A Response to
Resolution ACC 14.11: The Anglican Communion Covenant
by the Executive Council of The Episcopal Church

1. Introduction

We are writing as the Executive Council of The Episcopal Church in response to Resolution 14.11: The Anglican Communion Covenant passed by the May 2009 meeting of the Anglican Consultative Council asking Provinces to consider and report on Section Four of the Ridley Cambridge Draft (RCD) and its possible revision. We are grateful to ACC 14 for giving the provinces the opportunity to consider the RCD in the hopes of realizing a fully matured Anglican Covenant.

Resolution A166 of the 2006 General Convention asked the Executive Council to facilitate The Episcopal Church’s response to “the development of an Anglican Covenant that underscores our unity in faith, order, and common life in the service of God’s mission.” In furtherance of that role, the Executive Council provides the following response to the RCD with special attention to Section Four.

This response is made up of five sections. Following this brief introduction there is a discussion of the process by which the Executive Council solicited input in the drafting of this response from the diocesan deputations of the 2009 General Convention of The Episcopal Church. Next is a detailed exposition of responses received from across The Episcopal Church relating to Section Four of the RCD. Following that will be additional material related to the Anglican Communion Covenant generated by various bodies in The Episcopal Church before and after the 2009 General Convention. The document concludes with a presentation on the next steps that The Episcopal Church envisions as our church’s ongoing participation in the development of an Anglican Communion Covenant.

2. Process

Upon receipt of the letter of 28 May 2009 from the Secretary General of the Anglican Communion asking that Section Four of the RCD be considered by each province, Presiding Bishop Katharine Jefferts Schori, President of the House of Deputies Bonnie Anderson, and Chair of the Executive Council’s Task Force on the Anglican Covenant, Rosalie Simmonds Ballentine, communicated with the Bishops and Deputies to the 2009 General Convention in a letter of 29 June 2009
asking each deputation to consider the RCD and report back to the Executive
Council by 1 September 2009 (See attached letter of 29 June, 2009). To facilitate
the diocesan consideration of the RCD with particular attention to Section Four,
the Executive Council’s Task Force on the Anglican Covenant produced “Six
Study Questions” (See attached).

The Executive Council’s Task Force received 34 responses to the Six Study
Questions from both diocesan deputations and from individual deputies. Full
deputation responses were received from Atlanta, the Convocation of the
Churches in Europe, Massachusetts, Michigan, Rhode Island, Northern
Michigan, San Joaquin, Springfield, and Western New York.

3. Responses to the RCD with Attention to Section Four

We observe that as we approach the third draft of an Anglican Covenant, we are
beginning to address some of the most difficult matters and substance relating to
such a covenant. While the task at hand was to respond specifically to Section IV,
comments on the draft covenant as a whole are so interwoven that separating the
two is difficult.

The majority of deputations and individual deputies that responded are not
convinced that the covenant in its current form will bring about deeper
communion. Several stated that the overall idea of a covenant is “un-Anglican.”
One went as far as to say that the “document incorporates anxiety.” However,
another deputy observed that the covenant is “a presentation of the Christian
community as a dynamic spiritual body in which God-given freedom is
inextricably bound up with God-given accountability.”

The majority of respondents do not support the fourth section of the draft
covenant. One deputation stated that section 4 is “disturbing” because it creates a
system of governance contrary to our understanding of Anglicanism and
establishes a punitive system executed by a select committee. On the other hand,
a deputation felt that the fourth section is important because a governance
section is needed to maintain a covenant.

Many individuals and some deputations raised questions about internal
contradictions in the draft. Some responses noted the tension between autonomy
of provinces and having some central body in the Anglican Communion that
would ensure compliance with the Anglican Covenant.

In addition to the above broad concerns, the following specific issues were
raised:

- Several comments expressed concern about the silencing of prophetic voices
  by the proposed necessity of seeking a “shared mind.” There is the sense that
  this shared mind might mean a uniformity in which differences are not
tolerated. One person commented that a shared mind is “not our goal as
Christians. Our goal is to ‘put on the mind of Christ.'” One deputation felt
that there was a “contradiction between statements affirming diversity and
autonomy with those suggesting that certain ‘controversial actions’ might be
deferred with the threat of ‘relational consequences.'”

