

The Anglican Church in Aotearoa, New Zealand and Polynesia

Te Hähi Mihinare ki Aotearoa ki Niu Tireni,
ki Ngä Moutere o te Moana Nui a Kiwa

A SUBMISSION ON THE DRAFT COVENANT

Introduction

The Anglican Church in Aotearoa, New Zealand and Polynesia is grateful to the Covenant Design Group for the opportunity to comment on the Draft Covenant. This very diverse Church has worked hard to find ways of honouring each other and sharing a common life. No matter how difficult the conversations have become, we continue as a Church to listen and to talk and remain deeply committed to staying together as Anglicans. This commitment which extends beyond our respective shores, is the gift we offer to the wider Anglican Communion.

Process

We received from The Most Revd Drexel Gomez a copy of the Draft Covenant and a request to critique this document and make any recommendations and comments. The draft was circulated to each of the three Tikanga or constitutional strands of this Church¹, and was considered by a number of working groups, Diocesan Synods and Hui Amorangi. Responses were received from all three of the Tikanga with input from all three houses.

A Final Working Group chaired by Sir Paul Reeves, a former Primate of this Province, was convened to consider the various responses and to formulate a draft submission for the Covenant Design Group. The representatives to this working group came from all three Tikanga and the three houses. The draft was submitted to the General Synod Standing Committee for approval and adoption and, following further submissions from Tikanga Maori and Tikanga Polynesia, is now forwarded to the Anglican Communion Office for consideration by the Design Working Group.

¹ The three Tiklanga were recognised in the 1991 revision of our Constitution. Tikanga Pakeha refers to the seven dioceses of New Zealand. Tikanga Maori refers to the five bishoprics under the leadership of the Bishop of Aotearoa. Tikanga Pacifica refers to the Diocese of Polynesia, including Polynesians living in New Zealand

The Communion We Have Together

Our Church has always had a deep affection for and commitment to the Anglican Communion. Our founding bishop, George Augustus Selwyn was a key figure in the first Lambeth Conference, cautioning against the development of an international synod

of bishops. A later Primate, William Garden Cowie sat on a commission of the 1897 Lambeth Conference that recommended the formation of a central consultative body for supplying information and advice only. Our commitment to the Communion has always been one of respect for the autonomy of each Province, with an emphasis on the importance of involving laity and clergy in the decision-making processes of the Church and a belief that any central bodies must earn the respect of member churches through the service they are able to offer.

The responses from various dioceses and other bodies to the draft covenant have been characterised by the above considerations. All responses were premised on the need to find an effective way forward as a Communion. Two Diocesan Synods have passed resolutions supporting the principal of the Covenant. One submission described the Covenant as a responsible attempt to address the potential for the present crisis to damage the Anglican Communion, believing that if the Covenant does not proceed, then the Communion will need to develop some other machinery to manage ongoing controversies. The majority of submissions expressed misgivings about the Covenant yet it should be emphasised that the Anglican Church in Aotearoa, New Zealand and Polynesia - Te Hahi Mihinare ki Aotearoa ki Niu Tireni, ki Nga Moutere o te Moana Nui a Kiwa, wishes to remain an active participant in the ongoing conversations about the best way forward.

The responses show that our Church has at least three different attitudes to the Covenant as a solution to the Communion's difficulties:

1. The Anglican Communion does not have machinery that allows us to discern the validity or otherwise of differing points of view and the Covenant may be a way of creating such a mechanism. We should be able to trust the international process to resolve any detailed difficulties we may have.
2. The nature of this Draft Covenant, and the underlying assumptions make it an unsatisfactory solution to our difficulties as a Communion, and runs the danger of exacerbating them. We therefore need to keep searching for a different way forward.

3. For Tikanga Maori *tinio rangatiratanga* (self determination), Christian and ethnic identity are of foundational importance. Tangata whenua (the indigenous people) have a rootedness that precedes the Anglican Communion, and would not lightly cede their autonomy.

The Concept of a Covenant

A number of groups expressed concern about the word Covenant as applied to any agreement reached by the Communion. There were two distinct reasons for this concern:

- The Treaty of Waitangi, the founding document of Aotearoa New Zealand, was understood by Maori as a Kawenata (“Covenant”) and was therefore given appropriate respect by its Maori signatories. Subsequent controversies about how well or otherwise the Treaty has been honoured by the Crown has caused some to question the use of the word Covenant in this new context.
- For others a Covenant is linked to the concept of something given to us by God. The move to call this proposal a Covenant is therefore to claim far too much. They see this exercise as a very human device and are by no means convinced that it is worthy of any other status.

The real difficulty is that the bonds of affection that hold us together have been severely strained by the controversy over issues of sexuality and by the responses of certain national churches or their leaders. Given the breakdown of trust implied by signs of impaired communion, we are not convinced that a solemn covenantal agreement is the way forward. In fact the risk is that such an agreement might itself become a weapon in the hands of those committed to a particular viewpoint in this controversy.

From a Three Tikanga Church perspective, Christian identity and communion are held together by a sense of extended family or *whanaungatanga*, and this is intrinsic to our life together and is in fact the real covenant. There is concern, particularly from the Diocese of Polynesia, about who in the Communion will determine what is in ‘the common good’. This Tikanga considers that the terminology of compliance and the use of mandatory words such as ‘shall’ within the Draft are very legalistic devices which imply compulsion and suggest that there is no room for difference in opinion.

The Content of the Draft Covenant

The views expressed reflected a diverse Church that contains the spectrum of theological emphases that have existed for all of Anglican history. One Diocese who agreed the principle of the covenant argued that the clauses of the Draft Covenant dealing with the role of scripture (2:2 and 3:3) should be strengthened. For a Three Tikanga Church such as ours it is crucial that cultural identity and heritage are honoured in the body of Christ clearly and carefully. We also note that due to the formularies of the General Synod Te Hinota Whanui of this Church in *A New Zealand Prayer Book Te Karakia Mihinare o Aotearoa*, we no longer use gender specific language about God.

But the main force of our respondents' comments related to part 6 of the Draft Covenant. There is a widely-held feeling across our Church that these provisions, if accepted, will change the very nature of Anglicanism. We are Anglicans by virtue of being in Communion with the Archbishop of Canterbury and with each other. None of our respondents, whatever their theological or ecclesial perspective, showed enthusiasm for any provision that could allow for the expulsion or ex-communication of a member church.

Provincial Autonomy

The Provinces within the Anglican Communion are autonomous and each Church formulates its own Constitution and governs its own life. We are told that the instruments of communion of the Anglican Communion are now the Archbishop of Canterbury, the Lambeth Conference, the Anglican Consultative Council ("ACC") and the Primates' Meeting but only the ACC represents all three houses - bishops, clergy and laity. Some submissions recognise the ACC as a complex, evolving network of Churches that is recognised as having a key role in co-ordinating all our relationships and dialogues.

Disquiet was expressed at the concept of a Covenant which in binding member churches cedes authority to a centralised body. Several Dioceses said that such an idea is 'unanglican' and unprecedented in the history of the Anglican Communion. A signatory to the Covenant would become bound to act in prescribed ways and thus relinquish a degree of provincial autonomy. Many in our church will be concerned at any attempt to qualify that autonomy. There is a danger that the views of the most powerful Provinces or Primates would dominate decision making and smaller voices would not be heard or would be voted down or compromised in some way. Fear was expressed that the desire for a Covenant could constrain the Communion as a whole from encouraging innovative and creative insights. Our own Province from earliest times gave lay people a voice and a vote and has permitted the re-marriage of divorced persons, promoted the ordination of women, elected the first

woman Diocesan bishop and changed its Constitution to ensure equality and shared power and decision making within Province. If a Covenant had been in place when these changes were made, it is likely that the process for affecting these changes would have been much more difficult.

A further difficulty would be how the Covenant would sit alongside the Canons and Constitutions of member Churches. Our own Constitution, like those of other provinces, represents the bedrock of what we believe about obedience to God, the guidance of the Holy Spirit as reflected in partnership, mission, witness, authority and decision making.

Primalial Power

The Constitution of this Province has always mandated shared decision making and governance in the voluntary compact expressed by all three houses of bishops, clergy and laity. A curia type authority and centralisation of authority among the primates is contrary to Anglican tradition and values. Currently Primates can only operate with the powers delegated to them by their Provinces and we believe that primalial authority rests in the whole church, and not solely in the office holder, the Primate. Submissions expressed concern that there is a risk that if the Covenant was adopted, it would change the system of governance from inclusive Synods to exclusive Primates.

Many of the respondents considered that the Primates' Meeting is moving beyond its original intent. The original brief of the Primates' Meeting was to provide support and enable prayer and consultation but this has changed as the Primates began to take on an enhanced responsibility in offering guidance on doctrinal, moral and pastoral issues.

Evidence of this shift is seen in the wording of the Draft Covenant. Within the text there is an implied authoritarian/ hierarchical development with a stronger role than in the past for the episcopacy and especially for the Primates, at the expense of the laity and clergy. Respondents consider that any enhanced role for the Primates' Meeting has yet to be agreed by all the member Churches of the Anglican Communion.

This Province would support the continuing role of the Primates' Meeting as a place to share insights, information and give mutual support. Respondents did not agree that the Primates' should be tasked with monitoring, investigating or disciplining 'errant' Member Churches. Instead they expressed the view that if the Communion did decide to adopt a Covenant then the danger of misuse would be lessened if the

ACC, rather than the Primates, was mandated to deal with the unresolved issues. This would also free the Primates to undertake a pastoral rather than juridical role.

Tikanga Maori questioned the need of internal brokerage of any sort and preferred the current freedoms of the Anglican Communion as they now operate. In this Three Tikanga Church we have come to value the integrity and effectiveness of mutual dialogue and a willingness to work things out over time as partners in mission. Tikanga Maori was concerned that if the current wording of the Draft Covenant were adopted it would give the ACC an interpretative and secretarial role but no power to affect change.

Our commitment to the conversation

The General Synod Standing Committee was concerned to offer a positive contribution to the difficult and complex process of managing difference across the Anglican Communion. We do this by appending our own Mission Statement, in which we share our experience of working with difference in our own church.

This Anglican Church in Aotearoa, New Zealand and Polynesia in living out the transforming Gospel of Christ believes that its unique three Tikanga nature is a gift (*Taonga*) from God. We celebrate and rejoice in the receiving and establishing of this gift.

We have seen each Tikanga discover and strengthen its distinctive gifts and identities. We thank God for this cultural incarnation of the Gospel.

