RCD refers to "covenanting churches" and it is therefore helpful that these are defined and that the Covenant states how they can be identified by requiring the maintenance of an official schedule.</i></p>	<p>(4.1.7) A church becomes a covenanting church when it adopts the Covenant. A schedule of covenanting churches, though it does not in itself signify membership in the Communion, shall be maintained by the Instruments of Communion.</p>

4.2 The Maintenance of the Covenant and Dispute Resolution

<p>(4.2.6) Each church undertakes to put into place such mechanisms, agencies or institutions, consistent with its own Constitution and Canons, as can undertake to oversee the maintenance of the affirmations and commitments of the Covenant in the life of that church, and to relate to the Instruments of Communion on matters pertinent to the Covenant.</p>	<p><i>The current (4.2.6) should be moved to open this section in order to emphasise that the primary responsibility for maintenance of the Covenant and dispute resolution rests with the covenanting churches themselves. Similarly the new mechanisms, agencies or institutions should relate to other covenanting churches and not simply to the Instruments.</i></p>	<p>(4.2.1) Each covenanting church undertakes to put into place such mechanisms, agencies or institutions, consistent with its own Constitution and Canons, as can undertake to oversee the maintenance of the affirmations and commitments of the Covenant in the life of that Church, and to relate to other covenanting churches and the Instruments of Communion on matters pertinent to the Covenant.</p>
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<p>(4.2.1) The Joint Standing Committee of the Anglican Consultative Council and of the Primates' Meeting, or any body that succeeds it, shall have the duty of overseeing the functioning of the Covenant in the life of the Anglican Communion. The Joint Standing Committee may nominate or appoint another committee or commission to assist in carrying out this function and to advise it on questions relating to the Covenant.</p>	<p><i>The wording in RCD 4.2.1 is qualified by RCD 4.2.7 but in a highly ambiguous manner (see the introduction and the commentary on 4.2.7 below). It would be better for the maintenance of the Covenant and dispute resolution to be clearly undertaken by those representing covenanting churches.</i></p>	<p>(4.2.2) Those members of the Joint Standing Committee of the Anglican Consultative Council and the Primates' Meeting (or any body that succeeds it) that represent covenanting churches ("covenanting members of the JSC") shall have the duty of overseeing the functioning of the Covenant in the life of the Anglican Communion.</p> <p>Until such time as a majority of the JSC represent covenanting churches, those representing covenanting churches may co-opt either JSC members whose provinces they recognise as being in the process of adopting the Covenant or the Primate or ACC member of covenanting churches not represented on the JSC to assist them in providing guidance on the functioning of the Covenant.</p>
<p>(4.2.2) If a question relating to the meaning of the Covenant, or of compatibility to the principles incorporated in it, should arise, the Joint Standing Committee may make a request to any covenanting church to defer action until the processes set out below have been completed. It shall further take advice from such bodies as it feels appropriate on the nature and relational consequences of the matter and may make a recommendation to be referred for advice to both the Anglican Consultative Council and the Primates' Meeting.</p>	<p><i>The additions are designed to make clear what is meant by the phrase 'compatibility to the principles incorporated in it'.</i></p> <p><i>The request should have a right to be considered so "may make a request" is better as "shall consider whether to make a request"</i></p> <p><i>The covenanting members of the JSC will need to consult about both the meaning of the Covenant and its application to a particular issue. We do not think that the text needs to specify to whom they should look for advice.</i></p> <p><i>The request should not be limited to deferral of future actions but also include suspension of past actions.</i></p>	<p>(4.2.3) If a question should arise about the meaning of the Covenant or the compatibility of a course of action (either taken or proposed) by a covenanting church with the principles of the Covenant, the covenanting members of the Joint Standing Committee shall respond. In doing so, they shall:</p> <ul style="list-style-type: none"> ■ consult with the other covenanting churches and such advisers as they deem appropriate about the meaning of the Covenant and the application of the Covenant to a particular form of action by a covenanting church; ■ consider whether to make a request that the church involved suspend or defer such action until the processes set out below have been completed; ■ make public their determination and reasons behind it.