- The phrase “relational consequences” raised many questions. Some felt that
  this was a euphemism for punishment. One person expressed concern that
  there is not sufficient provision for hearings, due process or a listening
  process before judgment may be rendered. On the other hand, a deputation
  felt that this phrase “remains intentionally ambiguous so as to allow the
  processes and procedures... to determine the ‘consequences.'”

- Some responses worried about the increased power abrogated to the Joint
  Standing Committee (now understood as the Standing Committee of the
  Anglican Communion) that constitutionally has not had such authority.
  There is some concern that the new standing committee could become a fifth
  or a super Instrument of Communion. If there were to be a body that
determined membership and implementation of a covenant, deputies and
deputations felt that should be exclusively the role of the Anglican
Consultative Council. One deputation expressed its fears about 4.2.2 because
the powers were so “ill-defined as to endanger the very essence of
Anglicanism.” Further, some also wondered who would define “the highest
degree of communion” and what this means.

- Most responses found that the concept of “church” in 4.1.5 of the RCD was
  confusing, specifically: does the word, “church” mean other Anglican bodies
that are not part of the scheduled membership of the ACC or does it refer to ecumenical partners? As one person wrote, “The use of ‘other churches’ in Section 4.1.5 is particularly unclear and it also seems to be aimed at a different purpose than the overall covenant proposal....” This individual suggests creating a glossary to flesh out this and other “broad brush terms.” Other persons queried whether “church” means a parish, or an Anglican religious order, or a competing province in a geographic location can join. If a province in one geographic area chose not to sign the Covenant, could a new “province” in that geographic area do so?

• Some deputations and deputies focused on the lack of attention given to the laity. As noted in our responses to previous drafts of the covenant, the role and authority of the laity — all the baptized — again is neglected. One deputation observed that Section 3.1.3 neglects the primacy of baptism.

• One deputation suggested that in lieu of using the word, “covenant,” the document should be called a “Declaration of Communion.”

• Another deputation wondered what would constitute enactment of the covenant. No draft has specified who is needed or what percentage of the Anglican Communion needs to sign on for the covenant to go into effect. This deputation suggested 3/4 membership to affirm the covenant.

4. Additional discussions related to RCD

The Executive Council is aware that reactions to the RCD are not limited to the responses received to the “Six Study Questions” prepared by the Executive Council’s Task Force.

In response to some actions of the 2009 General Convention, 36 active and retired bishops of The Episcopal Church have signed the Anaheim statement, parts of which are germane to The Episcopal Church’s discussions related to the Anglican Communion Covenant process. Specifically the statement says, “We reaffirm our commitment to the Anglican Communion Covenant process currently underway, with the hope of working toward its implementation across the Communion once a Covenant is completed.”
In these many discussions and in the Executive Council’s formal responses to both the Nassau and St. Andrew’s drafts, it is clear that The Episcopal Church takes very seriously its role as a constituent member of the Anglican Communion and is committed to participating in the development processes of the Anglican Communion Covenant.

5. Next Steps

The 2009 General Convention of The Episcopal Church reaffirmed The Episcopal Church’s ongoing commitment to participate in the development of an Anglican Communion Covenant. More specifically Resolution 2009-D020 states the following:

Resolved, the House of Bishops concurring, That the 76th General Convention of the Episcopal Church commend the Anglican Covenant proposed in the most recent text of the Covenant Design Group (the “Ridley Cambridge Draft”) and any successive drafts to the dioceses for study and comment during the coming triennium; and be it further

Resolved, That dioceses report on their study to the Executive Council in keeping with Resolution 2006-A166; and be it further

Resolved, That Executive Council prepare a report to the 77th General Convention of the Episcopal Church that includes draft legislation concerning this Church’s response to an Anglican Covenant; and be it further

Resolved, That dioceses and congregations be invited to consider the Anglican Covenant proposed draft as a document to inform their understanding of and commitment to our common life in the Anglican Communion.

As the highest legislative authority of The Episcopal Church, the General Convention is the body that will ultimately decide The Episcopal Church’s position with respect to its participation in an Anglican Communion Covenant. There are some in The Episcopal Church and beyond who want to prejudge The General Convention’s decision on the Anglican Communion Covenant. We find such predictions and pronouncements premature and unhelpful.
As directed by Resolution 2009-D020, the Executive Council continues its commitment to facilitating The Episcopal Church’s response to the Anglican Communion Covenant. We entrust this work to the leading of the Holy Spirit and look forward to the next three years as we grow more deeply into our common life in the Anglican Communion.

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