

LGCM Submission to the Anglican International Commission

Summary

LGCM affirms the process for an Anglican *ius commune*, which aims at bringing parity in addressing significant communion matters. Far from being restrictive it allows for legitimate dissent within a canonical framework that recognises diversity but affirms the difference between **general** and **specific** issues of authority.ⁱ The issue is the nature of Law in the Communion and the place of doctrinal development and legitimate boundaries for dissent. Here a parallel may be drawn between a Roman Catholic approach to Definitive and Non Definitive Doctrine.

This approach recognises that we can live together with our differences where validation is developed retrospectively through the *census fidelium* and the *doctrine of reception*. We argue that there is an authentic way for expressing theological development, which respects differences, in a canonical framework that provides for permissive forms of dissent that is consistent with the present custom of Anglican ecclesiology.

Sources of Canonical Development

All authority is derived from God, the Holy Trinity,ⁱⁱ and uniquely encountered in Jesus Christ.ⁱⁱⁱ Within an understanding of dispersed authority, order is facilitated, first, through two approaches.^{iv1} Such a structure will always involve tension in any decision making process. The Lambeth Conference has made a statement on same sex relationships; which is of a persuasive moral authority as indicated by the continuing debate in ‘Some issues in human sexuality.’^v This concept of tension/anomalies is also explored by David Trustin, in relation to the dialogues between Anglicans and Lutherans.^{vi} He argues for the legitimate right for tailor-made solutions to each local context, whilst keeping an eye on ‘basic general principles.’

Legitimate Development

Within the context of a Trinitarian dynamic of interrelated love expressed in mutuality and complementarity, we argue for a broader orthodoxy. The nature of development, like the Reformation, is that it does not initially obtain universal consensus. Moore ably maps out this area.^{vii} Within first and second order issue of doctrine, ethical issues are seen as not being timeless but related to a cultural context. This in turn is related upon our timeless understanding of God in Trinity. The *Kuala Lumpur Statement* is wrong in seeing sexuality as a first order principle. The litmus test for Orthodoxy does not lie in biblical fundamentalism that sees itself as a narrow stream, but a broad river. Here Baum proposes a five point approach to legitimate development where there is a creative cognitive dissonance between doctrine and love. This is an active process that leads to a synthesis that overcomes contradiction and doesn’t reject an interactive scriptural authority, interpreted by such guiding principles as the Summary of the Law, Beatitudes and the creeds.^{viii}

A legitimate course of action has been taken, when a member Church of the Communion abides by Official (Definitive) forms of Anglican teaching and exercises their own canonical norms for doctrinal development. This does not invalidate either their Sacramental orders or inclusion in the Anglican Communion.^{ix} Historically this is evidenced in both the Ordination of women to both the Presbyterate and Episcopate. Furthermore inclusion in the world wide Anglican Communion has never been dependent upon a universal recognition by all member churches but only by invitation of the Archbishop of Canterbury. To date only the North American Anglican church is not in Communion with Canterbury.

Legitimate Dissent

It is possible to have permissible legitimate dissent in world wide Anglicanism, if a member church undertakes this mindful of both Official teaching and due canonical process of law making. Comparisons with the RC 1983 Code of Canon Law are helpful. There are levels of *public dissent*, to non-definitive doctrine where there are persuasive or sufficient reasons (*ratio*).^x The Anglican principle of *gravamina* (serious argument) reflects this.^{xi} A fuller development of this area is given in *A Canonical Understanding of Dissent*.^{xii} Where member churches of the Anglican Communion obey all canonical norms in relation to both process and Definitive and Non Definitive matters, there must be an implied right of dissent from issues that are pan Anglican. The only possible exception could be where the particular churches tie them to the definitive interpretation of Canterbury.

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End notes

ⁱ Paul Avis Authority, Leadership and Conflict in the Church (1992) p.7.

ⁱⁱ Lambeth Conference, *Report*, Part II, (1948) p.84.

ⁱⁱⁱ K. Rayner 'By What Authority? A Reply', *Theology*, January 1987. p.8.

^{iv} First, the episcopate and synodical government of clergy and laity. Here the individual autonomy of member churches of the Anglican Communion are bound together by their commitment to the Lambeth Quadrilateral. (*Lambeth Conference of 1888*, Resolution II) Secondly, by many voices of authority from each member of the Anglican Communion. (S. Sykes *Authority in the Church of England*, in R. Jeffrey (ed) *By What Authority* (London & Oxford, Mowbray 1987)). The 1948 Lambeth Conference saw Definitive or Official teaching as distributed between Scripture, Tradition (Ancient Teaching); 1662 BCP, the witness of the Saints and the Consensus Fideium and the Lambeth Quadrilateral. Non Definitive Doctrine is of a persuasive authority mediated through Lambeth Conferences, Synodical Government and the work of Doctrine Commissions

^v *Lambeth Conference 1998- Resolution calling homosexual sex "incompatible with Scripture."*; *Some issues in human sexuality guide to the debate* (CIO 2003)

^{vi} David Trustin *Anglicans and Lutherans move from Dialogue to Shared Mission*, Martin Memorial Lectures May 2001, College of Emmanuel & St. Chad, Saskatoon.

^{vii} Gareth Moore OP *A Question of Truth, Christianity and Homosexuality* (Continuum 2003)

^{viii} See Michael Ingham, Conference Address *Reclaiming Christian Orthodoxy* (Accessed 2003 www.lgcm.org.uk/Halfway To Lambeth/Speeches/Ingham.htm.)

^{ix} *39 Articles of Religion*. (BCP 1662), Article 26.

^x Sullivan F.A SJ 'The Response due to Non-Definitive exercise of Magisterium, Canon 752' 23 *Studia Canonica* (1989) 267.; Doe N. 'Obedience to Doctrine in Canon Law: The Legal Duty of Intellectual Assent' *Denning Law Journal*; Shafer I.H. *Dissent and Dialogue in the Church* (Association for the Rights of Catholics in the Church Web Site, 1996)

^{xi} Church of England: Canon H1 s3, s4.

^{xii} Derek Belcher *A Canonical Understanding of Dissent*, A short paper outlining some comparisons between the Roman Catholic Church and The Church of England. 2004.

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