With that confidence we commit ourselves to enhancing these gifts for the glory of God, recognising that each Tikanga will establish its own preferences and tasks. As a whole church we commit to supporting each other in realising those preferences through resource sharing, honest conversation and through naming, confronting and reconciling modes of operation and unjust structures.

Therefore this Standing Committee encourages the whole church to seek opportunities to work together, building community, offering generous hospitality and working beyond boundaries defined by our present structures.

As we face the future we believe that together we are more complete as a Church, a beacon of hope and an agent of transformation.

Conclusion

In conclusion we endorse the words of one of our Archbishops, Archbishop Moxon when he said:

“Perhaps the challenge is to transcend the old ways of fighting or leaving, to find a new way of discovering what integrity we can trust in each other by virtue of the fruits of our baptism and by how much we may be prepared to live respectfully with what

diversity God has given us. It is crucial that we use a Gospel based process of discernment, rather than the litigation, trench warfare and the labelling judgements of the world. We will need to look significantly different from the ways of the world in the way we process what happens from now on to have anything different to say to the world.”

INITIAL RESPONSE BY THE PROVINCE OF AUSTRALIA TO THE REPORT OF THE COVENANT DESIGN GROUP DATED 19 FEBRUARY 2007

The Province of Australia welcomes the report of the Covenant Design Group and Draft Text for an Anglican Covenant.

The Province considers that in many respects the 2007 draft improves upon the draft appended to the Windsor Report. In particular, the Province sees the following elements of the 2007 draft as positive, and hopes that these elements will be retained in further drafts:

- A strong focus on the commitment to shared faith, ministry and mission.
- A pattern of “affirmations and commitments” shaping the draft, including reference to historic formularies.
- The deliberately non-innovative statements of shared faith.
- The philosophy that the role of a covenant is to make explicit something already meant and to articulate something already lived.
- The more missiological and ‘confessional’ focus, rather than a ‘structural/canonical’ one.
- The vesting of the instruments of communion with a guiding and moral role rather than a semi-judicial or executive authority.

There are some elements of the draft which the Province considers could benefit from further consideration. Some ambiguities in sections five and six of the draft need resolution: namely, the authority of the instruments of communion, the agreed limitations upon the autonomy of member churches, the processes to be adopted by member churches and instruments in the event of difference or dispute and any sanction for breaking the terms of the covenant.

The Province of Australia is committed to engaging in a ‘covenant consultation process’ in association with member churches. This ‘covenant consultation process’ will incorporate an education program and conversation and consultation about the proposed text.

Before embarking upon a detailed response to the 2007 draft it is worth making some observations about a peculiarity of the Anglican Church of Australia (ACA). Of all the member churches of the Communion, the ACA has the Constitution that most closely resembles the proposed Anglican Covenant. The ACA is, to some extent, a ‘Communion within a Communion’, being a federation of autonomous dioceses united by a Constitution. The Primate of the Anglican Church is in a position not unlike that of the Archbishop of Canterbury in that he holds little, if any, authority in a diocese other than that of which he is bishop. His authority in the national church is moral rather than jurisdictional and he leads by invitation rather than by direction. The Constitution of the ACA was developed over a long period and has been reasonably successful in holding together a large group of autonomous bodies in which a wide range of theological

viewpoints are held and expressed. It was for this reason that the draft covenant offered by the ACA in 2006 drew upon the ACA's Constitution.

There are a number of consequences of this peculiarity. First, it may be that there are features of the ACA's Constitution that could be helpful to the development of a text for an Anglican Covenant. The second point is of more domestic concern within the ACA. In order for the ACA to adopt an Anglican Covenant, the support of all or a substantial majority of dioceses will need to be won. This will not be an easy task. Support is more likely to be forthcoming if it can be demonstrated that the Anglican Covenant contains nothing different from or additional to what dioceses have already embraced in their adoption of the Constitution. For that reason there will be references below to the ACA Constitution and its contents.

The 2007 Draft

The Province of Australia makes the following responses to the text of the 2007 draft. For ease of reference the text of the draft is followed by comment and a recommended amended text, with changes highlighted.

1. Preamble

(Psalm 127.1-2, Ezekiel 37.1-14, Mark 1.1, John 10.10; Romans 5.1-5, Ephesians 4:1-16, Revelation 2-3)

We, the Churches of the Anglican Communion, under the Lordship of Jesus Christ, solemnly covenant together in these articles, in order to proclaim more effectively in our different contexts the Grace of God revealed in the Gospel, to offer God's love in responding to the needs of the world, to maintain the unity in the Spirit in the bond of peace, and to grow up together as a worldwide Communion to the full stature of Christ.

Comment

It is not clear from the Design Group's Report whether the section headed 'An Introduction to a Draft Text for an Anglican Covenant' is to be considered part of the covenant. There is material in that section that could usefully be included. Perhaps there is a need for a background report or explanatory memorandum. In addition to the material in the current 'Introduction' the Province of Australia recommends that some material be included about biblical tradition informing the term 'covenant', about how it is intended that the term 'covenant' is to be understood in relation to this document and about the extent to which the biblical tradition is to be imported into our understanding of this covenant document. Such discussion could be incorporated into the preamble or into a background report or explanatory memorandum.

By way of suggestion we include the following formulation which has been developed over time by the National Council of Churches Australia and which appears in its Covenanting Document:

Biblical Basis of Covenant

The motif of covenanting permeates the story of the people of God in the Judeo-Christian tradition. God covenants with people, and people make covenants with each other, under God's oversight. The idea of a covenant implies a significant commitment. It is a reliable and lasting relationship, which includes both promises and obligations. Biblically, the relationship is usually sealed with a ritual action.

The covenants God makes with the people stem from the sovereign, gracious, free initiative of God, and have their basis in this God, who is holy, righteous and extravagantly merciful. One style of covenant includes those made with Noah, signifying God's everlasting promise to the whole creation, and with Abraham and David, which emphasise God's promises to individuals, and through them to the whole people of God. Another style of covenant is that made with Moses and the people of the Exodus. Here, the stress is on God's merciful delivery of oppressed peoples and, in turn, on the obligations that flow to the people as a result of the covenant. The Bible witnesses not only to the need for obedience on the part of the people, but also to the possibility of the covenant being threatened when the people fail to live up to its obligations.

A highly significant development arose with the prophets who, aware of the people's failure to live up to the covenant, restlessly began to seek and hope for a different and better covenant, a true faithfulness. Jeremiah discerned God's purpose to establish a new covenant, written on the heart, in which everyone, being forgiven, would know God and walk with God in a relationship of responsible faithfulness.

Covenants between people are seen as being under God's oversight, or enacted in the sight of God. But they follow different patterns. There are covenants between equal nations, between conquering kings and their subject kings, between a king and his people, and between two individuals.

This web of understandings of covenant, which is woven through the Old Testament, is developed in the New Testament, where the covenant imagery persists. The most significant way that this theological motif is taken up is the understanding that Jesus embodies a 'new covenant', seals it through his life, death and resurrection, and signifies it in his Last Supper, calling people to a radical change of mind and style of living.

The old covenant is fulfilled in the new. The new covenant is opened to all; it is made accessible through the action of the Spirit, who draws the covenanted people into communion (*koinonia*). They are thus rightly seen as a covenanting community.

Implications of Covenant

A biblical theology of covenant enables an ecclesiology of covenanting. We make covenant with one another in grateful response to God's initiative in making covenant with us.

The covenant theme thus has important implications for the church: it offers an alternative understanding of how things are and how things could be. Because of the divine initiative and because God is totally committed to all humankind, a new beginning is possible for the church and for the whole human community.

Therefore, the covenant requires a constant, solid commitment in the circumstances of life. Within the one faith community – the Body of Christ - there is a mutual responsibility and solidarity with one another for the fulfilment of this commitment.

In relation to the Preamble itself we have three comments. The first is a general one, that the use of Biblical references throughout the 2007 draft is not especially helpful. It is not clear to us why the references are there and what function they are intended to serve. Perhaps if there were to be a more comprehensive background document prepared the Biblical references could be included in that document, along with explanation of the themes highlighted by those portions of Scripture and how those themes speak to and inform the covenant text.

Secondly, we recommend that the word “up” in the last full line of the preamble be deleted. Its inclusion has struck some in Australia as condescending.

Thirdly, we consider that the opening words of the preamble give rise to some ambiguities about the impact of adoption of the covenant and membership of the Communion. As currently phrased the words tend to imply that a church becomes a member of the Anglican Communion by adoption of the covenant. Perhaps this could be overcome by replacing the opening words with the words “We, as Churches of the Anglican Communion, under the Lordship ...”.

1 Preamble

[]

We, as Churches of the Anglican Communion, under the Lordship of Jesus Christ, solemnly covenant together in these articles, in order to proclaim more effectively in our different contexts the Grace of God revealed in the Gospel, to offer God's love in responding to the needs of the world, to maintain the unity in the Spirit in the bond of peace, and to grow [] together as a worldwide Communion to the full stature of Christ.

2. Section 2

Each member Church, and the Communion as a whole, affirms:

1. that it is part of the one, holy, catholic, and apostolic Church, worshipping the one true God, Father, Son, and Holy Spirit;
2. that it professes the faith which is uniquely revealed in the Holy Scriptures as containing all things necessary for salvation and as being the rule and ultimate standard of faith, and which is set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation;
3. that it holds and duly administers the two sacraments ordained by Christ himself – Baptism and the Supper of the Lord – ministered with the unfailing use of Christ's words of institution, and of the elements ordained by him;
4. that it participates in the apostolic mission of the whole people of God;
5. that, led by the Holy Spirit, it has borne witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons [1];
6. our loyalty to this inheritance of faith as our inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making Him known to our societies and nations.

First, we suggest that the opening words of the section be amended to delete the words “and the Communion as a whole”. Each national church, in adopting the covenant, can affirm only for itself.

Secondly, we suggest that the points listed in Section 2 be amended to reflect the content and ordering of the Lambeth Quadrilateral more transparently. It will be easier to win support for the covenant, especially in Australia, if it is clearly adding nothing new, and also clear in including what is already authoritative. After point three there should be a further dot point inserted, such as the following: “that it receives the Historic Episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of His Church.” It would be helpful if express reference were made, by foot-note or in some other way, to the Lambeth Quadrilateral and the connection between it and the text of this section.