	<i>Covenanting churches are not bound by such a request but are bound to consider it – this restates what was explicit in St Andrew’s 3.2.5d,e but is not made explicit in RCD.</i>	Covenanting churches commit themselves to receive any such requests through their own canonical procedures.
	<i>On the basis of both Scripture (eg Mt 18) and the commitment enshrined in 3.2.6, this section needs to go beyond discussion of “relational consequences” and consider actions to effect reconciliation.</i>	(4.2.4) In considering their response to any controversial action, the covenanting members of the Joint Standing Committee shall consider whether to propose a process of mediation either alongside or prior to making other recommendations. All covenanting churches commit themselves to participate in and support such a process as requested.
(4.2.3) If a Church refuses to defer a controversial action, the Joint Standing Committee may recommend to any Instrument of Communion relational consequences which specify a provisional limitation of participation in, or suspension from, that Instrument until the completion of the process set out below.	<i>Especially in the time of reception of the Covenant, the Instruments will be a mix of covenantal and non-covenantal churches; thus it is important that recommendations are made not simply to the Instruments but primarily to the covenanting churches (who can then act upon them within the Instruments if they wish).</i> <i>Although it is the churches rather than the Instruments of Communion that adopt the Covenant, the Instruments are responsible for acting on behalf of the Communion as a whole which has decided to introduce the Covenant as part of its corporate life. Hence it makes sense for the Instruments to commit themselves to receive and determine their response to recommendations relating to the Covenant.</i>	(4.2.5) If a covenanting church refuses to suspend or defer a controversial action as requested above, the covenanting members of the Joint Standing Committee, in consultation with the other covenanting churches, shall make recommendations to any Instrument of Communion and to covenanting churches as to the relational consequences of this refusal, addressing the extent to which it damages both the communion between that church and the other covenanting churches and that church’s participation in that Instrument. Each covenanting church and each Instrument commits itself to receive and determine its own response to such recommendations.
(4.2.4) On the basis of advice received from the Anglican Consultative Council and the	<i>Most of the changes here reflect those noted above but there is also added the positive</i>	(4.2.6) After further consultation with the Covenanting churches and such advisers as it

<p>Primates' Meeting, the Joint Standing Committee may make a declaration concerning an action or decision of a covenanting church that such an action or decision is or would be "incompatible with the Covenant". A declaration of incompatibility with the Covenant shall not have any force in the Constitution and Canons of any covenanting church unless or until it is received by the canonical procedures of the church in question.</p>	<p><i>effect of such a declaration rather than simply the limits noted in the current clause.</i></p>	<p>deems appropriate, the covenanting members of the Joint Standing Committee shall decide whether to make a declaration that an existing or proposed action or decision of a covenanting church is or would be "incompatible with the Covenant". A declaration of incompatibility with the Covenant shall have moral authority among and within the covenanting churches but shall not have any force in the Constitution and Canons of any covenanting church unless or until it is received by the canonical procedures of the church in question.</p>
<p>(4.2.5) On the basis of the advice received, the Joint Standing Committee may make recommendations as to relational consequences to the churches of the Anglican Communion or to the Instruments of the Communion. These recommendations may address the extent to which the decision of any covenanting church to continue with an action or decision which has been found to be "incompatible with the Covenant" impairs or limits the communion between that church and the other churches of the Communion. It may recommend whether such action or decision should have a consequence for participation in the life of the Communion and its Instruments. It shall be for each church and each Instrument to determine its own response to such recommendations.</p>		<p>(4.2.7) On the basis of the advice received, the covenanting members of the Joint Standing Committee shall also make recommendations as to relational consequences to the covenanting churches and to the Instruments of the Communion. These recommendations shall address the extent to which the decision of any covenanting church to continue with an action or decision which has been found to be "incompatible with the Covenant" damages the communion between that church and the other churches of the Communion. It may recommend whether such action or decision should have a consequence for participation in the life of the Communion and its Instruments. Each covenanting church and each Instrument commits itself to receive and determine its own response to such recommendations.</p>
<p>(4.2.6) Each church undertakes to put into place such mechanisms, agencies or institutions, consistent with its own Constitution and Canons, as can undertake to oversee the maintenance of the affirmations and commitments of the Covenant in the life of that</p>	<p><i>This has been moved to become (4.2.1) above for reasons given there.</i></p>	

<p>church, and to relate to the Instruments of Communion on matters pertinent to the Covenant.</p>		
<p>(4.2.7) Participation in the processes set out in this section shall be limited to those members of the Instruments of Communion who are representatives of those churches who have adopted the Covenant, or who are still in the process of adoption.</p>	<p><i>This clause is clearly addressing the problem that those who have rejected the covenant cannot be involved in its maintenance but it creates major questions:</i></p> <p><i>(1) What does it mean to be “still in the process of adoption”?</i></p> <p><i>(2) Does it refer simply to the JSC or to all the Instruments in relation to any of the above? The latter means covenanting churches can determine involvement of other covenanting churches in the Instruments irrespective of views of others.</i></p> <p><i>(3) It would need to refer also to the amendment processes in RCD 4.4.2 below. For these reasons the alternative set out in response to RCD 4.2.1 above is preferred here.</i></p>	
	<p><i>Restoration and reconciliation must be the ultimate goal in any of these processes; this needs to be made explicit as it was in earlier drafts</i></p>	<p>(4.2.8) If a covenanting church is judged to have acted in a manner “incompatible with the Covenant”, the covenanting members of the Joint Standing Committee, in consultation with the other covenanting churches, must as soon as is practicable urge a process of restoration with the church involved.</p>