Thirdly, we note in reference to 2.5 (and footnote 1) that not all Anglican Provinces share the same foundational relationship with the Thirty-nine Articles of Religion and the 1662 Book of Common Prayer. Footnote 1 is no doubt intended to address this diversity. We commend the following observation by Steven Sykes in this regard:

'The Book of Common Prayer, the Thirty-Nine Articles, and the Ordering of Bishops, Priests and Deacons...constitute what in the Church of England is spoken of as its "inheritance of faith" [see Canon C. 15]...insofar as they define the faith inheritance of the See of Canterbury, and insofar as communion with that See defines what it means to be to belong to the Anglican Communion, these documents have significant authority among Anglicans throughout the world.'

Stephen Sykes, 'The Anglican Character' in Ian Bunting, ed. /Celebrating the Anglican Way/, London, Hodder and Stoughton, 1996, pp. 21-32, p. 23.

Each member Church [] affirms:

1. that it is part of the one, holy, catholic, and apostolic Church, worshipping the one true God, Father, Son, and Holy Spirit;
2. that it professes the faith which is uniquely revealed in the Holy Scriptures as containing all things necessary for salvation and as being the rule and ultimate standard of faith, and which is set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation;
3. that it holds and duly administers the two sacraments ordained by Christ himself – Baptism and the Supper of the Lord – ministered with the unfailing use of Christ's words of institution, and of the elements ordained by him;
4. that it receives the Historic Episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of His Church;
5. that it participates in the apostolic mission of the whole people of God;
6. that, led by the Holy Spirit, it has borne witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons [1];
7. our loyalty to this inheritance of faith as our inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making Him known to our societies and nations.

3. Section 3

- 3.3 ensure that biblical texts are handled faithfully, respectfully, comprehensively and coherently, primarily through the teaching and initiative of bishops and synods, and building on our best scholarship, believing that scriptural revelation must continue to illuminate, challenge and transform cultures, structures and ways of thinking;
- 3.4 nurture and respond ...
- 3.5 pursue a common pilgrimage with other members of the Communion to discern truth, that peoples from all nations may truly be free and receive the new and abundant life in the Lord Jesus Christ.

We suggest that in 3.3 the words “primarily through the teaching and initiative” be replaced with “acknowledging the teaching responsibility” and that the words “the deliberations of” be inserted between “bishops and” and “synods”. The primacy of bishops and synods in the handling of biblical texts was questioned in feedback received by the authors of this response.

We suggest that 3.5 be amended to read as follows: “seek to discern truth, with other members of the Communion, that peoples from all nations may receive the new and abundant life in the Lord Just Christ and truly be free.”

- 3.3 ensure that biblical texts are handled faithfully, respectfully, comprehensively and coherently, **acknowledging the teaching responsibility of bishops and the deliberations of synods**, and building on our best scholarship, believing that scriptural revelation must continue to illuminate, challenge and transform cultures, structures and ways of thinking;
- 3.4 nurture and respond ...
- 3.5 [] seek to discern truth, **with other members of the Communion**, that peoples from all nations may [] receive the new and abundant life in the Lord Jesus Christ **and truly be free**.

4. Section 4

We affirm that Communion is a gift of God: that His people from east and west, north and south, may together declare his glory and be a sign of God's Kingdom. We gratefully acknowledge God's gracious providence extended to us down the ages, our origins in the undivided Church, the rich history of the Church in the British Isles shaped particularly by the Reformation, and our growth into a global communion through the various mission initiatives.

As the Communion continues ...

The member Churches acknowledge ...

We commit ourselves to ...

In this mission, which is the Mission of Christ, **we commit ourselves**

1. to proclaim the Good News of the Kingdom of God
2. to teach, baptize and nurture new believers;
3. to respond to human need by loving service;
4. to seek to transform unjust structures of society; and
5. to strive to safeguard the integrity of creation and to sustain and renew the life of the earth.

In the first paragraph of Section 4 we suggest that the word "particularly" be omitted.

In the final section we submit that the reference to The Marks of Mission of the Worldwide Anglican Communion be closer to the text of the Australian draft covenant, which uses a form of words more closely reflecting the 2005 reworking of the Marks of Mission by the Anglican Consultative Council.

We affirm that Communion is a gift of God: that His people from east and west, north and south, may together declare his glory and be a sign of God's Kingdom. We gratefully acknowledge God's gracious providence extended to us down the ages, our origins in the undivided Church, the rich history of the Church in the British Isles shaped [] by the Reformation, and our growth into a global communion through the various mission initiatives.

As the Communion continues ...

The member Churches acknowledge ...

The member Churches affirm that they enter into this covenant in order that their common mission might thereby be enriched and magnified to the Glory of God. The Mission of the Church, which is the Mission of Christ, is to proclaim the good news of The Kingdom of God, and in particular to:

- **teach, baptize and nurture new believers;**
- **respond to human need by loving service;**
- **seek to transform unjust structures of society;**

- **strive to safeguard the integrity of creation and sustain and renew the life of the earth;**
- **worship and celebrate the grace of God; and**
- **live as one, holy, catholic and apostolic church.**

5. Section 5

We affirm the historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of his Church and the central role of bishops as custodians of faith, leaders in mission, and as visible sign of unity.

We affirm the place of four Instruments of Communion which serve to discern our common mind in communion issues, and to foster our interdependence and mutual accountability in Christ. While each member Church orders and regulates its own affairs through its own system of government and law and is therefore described as autonomous, each church recognises that the member churches of the Anglican Communion are bound together, not juridically by a central legislative or executive authority, but by the Holy Spirit who calls and enables us to live in mutual loyalty and service.

Of these four Instruments of Communion ...

The Lambeth Conference, ...

The Primates' Meeting, ...

The Anglican Consultative Council is a body representative of bishops, clergy and laity of the churches, which co-ordinates aspects of international Anglican ecumenical and mission work.

In the first paragraph the words between “the historic episcopate” in the first line and “Church” in the second could be deleted if those words are used in Section 2 as suggested above. In addition, we suggest that the word “custodians” be replaced with the words “guardians and teachers”, that the word “the” be inserted before the word “faith” and the word “sign” in the last line should be a plural.

In the second paragraph we suggest that the first sentence be amended to read as follows: “We affirm the value of the four Instruments of Communion within Anglicanism, which foster our interdependence and mutual accountability in Christ and assist member Churches in discerning a common mind.”

In the final paragraph, it would be helpful if a comma were inserted between “Anglican” and “ecumenical”.

We affirm [] the central role of bishops as **[] guardians and teachers** of the faith, leaders in mission, and as visible signs of unity.

We affirm the **[] value** of the four Instruments of Communion **within Anglicanism**, which **[]** foster our interdependence and mutual accountability in Christ **and assist member Churches in discerning a common mind**. While each member Church orders and regulates its own affairs through its own system of government and law and is therefore described as autonomous, each church recognises that the member churches of the Anglican Communion are bound together, not juridically by a central legislative or executive authority, but by the Holy Spirit who calls and enables us to live in mutual loyalty and service.

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6. Section 6

Each Church commits itself

1. in essential matters of common concern, to have regard to the common good of the Communion in the exercise of its autonomy, and to support the work of the Instruments of Communion with the spiritual and material resources available to it.
2. to spend time with openness and patience in matters of theological debate and discernment to listen and to study with one another in order to comprehend the will of God. Such study and debate is an essential feature of the life of the Church as it seeks to be led by the Spirit into all truth and to proclaim the Gospel afresh in each generation. Some issues, which are perceived as controversial or new when they arise, may well evoke a deeper understanding of the implications of God's revelation to us; others may prove to be distractions or even obstacles to the faith: all therefore need to be tested by shared discernment in the life of the Church.
3. to seek with other members, through the Church's shared councils, a common mind about matters of essential concern, consistent with the Scriptures, common standards of faith, and the canon law of our churches.
4. 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.
5. to seek the guidance of the Instruments of Communion, where there are matters in serious dispute among churches that cannot be resolved by mutual admonition and counsel:
 1. by submitting the matter to the Primates Meeting
 2. if the Primates believe that the matter is not one for which a common mind has been articulated, they will seek it with the other instruments and their councils
 3. finally, on this basis, the Primates will offer guidance and direction.
6. 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.

In 6.2 everything after the first sentence is commentary and would be more appropriate in an explanatory document than in the text of the covenant itself.

In 6.3 the words “and with ecumenical consultation” could be inserted after “shared councils”. We suggest that the reference to canon law at the end of the paragraph be deleted.

In addition to these rather minor suggestions, there are some more significant comments that we would like to make about Section 6. These comments will of necessity also have implications for the drafting of section 5.

The essence of our concern is that neither Section 5 nor 6 deals clearly and unambiguously with questions about the tension between the autonomy of the member Churches, on the one hand, and the authority of the Instruments of Communion, on the other. Use of language such as “heed” in 6.4 unfortunately only creates an ambiguity which seems to give rise to a necessary implication that the Instruments are to be understood to have some degree of juridical or executive authority which goes beyond the power to advise and the authority to invite. If “heed” means to “listen to and consider”, then it is unproblematic. However if, as appears open, the word “heed” can be understood to mean “abide by”, then this necessary implication is present. Paragraph 6.6, which appears to give the Instruments the authority to interpret the covenant in the light of conduct by member Churches, serves to support the implication.

There may be a number of forms of words which may be helpful. Of those, the phrase “polity of persuasion” may be a useful starting point.

The 2007 draft does not use the language of ‘reception’, ‘adiaphora’, ‘provisionality’ and ‘subsidiarity’ and perhaps it is helpful that it does not do so. Nevertheless, some way must be found of enunciating the substance of those principles in clear, unambiguous language. An Anglican Covenant must be clear about what it means for a member Church to be “autonomous” and the degree to which a member Church, by adopting the covenant, agrees to self-limit that autonomy and in what circumstances that limitation will be exercised.

Under the Australian draft covenant, member Churches expressly accept that there will be constraints upon their autonomy and upon the principle of subsidiarity and agree, as mutual gift, to limit the exercise of their autonomy “where to do so is in the interests of the Communion.”

An Anglican Covenant requires some express statement, on the part of signatories, of preparedness to self-limit, and guidance about the kind of situations in which such self-limitation would be exercised.

Similarly, an Anglican Covenant should use language which makes it clear that the authority of the Instruments of Communion is moral and advisory only and not semi-judicial or executive.

One of three papers produced at the September 2006 meeting of the Inter-Anglican Theological and Doctrinal Commission, ‘Responding to a proposal of a covenant’

addresses these issues in a helpful way. In speaking about these issues it says: “In discerning whether a conflict should be addressed at the local level, the universal level, or at some level in-between, the three criteria of ‘intensity, extent and substance’, as proposed in our report of 2003 commend themselves. If a conflict has become intense, it is less likely to be resolved easily at the local level; if its scope is extensive, involving many people in multiple locations, a universal solution is probably required; if the matter is substantial rather than trivial or peripheral, a larger structural resolution seems indicated.”

These three criteria of “intensity, extent and substance” may be a clear guide and useful in the context of an Anglican Covenant as a pointer to situations in which a member Church should recognize that an exercise of self-limitation is called for. In circumstances in which these three criteria lead a member Church to discern that it should self-limit in respect to a proposed innovation, a covenant should require that that member Church refrain from pursuing that innovation *unless* what amounts to a process of reception determines that there is no bar to the proposed innovation. The word “unless” is used in this context because it does not carry any implication that a process of reception will necessarily be successful (unlike the word “until” as it appears in the Windsor Report).

An Anglican Covenant must also be clear about what would amount to a process of reception and how such a process may be initiated. We suggest that a member Church should, in an appropriate situation (discerned in line with the above criteria) agree to refrain from pursuing an innovation *unless* at least two of the Instruments of Communion (including the ACC) advise it that there is no bar to the proposed innovation.

We recommend that one of the two Instruments should be the ACC because it is more representative than the other corporate instruments to the extent that it includes significant numbers of women and lay persons amongst its members.

The 2007 draft appears, at first sight, to give undue weight to the view of the Primates Meeting in these matters. However, on reflection it is apparent that the draft merely appoints the Primates Meeting as a “filter” between member Churches and the other instruments. This function is appropriate as the Primates meet more regularly than the other corporate instruments, and so long as it is clear from the text that the view of the Primates Meeting is to hold no greater weight than those of the ACC or the Lambeth Conference, then the mechanism expressed in 6.5 is appropriate. However in 6.5.3 we suggest that the words “guidance and direction” are replaced with the words “advice and guidance”.

Paragraph 6.6 requires substantial re-working, we suggest, for similar reasons. It should be clear that the only sanction available against a member Church is one which that a member Church chooses to apply against itself. The appropriate sanction is withdrawal from the Communion or withdrawal from Communion activities and it should be entirely voluntary. The text of a covenant should make the voluntary nature of that sanction clear, and should avoid the implication, arguably present in the current draft, that it is within the authority or power of one or more of the instruments to determine either that

withdrawal is warranted, or that a member Church has exercised the sanction of withdrawal in respect of itself.

There should be just one exception to the general principle that the Instruments have no authority to apply a sanction to a member Church. The moral authority of the Instruments of Communion encompasses an authority to issue invitations, for example, to attend meetings. It is inherent in this authority that the Instruments may also decline to issue invitations.

6 Each Church commits itself

1. in essential matters of common concern, to have regard to the common good of the Communion in the exercise of its autonomy, and to support the work of the Instruments of Communion with the spiritual and material resources available to it;
2. to spend time with openness and patience in matters of theological debate and discernment to listen and to study with one another in order to comprehend the will of God [];
3. to seek with other members, through the Church's shared councils **and with ecumenical consultation**, a common mind about matters of essential concern, consistent with the Scriptures and common standards of faith **and discipline** [];
4. **voluntarily to self-limit the exercise of its autonomy in relation to actions which it [or the Communion] considers may threaten the unity of the Communion or the effectiveness of the Communion's mission because of the intensity, extent and substance of disagreement about those actions;**
5. **in a situation in which it considers that a voluntary self-limitation of its authority is warranted**, to seek the guidance of the Instruments of Communion **by initiating the following process:**
 1. **the member church submits a proposal about a matter to the Primates Meeting;**
 2. **if the Primates believe the matter is not one for which a common mind has been articulated, they refer the proposal to the other instruments and their councils for advice and guidance; and**
 3. **the Primates Meeting reports the responses of the other instruments and their councils, together with its own response to the proposal, if it so chooses, to the member church;**
6. **where the guidance of the Instruments of Communion has been sought by means of the process described in 6.5, to refrain from**

taking the proposed action unless the responses of at least two of the instruments, including that of the Anglican Consultative Council, indicate that there is no bar to the proposal; and

- 7. to acknowledge that in the most extreme circumstances, where it has chosen not to fulfil the substance of the covenant, it will have relinquished for itself, or may be understood by other member churches to have relinquished, the force and meaning of the covenant's purpose, and that a process of restoration and renewal will be required to re-establish the covenant relationship with other member churches.**

**A Preliminary Response to the Draft Covenant
by the Anglican Church of Canada**

1. The Anglican Church of Canada takes very seriously its mutual responsibility and interdependence in the Body of Christ, and specifically its participation in the life of the Anglican Communion. We welcome the invitation to covenant if it means that the mission of the church is being strengthened as we partner together. To that end, our church has diligently participated in various processes and responded to various documents which have sought to deepen and enhance the Communion and give expression to our common life.
2. In particular we highlight the responses of our Province to:
 - a. 'Belonging Together' (response in 1992)
 - b. *The Virginia Report* (response in 2001)
 - c. *The Windsor Report* (response in 2005 and 2007)
3. In addition we have responded to ecumenical documents in which Anglicans have been involved: agreed statements with Roman Catholics, Lutherans, Orthodox, and World Council of Churches' documents such as *Baptism Eucharist and Ministry*.
4. In the process of developing such responses, we have consulted widely with parishes, dioceses, and our internal provinces, and have tested the responses through our consitutional processes.
5. We are now being asked to respond to *An Anglican Covenant: A Draft for Discussion*. At the General Synod of 2007 we committed ourselves to 'the development and possible adoption of an Anglican covenant'. However, the timeframe proposed is impossibly short for us to engage in the adequate process of discernment and affirmation that our polity requires. The Covenant is an extremely important proposal, with longterm implications for all Anglicans, and we will need to take more time to prepare a response that truly speaks for the Anglican Church of Canada. Thus all we can do at this point is to repeat affirmations we have previously made and concerns we have raised, to offer some comment about the shape of the proposed draft covenant, and to ask some critical questions of the text in the light of those affirmations and concerns.
6. General Synod in 2007 endorsed a response to the *Windsor Report*. We commend the whole document for consideration by the Covenant Design Group and the instruments of communion, and wish to emphasize especially in this context paragraphs 30 & 31:
 30. We affirm the idea of developing an Anglican Covenant, noting the call of Windsor that it be developed through a "long-term process, in an educative context, be considered for real debate and agreement on its adoption as a

solemn witness to communion.” (§118) We are committed to such a long-term process and would hope that such a covenant would promote mutual responsibility and interdependence within the Communion. We have reservations about the constitutional tone of the example provided in the Windsor Report. We find that example too detailed in its proposals and we are concerned that such a model might foster the development of a complex bureaucratic structure which might stifle change and growth in mission and ministry. We would prefer a shortened and simplified covenant, perhaps based on the model of the baptismal covenant, or ecumenical covenants such as the Waterloo Declaration between the Anglican Church of Canada and the Evangelical Lutheran Church in Canada, or the covenant proposed by the Inter-Anglican Standing Commission on Mission and Evangelism. We value the Ten Principles of Partnership cited in Appendix 3 of Windsor and would hope that they inform the drafting of a covenant. We affirm that any group given the responsibility of developing an Anglican Covenant needs to be broadly representative of the membership of the Church, including men and women, clergy and lay people, a variety of geographical regions and theological emphases.

31. The Covenant process could provide a place where the evolving structures of the Communion can be discussed and agreed upon. The current practice seems to be the development of *ad hoc* agreements or actions based on reports which have not yet been received by the whole Communion. We affirm that “we do not favour the accumulation of formal power by the Instruments of Unity, or the establishment of any kind of central ‘curia’ for the Communion.” (§105) In responding to the Virginia Report in 2001, many Canadians felt that the present structures serve well when used fully and creatively. “The personal and relational life of the Church is always prior to the structural. ... Right structuring and right ordering provide channels by which, through the power of the Holy Spirit, the mind of Christ is discerned, the right conduct of the Church encouraged and the gifts of the many are drawn upon in the service and mission of the Church.” (*Virginia Report*, 5.4) We would be wary of the over-development of structures which would make it difficult for the Church to respond quickly and easily to fulfill its mission in its local context. We are distrustful of the development of structural changes driven primarily by issues and in the midst of acute crisis.
7. The report of the Covenant drafting Group requests from Provinces an initial response to the fundamental shape of the covenant. We have experience in Canada of two previous covenants. The ‘New Covenant’ of 1994 is an invitation from indigenous peoples for the rest of the church to walk with them in partnership in a particular way. The ‘Waterloo Declaration’ of 2001 is also a relational covenant. In that Declaration, Anglicans and Lutherans in Canada declared themselves to be in full communion on the basis of a shared history and an affirmation of shared convictions. As churches in full communion we then made commitments to one another to ensure the closest possible collaboration and

- consultation to further our common mission in Christ. We believe that this shape of telling our common story, making common affirmations, and making commitments that arise from these is a helpful model.
8. Thus in this case, our approach was to analyze the motivation for the current draft; to assess the strategy employed to achieve that motivation and to examine the broad outline of how well that strategy has been achieved. With that in mind, we believe that there appears to be an overall consistency in both intent and presentation in the shape of the Covenant Design Group draft but the text itself could obviously be improved by careful editing. As already indicated, we are not able at this time to express an appropriate measure of consent to this text, as requested in the report of the Covenant Design Group, but study is continuing throughout our church.
 9. We appreciate the emphasis on mission in the preamble to the document. We believe that the call to common mission could effectively become the central organizing principle of the covenant, and that this would be a faithful expression of the Anglican Communion's vocation to proclaim the good news afresh in every generation. It would, however, require a shift in emphasis and ordering of the remaining sections of the document.
 10. We also understand that our common mission originates in and returns to the eucharistic fellowship which is established by God the Holy Trinity. Only at the table of the Lord can we discern our common calling and be fed by common food for the journey.
 11. We recognize that the community falls into disputes, and may need to have agreed upon means of resolving those conflicts as we stay at the table. However, we are troubled by Sections 5 & 6. Section 6 is an attempt to describe those means, but these sections have aspects which are non-synodical and raise serious concerns that will require broad consultation both in the Anglican Church of Canada and throughout the Communion. We are particularly concerned about 6.6. and the potential role and power of the Primates' Meeting. We stress, as noted in para 31 of our response to Windsor, that this process needs to unfold over a much longer period of time, lest we create structures only in response to a particular crisis.
 12. We thank the Covenant Design Group for their careful work on behalf of the Anglican Communion which we all love.