4.3 [Withdrawing from and] deciding not to sign the Covenant

<p>(4.3.1) Any covenanting church may decide to</p>	<p><i>Including a provision for churches to</i></p>	
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<p>withdraw from the Covenant. Although such withdrawal does not imply an automatic withdrawal from the Instruments or a repudiation of its Anglican character, it raises a question relating to the meaning of the Covenant, and of compatibility with the principles incorporated within it, and it triggers the provisions set out in section 4.2.2 above.</p>	<p><i>withdraw from the Covenant changes the character of membership of the Covenant from being a binding commitment to being a contract. Such a provision should therefore not be included.</i></p> <p><i>It has been suggested that a provision for withdrawing from the Covenant is necessary to cover situations in which covenanting churches need to withdraw from the Covenant in order to enter into new forms of ecumenical relationship that would be incompatible with Covenant membership. However, this suggestion overlooks the point that a covenanting church ought not to enter into a new ecumenical relationship incompatible with its existing commitment to the Covenant. Provision should not be made for something that a church ought not to do.</i></p>	
	<p><i>The RCD addresses the consequences of acting in a manner judged to be incompatible with the Covenant and of withdrawal but not of choosing not to be a Communion member. Given that the Covenant states that the elements of the Covenant are "fundamental to the life of the Anglican Communion" the determined decision not to become a covenanting church will impact the life of the Communion.</i></p> <p><i>The RCD Commentary touches on this in its penultimate paragraph and expresses the hope that "how both covenanting and non-covenanting churches participate together in the life of the Instruments of the Communion...may become the subject of</i></p>	<p>(4.3.1) Ten years after the first church has signed the Covenant the covenanting members of the Joint Standing Committee shall make a report with recommendations regarding the integration of the Covenant with the life of the Communion as a whole. This report will be shared with the full JSC and the Instruments. The Joint Standing Committee shall then make recommendations as to relational consequences to the covenanting churches and to the Instruments of the Communion of the decision, active or <i>de facto</i>, by a church of the Communion not to become a covenant member. These recommendations shall address the extent to which such a decision damages the communion between that church and the other churches of the Communion. It may recommend whether such action or decision should have a consequence for participation in the life of the Communion and its</p>

	<p><i>agreed conventions alongside the Covenant". This proposed clause applies the principles set out in our revised 4.2.5 and 4.2.7 above to address this situation.</i></p>	<p>Instruments. Each covenanting church and each Instrument commits itself to receive and determine its own response to such recommendations.</p>
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4.4 The Covenant Text and its amendment

<p>(4.4.1) The Covenant consists of the text set out in this document in the Preamble, Sections One to Four and the Declaration. The Introduction to the Covenant Text, which shall always be annexed to the Covenant text, is not part of the Covenant, but shall be accorded authority in understanding the purpose of the Covenant.</p>	<p><i>The Church of England has consistently asked for the Introduction to be included. In the RCD it continues to have an ambiguous (and now also unamendable) status. It is preferable to include it within the Covenant as a whole.</i></p>	<p>(4.4.1) The Covenant consists of the text set out in this document in the Introduction, Preamble, Sections One to Four and the Declaration.</p>
<p>(4.4.2) Any covenanting church or Instrument of Communion may submit a proposal to the Joint Standing Committee for the amendment of the Covenant. The Joint Standing Committee shall send the proposal to the Anglican Consultative Council, to the Primates' Meeting and any other body as it may consider appropriate for advice. The Joint Standing Committee shall make a recommendation on the proposal in the light of advice offered, and submit the proposal with any revisions to the constitutional bodies of the covenanting churches. The amendment is operative when ratified by three quarters of such bodies. The Joint Standing Committee shall adopt a procedure for promulgation of the amendment.</p>	<p><i>This process needs to be adapted slightly to remove the anomaly of non-covenanting JSC members being so involved in amending the Covenant. Presumably RCD 4.2.7 was intended to apply also to this clause, although strictly speaking it does not do so.</i></p>	<p>(4.4.2) Any covenanting church or Instrument of Communion may submit a proposal to the covenanting members of the Joint Standing Committee for the amendment of the Covenant. They shall send the proposal to the Anglican Consultative Council, to the Primates' Meeting and any other body as they may consider appropriate for advice. They shall then make a recommendation on the proposal in the light of advice offered, and submit the proposal with any revisions to the constitutional bodies of the covenanting churches. The amendment is operative when ratified by three quarters of such bodies. The covenanting members of the Joint Standing Committee shall adopt a procedure for promulgation of the amendment.</p>