Adopted by the Council of General Synod of the Anglican Church of Canada
November 19, 2007

Church of England Response
to the draft Anglican Covenant

(I) Comments on the text of the draft covenant

In this section of the paper the original text from the Covenant Design Group is in Times New Roman and the comments from the Church of England follow in Arial.

An Anglican Covenant - A Draft for Discussion

An Introduction to a Draft Text for an Anglican Covenant

God has called us into communion in Jesus Christ (1 Cor. 1:9; 1 Jn. 1:3). This call is established in God's purposes for creation (Eph. 1:10; 3:9ff.), which have been furthered in God's covenants with Israel and its representatives such as Abraham and most fully in the life, death, and resurrection of Christ Jesus. We humbly recognize that this calling and gift of communion grants us responsibilities for our common life before God.

Through God's grace we have been given the Communion of Anglican churches through which to respond to God's larger calling in Christ (Acts 2:42). This Communion provides us with a special charism and identity among the many followers and servants of Jesus. Recognizing the wonder, beauty and challenge of maintaining communion in this family of churches, and the need for mutual commitment and discipline as a witness to God's promise in a world and time of instability, conflict, and fragmentation, we covenant together as churches of this Anglican Communion to be faithful to God's promises through the historic faith we confess, the way we live together and the focus of our mission.

Our faith embodies a coherent testimony to what we have received from God's Word and the Church's long-standing witness; our life together reflects the blessings of God in growing our Communion into a truly global body; and the mission we pursue aims at serving the great promises of God in Christ that embrace the world and its peoples, carried out in shared responsibility and stewardship of resources, and in interdependence among ourselves and with the wider Church.

Our prayer is that God will redeem our struggles and weakness, and renew and enrich our common life so that the Anglican Communion may be used to witness effectively in all the world to the new life and hope found in Christ

Comment

(1) This introduction was in the original report from the Covenant Design Group, but was omitted from the revised version of the Covenant that was

issued in April 2007. It is important that a revised version of this introduction should be included with the Covenant since this would provide theological context for the Covenant itself.

(2) The introduction needs to begin with affirming the Trinitarian basis of communion and helpful material is provided for this purpose by the report of the International Anglican-Orthodox dialogue *The Church of the Triune God*. This declares:

‘This life is revealed, and we have seen it and testify to it, and declare to you the eternal life that was with the Father and was revealed to us – we declare to you what we have seen and heard so that you also may have fellowship with us; and truly our fellowship is with the Father and with his Son Jesus Christ (1 John 1:2-3).

By this we know that we abide in him and he in us, because he has given us of his Spirit’ (1 John 4:13).

What is the life revealed to us? St John makes it clear that the fellowship or communion (*koinonia*) of life in the Church reflects the communion that is the divine life itself, the life of the Trinity. This is not the revelation of a reality remote from us, for in the communion of the Church we share in the divine life.

The communion manifested in the life of the Church has the Trinitarian fellowship as its basis, model and ultimate goal. Conversely, the communion of the Persons of the Holy Trinity creates, structures and expounds the mystery of the communion experienced in the Church. It is within the and by the Church that we come to know the Trinity and by the Trinity we come to understand the Church because ‘the Church is full of Trinity.’ (*The Church of The Triune God* Paras 1-3)

(3) The introduction also needs to root discussion of the Anglican Covenant in the biblical material and this is something that is done in a helpful fashion in the Introduction to a missiological reworking of the draft Anglican Covenant by Canon Tim Dakin and Dr Martin Davie which states:

In seeking communion with humankind, despite our rebellion and sin, the Holy Scriptures tell us that God made covenants with Noah, Abraham, Israel and David. His aim was to bless all nations as they responded to his invitation to live in communion with him, so that he might restore his image in them.

In Jesus there is now another covenant: “this is my blood of the covenant, poured out for many for the forgiveness of sins” (Matt 26:28). In this covenant we find a renewed communion with God as we share with others the forgiveness of sins through Jesus. We discover our communion with others in mission through Christ, and our mission is to spread the communion of Christ, ultimately with the whole of creation.

(4) In its present form the introduction makes a problematic jump from God's purpose in creation to the Anglican Communion. New material needs to be added between the current first and second paragraphs that talks about the universal Church and the vocation that Christians have to grow together into that unity which God desires for His people as a foretaste of the future unity of the all things in Christ. The material on the Anglican Communion would need to be re-written to refer back to this new material.

One way of providing this new material would be to draw on what is said about the calling of the Church in paragraph 2 of the *Windsor Report*. This material from the *Windsor Report* could be added in what would become the sixth paragraph of the Introduction as follows:

Those who are in communion with God through Jesus Christ form one universal Church which is called to be: 'through the work of the Spirit, an anticipatory sign of God's healing and restorative future for the world. Those who, despite their own sinfulness, are saved by grace through their faith in God's gospel (Eph. 2:1-10) are to live as a united family across traditional ethnic and other boundaries (2:11-12), and so are to reveal the many-splendoured wisdom of the one true God to the hostile and divisive powers of the world (3:9-10) as they explore and celebrate the astonishing breadth of God's love made known through Christ's dwelling in their hearts (3:14-21). The redeemed unity which is God's will for the whole creation is to be lived out within the life of the Church as, through its various God-given ministries, it is built up as the Body of Christ and grows to maturity not least through speaking the truth in love (1:10, 22-23; 4:1-16).'

The seventh paragraph of the Introduction could then be changed to read something along the following lines:

In the providence of God, which operates in spite of the divisions caused by sin, various families of churches have grown up within the universal Church during the course of its history. Among these families is the Anglican Communion, which provides us our special charism and identity....

1. Preamble

(Psalm 127.1-2, Ezekiel 37.1-14, Mark 1.1, John 10.10; Romans 5.1-5, Ephesians 4:1-16, Revelation 2-3)

We, the Churches of the Anglican Communion, under the Lordship of Jesus Christ, solemnly covenant together in these articles, in order to proclaim more effectively in our different contexts the Grace of God revealed in the Gospel, to offer God's love in responding to the needs of the world, to maintain the unity of the Spirit in the bond of peace, and to grow up together as a worldwide Communion to the full stature of Christ.

Comment

(5) An important question that is raised by this Preamble is what is meant by the phrase ‘the Churches of the Anglican Communion.’ Are the churches of the Anglican communion, properly so called, the thirty eight national bodies that belong to the Communion or are they the dioceses of the Communion gathered round their diocesan bishops? This is not just a theoretical ecclesiological question, but also a practical one since it raises the question of whether the bodies that should subscribe to the Covenant are the national bodies or the dioceses. This issue does not require a revision of the text, but it is something that needs to be addressed.

(6) The biblical texts currently at the beginning of each section of the Covenant should be omitted. They suggest a way of handling the biblical material that not all Anglicans share and it is not always clear how the texts relate to the material that follows. It would be better for biblical references to be integrated into the body of the text as in the case of the IATDC report on the Covenant.

(7) The word ‘solemnly’ does not add anything and should also be omitted

(8) The final clause of this Preamble is problematic because it seems to identify the churches of the Anglican Communion with the universal Church. It is only along with the Church as whole that the churches of the Anglican Communion will attain the ‘stature of the fullness of Christ’ (Eph 4:13). The clause therefore needs to be re-phrased so that it says: ‘...and to grow up to, together with all God’s people, to the full stature of Christ.’

2 The Life We Share: Common Catholicity, Apostolicity and Confession of Faith
(*Deuteronomy 6.4-7, Leviticus 19.9-10, Amos 5.14-15, 24; Matthew 25, 28.16-20, 1 Corinthians 15.3-11, Philippians 2.1-11, 1 Timothy 3:15-16, Hebrews 13.1-17*)

Each member Church, and the Communion as a whole, affirms:

(1) that it is part of the one, holy, catholic, and apostolic Church, worshipping the one true God, Father, Son, and Holy Spirit [1];

(2) that it professes the faith which is uniquely revealed in the Holy Scriptures as containing all things necessary for salvation and as being the rule and ultimate standard of faith [2], and which is set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation [3];

(3) that it holds and duly administers the two sacraments ordained by Christ himself – Baptism and the Supper of the Lord – ministered with the unfailing use of Christ’s words of institution, and of the elements ordained by him [4];

(4) that it participates in the apostolic mission of the whole people of God;

(5) that, led by the Holy Spirit, it has borne witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons [5];

(6) our loyalty to this inheritance of faith as our inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making Him known to our societies and nations [6].

¹ Cf. The Preface to the Declaration of Assent, Canon C15 of the Church of England.

² Cf. The Lambeth Quadrilateral of 1888

³ Cf. The Preface to the Declaration of Assent, Canon C15 of the Church of England.

⁴ cf. The Chicago-Lambeth Quadrilateral 1886/1888, The Preface to the Declaration of Assent, Canon C15 of the Church of England.

⁵ This is not meant to exclude other Books of Common Prayer and Ordinals duly authorised for use throughout the Anglican Communion, but acknowledges the foundational nature of the Book of Common Prayer 1662 in the life of the Communion.

⁶ Cf. The Preface to the Declaration of Assent, Canon C15 of the Church of England.

Comment

(9) In its present form this section of the Covenant has the problem of churches making affirmations about themselves. It also suggests that the Catholic Church is divided into a number of different parts, each of which is less than the whole, whereas in fact the Catholic Church is present in its fullness in each individual church, albeit in relationship with all the other local churches.

These difficulties would be avoided if the section were to be re-cast using the established ecumenical formula of mutual recognition. The section would then be about each church of the Anglican Communion recognising the presence of the Catholic Church in all the others. To make the style consistent with the Preamble the beginning of the section should use the first person plural.

(10) The language of subsection 2 is muddled because material from the Lambeth Quadrilateral has been combined with material from Article VI of the Thirty Nine Articles.

(11) Subsection 3 suggests that there are only two sacraments that were ordained by Christ. Although some Anglicans hold this position others do not and it would be better to avoid language that would provoke argument about this issue.

(12) Subsection 5 seems to suggest that every church has made use of the historic formularies, whereas in fact this has not been the case. Reference to the Thirty Nine Articles can also be seen to suggest a 'maximalist' approach

to doctrinal agreement whereas arguably the Covenant requires a more 'minimalist' approach. On the other hand, having a reference to the formularies is important to many Anglicans who see them as a guarantee of fidelity to orthodox biblical theology. A way forward might be to use the language of the Church of England's Declaration of Assent and to talk about 'the faith to which the formularies bear witness.'

(13) In order to reflect the points just made, the section could be re-written along the following lines:

We recognise in one another:

(1) The one, holy, catholic, and apostolic Church, worshipping the one true God, Father, Son, and Holy Spirit and participating in the apostolic mission of the whole people of God;

(2) Profession of the faith that is uniquely revealed in the Holy Scriptures (which contain all things necessary for salvation and are the rule and ultimate standard of faith), which is set forth in the catholic creeds, and to which the historic Anglican formularies bear witness;

(3) Loyalty to this inheritance of faith as their inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making Him known to their societies and nations;

(4) Due administration of the sacraments of Baptism and the Supper of the Lord ordained by Christ himself, ministered with the unfailing use of Christ's words of institution, and of the elements ordained by him.

3 Our Commitment to Confession of the Faith

(Deuteronomy 30.11-14, Psalm 126, Mark 10.26-27, Luke 1.37, 46-55, John 8: 32, 14:15-17, 1 Corinthians 11.23-26, 2 Timothy 3:10-4:5;)

In seeking to be faithful to God in their various contexts, each Church commits itself to:

(1) uphold and act in continuity and consistency with the catholic and apostolic faith, order and tradition, biblically derived moral values and the vision of humanity received by and developed in the communion of member Churches;

(2) seek in all things to uphold the solemn obligation to sustain Eucharistic communion, welcoming members of all other member churches to join in its own celebration, and encouraging its members to participate in the Eucharist in a member church in accordance with the canonical discipline of that host church;

(3) ensure that biblical texts are handled faithfully, respectfully, comprehensively and coherently, primarily through the teaching and initiative of bishops and synods, and building on the best scholarship, believing that scriptural revelation must continue to illuminate, challenge and transform cultures, structures and ways of thinking;

(4) nurture and respond to prophetic and faithful leadership and ministry to assist our Churches as courageous witnesses to the transformative power of the Gospel in the world.

(5) pursue a common pilgrimage with other members of the Communion to discern truth, that peoples from all nations may truly be free and receive the new and abundant life in the Lord Jesus Christ.

Comment

(14) As before, the section should start with the second person plural: 'We commit ourselves to...'

(15) The Covenant needs to contain a reference to ethics. However, the reference in subsection 1 to 'biblically derived moral values' assumes a deductive approach to the relationship between Christian ethics and the Bible to which many Anglicans would not subscribe. In addition, something needs to be said about the renewal of humanity and the whole created order in Christ as the context for Christian ethics and there should to be a reference to 'holiness' as a comprehensive term for the way of life that God enables and requires.

A helpful approach would be finish subsection 1 after the word 'tradition' and to then insert a new subsection 2 along the following lines:

Uphold and proclaim a pattern of Christian moral reasoning and discipline that is rooted in, and answerable to, the teaching of Holy Scripture and the Catholic tradition, and that reflects the renewal of humanity and the whole created order through the death and resurrection of Christ and the holiness that in consequence God gives to, and requires from, His people.

(16) In subsection 3 it would be better to replace the redundant word 'solemn' with the term 'Christian' to make it clear that the obligation to sustain Eucharistic communion is something that is incumbent upon us because we are Christians.

4 The Life We Share with Others: Our Anglican Vocation

(Jeremiah 31.31-34, Ezekiel. 36.22-28, Matthew 28.16-20, John 17.20-24, 2 Corinthians 8-9, Ephesians 2:11-3:21, James 1.22-27)

(1) We affirm that Communion is a gift of God: that His people from east and west, north and south, may together declare his glory and be a sign of God's Kingdom. We gratefully acknowledge God's gracious providence extended to us down the ages, our origins in the undivided Church, the rich history of the Church in Britain and Ireland shaped particularly by the Reformation, and our growth into a global communion through the various mission initiatives.

(2) As the Communion continues to develop into a worldwide family of interdependent churches, we also face challenges and opportunities for mission at local, regional, and international levels. We cherish our faith and mission heritage as offering us unique opportunities for mission collaboration, for discovery of the life of the whole gospel and for reconciliation and shared mission with the Church throughout the world.

(3) The member Churches acknowledge that their common mission is a mission shared with other churches and traditions not party to this covenant. It is with all the saints that we will comprehend the fuller dimensions of Christ's redemptive and immeasurable love.

(4) We commit ourselves to answering God's call to share in his healing and reconciling mission for our blessed but broken and hurting world, and, with mutual accountability, to share our God-given spiritual and material resources in this task.

(5) In this mission, which is the Mission of Christ [7], **we commit ourselves**

1. to proclaim the Good News of the Kingdom of God
2. to teach, baptize and nurture new believers;
3. to respond to human need by loving service;
4. to seek to transform unjust structures of society; and
5. to strive to safeguard the integrity of creation and to sustain and renew the life of the earth.

⁷ Cf. The five Marks of Mission as set out in the MISSIO Report of 1999, building on work at ACC-6 and ACC-8.

Comment

(17) The term 'undivided Church' in subsection 1 is problematic because it is not clear which particular period in the history of the Church is meant. It would be better to talk about the 'the Church of the Apostles and 'the ancient common traditions.'

(18) 'The missionary work of the Church' would be preferable to the words 'the various mission initiatives' in the present text.

(19) The second sentence of subsection 2 could be expressed more clearly and with a greater eschatological emphasis as follows:

We cherish the fact that our faith and mission heritage offers us unique opportunities for discovery of the life that the whole gospel offers and for reconciliation and collaboration in mission with the Church throughout the world as we seek to bear witness to the transforming power of God's coming kingdom.

(20) Subsection 3 needs to be put into the first person plural ('we acknowledge'). In addition, the words 'not party to this covenant' in this

subsection are unfortunate in that they define other Christian churches in purely negative terms. They should therefore be omitted, as should the redundant words 'a mission' that precede them.

It would also strengthen the text if the word 'only' were inserted before the words 'with all the saints in the last sentence of the subsection.

(21) The reference to the Five Marks of Mission in subsection 5 should be included in the main text and in (5) 2 the word 'new' should be left out since it is not only new believers who need nurturing.

5 Our Unity and Common Life

(Numbers 11.16-20, Luke 22.14-27, Acts 2.43-47, 4.32-35, 1 Corinthians 11.23-26, 1 Peter 4:7-11, 5:1-11)

(1) We affirm the historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of his Church [8] and the central role of bishops as custodians of faith, leaders in mission, and as a visible sign of unity.

(2) We affirm the place of four Instruments of Communion which serve to discern our common mind in communion issues, and to foster our interdependence and mutual accountability in Christ. While each member Church orders and regulates its own affairs through its own system of government and law and is therefore described as autonomous, each church recognises that the member churches of the Anglican Communion are bound together, not juridically by a central legislative or executive authority, but by the Holy Spirit who calls and enables us to live in mutual loyalty and service.

I. Of these four Instruments of Communion, the Archbishop of Canterbury, with whose See Anglicans have historically been in communion, is accorded a primacy of honour and respect as first amongst equals (*primus inter pares*). He calls the Lambeth Conference, and Primates' Meeting, and is President of the Anglican Consultative Council.

II. The Lambeth Conference, under the presidency of the Archbishop of Canterbury, expressing episcopal collegiality worldwide, gathers the bishops for common counsel, consultation and encouragement and serves as an instrument in guarding the faith and unity of the Communion.

III. The Primates' Meeting, presided over by the Archbishop of Canterbury, assembles for mutual support and counsel, monitors global developments and works in full collaboration in doctrinal, moral and pastoral matters that have Communion-wide implications.

IV. The Anglican Consultative Council is a body representative of bishops, clergy and laity of the churches, which co-ordinates aspects of international Anglican ecumenical and mission work.

⁸ Cf. The Chicago-Lambeth Quadrilateral 1886/1888

Comment

(22) This section needs to begin with an additional subsection that affirms the importance of the structures of the Anglican Communion along the following lines: 'We affirm the importance of the structures of the Anglican Communion in assisting in the discernment, articulation and exercise of our shared faith and common mission.' It would also read better if the words 'we affirm' were then omitted from the subsequent paragraphs.

(23) Since it deals with two subjects, the present subsection 1 should be divided into two subsections. In the first subsection there should be a reference to the personal, collegial and communal character of episcopal ministry and in the second it should be made clear that bishops exercise their ministry 'within the whole Church' and not apart from it. It would also be better to describe bishops as 'guardians' rather than 'custodians' of the faith. 'Custodians' brings to mind museums and art galleries and suggests a focus on the maintenance of the past.

The new subsections would then run as follows:

(2) [We affirm] The historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of his Church and exercised in a personal, collegial and communal manner.

(3) The ministry of bishops within the whole Church as guardians of faith, leaders in mission, and as a visible sign of unity.

(24) The first paragraph of subsection 2 is rather long and should be divided into two subsections. In addition, the description of the four Instruments of Communion sits uneasily with the affirmations that precede it. It would fit better in a descriptive section in the Introduction to the Covenant.

It would also be helpful if the term 'Instruments of Communion' taken from the *Windsor Report* was explained in terms of the four Instruments being 'instruments of unity and means of communion.'

(25) It would strengthen the final sentence of paragraph I. of the current subsection 2 if it read 'preach and live out the gospel.' In addition, the second sentence needs to be an affirmation that each church makes about itself.

In the light of these suggestions, the two new subsections would then read:

(4) [We affirm] The place of the four Instruments of Communion as instruments of unity and means of communion which serve to discern our common mind in Communion issues, and to foster our interdependence and mutual accountability in Christ.

(5) Each of our churches orders and regulates its own affairs through its own system of government and law and is in that sense autonomous. However, we recognise that we are bound together, not juridically by a central legislative or executive authority, but by the Holy Spirit who calls and enables us to preach and live out the gospel in mutual loyalty and service.

(26) What is said about the role of the Archbishop of Canterbury would benefit from some revision and development. It needs to note that as the bishop who presides in the Anglican Communion, he is a locus and means of its unity, that he exercises a ministry of primacy that involves teaching, the gathering of his fellow bishops to take counsel together, and determining which churches belong to the Anglican Communion, that he acts as the host of the Lambeth Conference and the Primates' Meeting and that he is the President of the Anglican Consultative Council.

(27) What is said about the Primates meeting needs to note that it is a meeting of the presiding bishops of the Communion and acts as the executive committee of the Lambeth Conference.

(28) The description of the Anglican Consultative Council needs re-working. It is unhelpful to imply that the ACC in particular represents the bishops, clergy and laity of the Communion in a manner than the other Instruments do not and the final clause of the description of the gives a rather limited picture of its role It would better to say something along the lines of:

The Anglican Consultative Council is a body consisting of bishops, clergy and laity representing the member churches of the Anglican Communion. It has the task of fostering mutual responsibility and interdependence within the life of the Communion.

6 Unity of the Communion

(Nehemiah 2.17,18, Mt. 18.15-18, 1 Corinthians 12, 2 Corinthians 4.1-18, 13: 5-10, Galatians 6.1-10)

Each Church commits itself

(1) in essential matters of common concern, to have regard to the common good of the Communion in the exercise of its autonomy, and to support the work of the Instruments of Communion with the spiritual and material resources available to it.

(2) to spend time with openness and patience in matters of theological debate and discernment to listen and to study with one another in order to comprehend the will of God. Such study and debate is an essential feature of the life of the Church as it seeks to be led by the Spirit into all truth and to proclaim the Gospel afresh in each generation. Some issues, which are perceived as controversial or new when they arise, may well evoke a deeper understanding of the implications of God's revelation to us;

others may prove to be distractions or even obstacles to the faith: all therefore need to be tested by shared discernment in the life of the Church.

(3) to seek with other members, through the Church's shared councils, a common mind about matters of essential concern, consistent with the Scriptures, common standards of faith, and the canon law of our churches.

(4) 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.

(5) to seek the guidance of the Instruments of Communion, where there are matters in serious dispute among churches that cannot be resolved by mutual admonition and counsel:

1. by submitting the matter to the Primates Meeting
2. if the Primates believe that the matter is not one for which a common mind has been articulated, they will seek it with the other instruments and their councils
3. finally, on this basis, the Primates will offer guidance and direction.

(6) 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.

Comment

(29) In order to provide the background to this section of the Covenant there needs to be a section in the Introduction that sets out the distinctive Anglican theological method, the distinctive Anglican approach to discernment and decision making in the life of the Church and the distinctiveness and importance of the Anglican liturgical tradition. This section in the Introduction should include material from the final two sentences of subsection 2. These sentences are descriptive in nature and therefore do not sit easily in a section which is concerned with commitment rather than description.

(30) The opening words of the section need to become 'As churches of the Anglican Communion we commit ourselves' and the rest of the section needs re-wording accordingly.

(31) The first sentence of subsection 4 also needs to contain a reference to matters which threaten our ecumenical relationships. We suggest:

...in matters which threaten the unity of the Communion, our fellowship with other churches and the effectiveness of our mission.

(32) The second sentence of subsection 4 should talk not just about 'moral authority,' but also about 'spiritual, pastoral and doctrinal authority.'

(33) Subsection 5 needs to make some reference to the enhanced role that the 1988 and 1998 Lambeth Conferences asked the Primates to exercise in order to make it clear that the Primates are not simply attempting to claim power over the Communion. It also needs to make clear that what is suggested is a mechanism for ensuring that significant and potentially divisive decisions are taken only after there has been a proper conversation about the issue in question across the Communion. In addition, the words 'their councils' in 5.2 need to be omitted since the Instruments do not have councils.

From a Church of England perspective, Stephen Slack has confirmed that it would be unlawful for the General Synod to delegate its decision making powers to the Primates, and that this therefore means that it could not sign up to a Covenant which purported to give the Primates of the Communion the ability to give 'direction' about the course of action that the Church of England should take.

In order to address these issues the subsection might be re-worded as follows:

[We commit ourselves] to submit matters in serious dispute that cannot be resolved by mutual admonition and counsel to the Primates so that (in accordance with the responsibilities given to them by the Lambeth Conferences of 1988 and 1998) they can offer guidance on how they may be resolved, either on the basis of the existing position of the Communion, or after the development of a common mind through consultation with the local churches of the Communion and their bishops and with the other Instruments of Communion .

(34) There needs to a new sub-section that addresses the issue of intervention in the affairs of Anglican churches. This needs to indicate that what we are really talking about is intervention in other Anglican provinces and to uphold the principle that such interventions should not normally take place, whilst allowing for the possibility of properly authorised schemes of pastoral oversight involving bishops from other churches when these are required in extraordinary circumstances. This subsection needs to say something along the lines of:

[We commit ourselves] to refrain from intervening in the life of other Anglican churches (sc. provinces) except in extraordinary circumstances where such intervention has been specifically authorised by the relevant Instruments of Communion.

(35) In view of what has just been said, subsection 6 needs to be renumbered as subsection 7. In view of the anxieties that have been expressed about the

use of this subsection as a mechanism for expelling churches from the Communion, it needs to explain the positive function of the exercise of discipline in the life of the Church (with biblical references to support this idea) and to contain a commitment to accepting the discipline involved in being a member church of the Anglican Communion. As before, the reference to the 'councils' of the Instruments of Communion needs to be removed.

In order to reflect these comments the subsection could be revised along the following lines:

Acknowledging the need for the exercise of discipline within the life of the Church in order to preserve its holiness and the effectiveness of its mission and to ensure that those who have erred are brought to repentance and restoration, we commit ourselves to accept the patterns of discipline involved in being part of the Anglican Covenant. In the most extreme circumstances, where member churches choose not to fulfil the substance of the covenant as understood by the Instruments of Communion, we will consider such churches to have relinquished for themselves the force and meaning of the covenant's purpose, and we accept that a process of restoration and renewal will be required to re-establish their covenant relationship with other member churches.

7 Our Declaration

(Psalms 46, 72.18,19, 150, Acts10.34-44, 2 Corinthians 13.13, Jude 24-25)

With joy and with firm resolve, we declare our Churches to be partners in this Anglican Covenant, releasing ourselves for fruitful service and binding ourselves more closely in the truth and love of Christ, to whom with the Father and the Holy Spirit be glory for ever. Amen.

Comment

(36) There are no comments on this section except for the point that has already been made about the need to take out the biblical texts at the beginning of the section and the suggestion that the words 'in the proclamation of the gospel' might be included after the words 'fruitful service' in order to make the specific character of this service clear.

II. A revision of the text from the Covenant Design Group in the light of the points made in the commentary

An Introduction to a Draft Text for an Anglican Covenant

‘This life is revealed, and we have seen it and testify to it, and declare to you the eternal life that was with the Father and was revealed to us – we declare to you what we have seen and heard so that you also may have fellowship with us; and truly our fellowship is with the Father and with his Son Jesus Christ (1 John 1:2-3).

By this we know that we abide in him and he in us, because he has given us of his Spirit’ (1 John 4:13).

What is the life revealed to us? St John makes it clear that the fellowship or communion (*koinonia*) of life in the Church reflects the communion that is the divine life itself, the life of the Trinity. This is not the revelation of a reality remote from us, for in the communion of the Church we share in the divine life. The communion manifested in the life of the Church has the Trinitarian fellowship as its basis, model and ultimate goal. Conversely, the communion of the Persons of the Holy Trinity creates, structures and expounds the mystery of the communion experienced in the Church. It is within the and by the Church that we come to know the Trinity and by the Trinity we come to understand the Church because ‘the Church is full of Trinity.’¹

The Holy Scriptures tell us that in seeking communion with humankind despite our rebellion and sin, God made covenants with Noah, Abraham, Israel and David. His aim was to bless all nations as they responded to his invitation to live in communion with him, so that he might restore his image in them.

In Jesus there is now another covenant: “this is my blood of the covenant, poured out for many for the forgiveness of sins” (Matt 26:28). In this covenant we find a renewed communion with God as we share with others the forgiveness of sins through Jesus. We discover our communion with others in mission through Christ, and our mission is to spread the communion of Christ, ultimately with the whole of creation.

Those who are in communion with God through Jesus Christ form one universal Church which is called to be: ‘through the work of the Spirit, an anticipatory sign of God’s healing and restorative future for the world. Those who, despite their own sinfulness, are saved by grace through their faith in God’s gospel (Eph. 2:1-10) are to live as a united family across traditional ethnic and other boundaries (2:11-12), and so are to reveal the wisdom of the one true God to the hostile and divisive powers of the world (3:9-10) as they explore and celebrate the love of God made known through Christ’s dwelling in their hearts (3:14-21). The redeemed unity which is God’s will for the whole creation is to be lived out within the life of the Church as, through its various God-given ministries, it is built up as the Body of Christ and grows to maturity not least through speaking the truth in love (1:10, 22-23; 4:1-16).’²

¹ *The Church of the Triune God* Paragraphs 1- 3

² *Windsor Report* Paragraph 2

In the providence of God, which operates in spite of the divisions caused by sin, various families of churches have grown up within the universal Church during the course of its history. Among these families is the Anglican Communion, which provides us our special charism and identity among the many followers and servants of Jesus. Three important characteristics of this special charism and identity are a distinctive Anglican theological method, distinctive Anglican patterns of leadership and decision-making and a distinctive Anglican liturgical tradition.

Theological Method

Anglican theological method is rooted in the teaching of Holy Scripture, ‘the fountain and well of truth,’³ containing all things necessary to salvation and constituting the rule and ultimate standard of faith, and recognizes the need for a communal reading of Scripture that is informed by biblical scholarship

It gives due weight to the witness to divine truth borne by the created order and the Catholic tradition (with particular importance being attached to the Catholic Creeds, the teaching of the Fathers of the first five centuries and the three ‘historic formularies’ – the Thirty Nine Articles, the Book of Common Prayer and the Ordinal - that emerged out of the English Reformation).

It involves the use of reason, renewed by the Holy Spirit. ‘In vain were it to speak any thing of God, but that by reason men are able to judge of that they hear, and by discourse to discern how consonant it is to truth.’⁴

Finally, it accepts the obligation to proclaim the Apostolic faith afresh in each generation. This involves fidelity to the witness of Scripture, the created order, and the Catholic tradition in the context of the different cultures, societies and situations in which Anglicans are called to live, serve, worship and evangelise. Learning to proclaim the Apostolic faith afresh involves a process of study and debate within the Church because it means the emergence of new ideas and approaches, some of which, even though perceived as controversial when they arise, will lead to a deeper understanding of the implications of God’s revelation to us, others of which will ultimately prove to be distractions or even obstacles to the faith and all of which need to be tested by a process of shared discernment in the life of the Church.

Patterns of leadership and decision-making

This process of shared discernment in the life of the Church takes place within the framework provided by distinctive Anglican patterns of leadership and decision-making.

In accordance with the tradition of the Church going back to Apostolic times, the bishops of Anglican Communion are called to lead their churches in mission. They have a responsibility for teaching the Apostolic faith, acting as the chief ministers of the sacraments, exercising pastoral oversight and symbolizing and maintaining the

³ Thomas Cranmer *A Fruitful Exhortation to the Reading and Knowledge of Holy Scripture*.

⁴ Richard Hooker *Laws of Ecclesiastical Polity* III.VIII.11

unity of the Church. Their ministry is exercised in a personal, collegial and communal way.⁵

The collegial and communal aspects of episcopal ministry are exercised in consultation with other bishops and with representatives of the other clergy and of the laity. This consultation takes place through the various synodical structures that exist within the churches of the Anglican Communion and by means of the four 'Instruments of Communion.' These are the instruments of unity and means of communion which link the churches together in order that their common life may be built up and their common mission exercised more effectively. These Instruments of Communion are:

- I. The Archbishop of Canterbury, who, as the Bishop of the See of Canterbury presides in the Anglican Communion as whole, is a locus and means of unity. He exercises a ministry of primacy that involves teaching, the gathering of his fellow bishops to take counsel together, and determining which churches belong to the Anglican Communion. He is the host of the Lambeth Conference and the Primates' Meeting and President of the Anglican Consultative Council.
- II. The Lambeth Conference which, under the presidency of the Archbishop of Canterbury, expresses worldwide episcopal collegiality by gathering the bishops of the Anglican Communion for common counsel, consultation and encouragement and serves as an instrument in guarding the faith and unity of the Communion.
- III. The Primates' Meeting, hosted by the Archbishop of Canterbury, which assembles the presiding bishops of the Communion for mutual support and counsel and acts as the executive committee of the Lambeth Conference. It monitors global developments and works in full collaboration in doctrinal, moral and pastoral matters that have Communion-wide implications.
- IV. The Anglican Consultative Council, which is a body consisting of bishops, clergy and laity from the churches of the Communion. It has a responsibility for fostering mutual responsibility and interdependence within the life of the Communion.

The Anglican liturgical tradition

Alongside a distinctive Anglican theological method and distinctive Anglican patterns of leadership and decision making, a third key feature of Anglican identity is a distinctive Anglican liturgical tradition.

This tradition, which can be traced back to the work of Archbishop Thomas Cranmer in the sixteenth century, is a tradition of worship in the vernacular that is rooted in Scripture and also draws on liturgical material from the Patristic, Medieval and Reformation periods. The Book of Common Prayer and the Ordinal attached to it have particular importance within this tradition and are among the three 'historic formulae,' which are seen as giving classic expression to the faith which Anglicans share.

⁵ See *Baptism Eucharist and Ministry*, Ministry III. B.26

The fact that these two liturgical texts are included among the historic formulae reflects the Anglican acceptance of the ancient principle *lex orandi, lex credendi* (the law of praying is the law of believing), in the sense that for Anglicans what is contained in their liturgies has a central role in articulating and defining their common faith and practice.

A shared liturgical tradition has been one of the key factors that has created a sense of common identity amongst Anglican Christians and it has thus played a central role in helping to create and sustain the unity of the Anglican Communion

Recognizing the duty and challenge of maintaining communion in the Anglican family of churches, and the need for mutual commitment and discipline as a witness to God's promise in a world and time of instability, conflict, and fragmentation, we covenant together as churches of this Anglican Communion to be faithful to God's promises through the historic faith we confess, the way we live together and the focus of our mission.

Our faith embodies a coherent testimony to what we have received from God's Word and the Church's long-standing witness; our life together reflects the blessings of God in growing our Communion into a truly global body; and the mission we pursue aims at serving the great promises of God in Christ that embrace the world and its peoples, carried out in shared responsibility and stewardship of resources, and in interdependence among ourselves and with the wider Church.

Our prayer is that God will redeem our struggles and weakness, and renew and enrich our common life so that the Anglican Communion may be used to witness effectively in all the world to the new life and hope found in Christ

1. Preamble

We, the Churches of the Anglican Communion, under the Lordship of Jesus Christ, covenant together in these articles, in order to proclaim more effectively in our different contexts the Grace of God revealed in the Gospel, to offer God's love in responding to the needs of the world, to maintain the unity of the Spirit in the bond of peace, and, together with all God's people, to grow up to the full stature of Christ.'

2 The Life We Share: Common Catholicity, Apostolicity and Confession of Faith

We recognise in one another:

(1) The one, holy, catholic, and apostolic Church, worshipping the one true God, Father, Son, and Holy Spirit and participating in the apostolic mission of the whole people of God;

(2) Profession of the faith that is uniquely revealed in the Holy Scriptures (which contain all things necessary for salvation and are the rule and ultimate standard of faith), which is set forth in the catholic creeds, and to which the historic Anglican formularies bear witness.

(3) Loyalty to this inheritance of faith as their inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making Him known to their societies and nations;

(4) Due administration of the sacraments of Baptism and the Supper of the Lord ordained by Christ himself, ministered with the unfailing use of Christ's words of institution, and of the elements ordained by him.

3 Our Commitment to Confession of the Faith

In seeking to be faithful to God in our various contexts, we commit ourselves to:

(1) uphold and act in continuity and consistency with the catholic and apostolic faith, order and tradition;

(2) uphold and proclaim a pattern of Christian moral reasoning and discipline that is rooted in, and answerable to, the teaching of Holy Scripture and the Catholic tradition, and that reflects the renewal of humanity and the whole created order through the death and resurrection of Christ and the holiness that in consequence God gives to, and requires from, His people;

(3) seek in all things to uphold the Christian obligation to sustain Eucharistic communion, welcoming members of all other member churches to join in our own celebrations, and encouraging our members to participate in the Eucharist in another member church in accordance with the canonical discipline of that host church;

(4) ensure that biblical texts are handled faithfully, respectfully, comprehensively and coherently, primarily through the teaching and initiative of bishops and synods, and building on the best scholarship, in the belief that scriptural revelation must continue to illuminate, challenge and transform cultures, structures and ways of thinking;

(5) nurture and respond to prophetic and faithful leadership and ministry to assist our churches as courageous witnesses to the transformative power of the Gospel in the world.

(6) pursue a common pilgrimage with other members of the Communion to discern truth, so that people from all nations may truly be free and receive the new and abundant life that Christ offers .

4 The Life We Share with Others: Our Anglican Vocation

(1) **We affirm** that Communion is a gift of God: that His people from east and west, north and south, may together declare his glory and be a sign of God's Kingdom. We gratefully acknowledge God's gracious providence extended to us down the ages, our origins in the Church of the Apostles, the ancient common traditions, the rich history of the Church in Britain and Ireland shaped by the Reformation, and our growth into a global communion through the missionary work of the Church.

(2) As the Communion continues to develop into a worldwide family of interdependent churches, we also face challenges and opportunities for

mission at local, regional, and international levels. We cherish the fact that our faith and mission heritage offers us unique opportunities for discovery of the life that the whole gospel offers and for reconciliation and collaboration in mission with the Church throughout the world as we seek to bear witness to the transforming power of God's coming kingdom.

(3) **We acknowledge** that our common mission is shared with other churches and traditions. It is only with all the saints that we will comprehend the fuller dimensions of Christ's redemptive and immeasurable love.

(4) **We commit** ourselves to answering God's call to share in his healing and reconciling mission for our blessed but broken and hurting world, and, with mutual accountability, to share our God-given spiritual and material resources in this task.

(5) In this mission, which is the Mission of Christ, **we commit ourselves**, in accordance with the 'Five Marks of Mission'

1. to proclaim the Good News of the Kingdom of God
2. to teach, baptize and nurture believers;
3. to respond to human need by loving service;
4. to seek to transform unjust structures of society; and
5. to strive to safeguard the integrity of creation and to sustain and renew the life of the earth.

5 Our Unity and Common Life

(1) **We affirm** the potential importance of the structures of the Anglican Communion in assisting in the discernment, articulation and exercise of our shared faith and common mission.

(2) The historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of his Church and exercised in a personal, collegial and communal manner.

(3) The ministry of bishops within the whole Church as guardians of faith, leaders in mission, and as a visible sign of unity.

(4) The place of the four 'Instruments of Communion,' as instruments of unity and means of communion which serve to discern our common mind in Communion issues, and to foster our interdependence and mutual accountability in Christ.

(5) Each of our churches orders and regulates its own affairs through its own system of government and law and is in that sense autonomous. However we recognise that we are bound together, not juridically by a central legislative or executive authority, but by the Holy Spirit who calls and enables us to preach and live out the gospel in mutual loyalty and service.

6 Unity of the Communion

As churches of the Anglican Communion:

We commit ourselves

(1) in essential matters of common concern, to have regard to the common good of the Communion in the exercise of our autonomy, and to support the work of the Instruments of Communion with our spiritual and material resources available to it;

(2) to spend time with openness and patience in matters of theological debate and discernment to listen and to study with one another in order to comprehend the will of God;

(3) to seek with other members, through the Church's shared councils, a common mind about matters of essential concern, consistent with the Scriptures, common standards of faith, and the canon law of our churches;

(4) to heed the counsel of our Instruments of Communion in matters which threaten the unity of the Communion, our fellowship with other churches 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 spiritual, pastoral and doctrinal authority which commands our respect;

(5) to submit matters in serious dispute that cannot be resolved by mutual admonition and counsel to the Primates so that (in accordance with the responsibilities given to them by the Lambeth Conferences of 1988 and 1998) they can offer guidance on how they may be resolved, either on the basis of the existing position of the Communion, or after the development of a common mind through consultation with the local churches of the Communion and their bishops and with the other Instruments of Communion.

(6) to refrain from intervening in the life of other Anglican churches (sc provinces) except in extraordinary circumstances where such intervention has been specifically authorised by the relevant Instruments of Communion.

(7) Acknowledging the need for the exercise of discipline within the life of the Church in order to preserve its holiness and the effectiveness of its mission and to ensure that those who have erred are brought to repentance, healing and restoration (Mt 18:15-20, 1 Cor 5:1-5, 2 Cor 2:5-11, 1 Tim 1:20), **we commit** ourselves to accept the patterns of discipline involved in being part of the Anglican Covenant. In the most extreme circumstances, where member churches choose not to fulfil the substance of the covenant as understood by the Instruments of Communion, we will consider such churches to have relinquished for themselves the force and meaning of the covenant's purpose, and we accept that a process of restoration and renewal will be required to re-establish their covenant relationship with other member churches.

7 Our Declaration

With joy and with firm resolve, **we declare** our Churches to be partners in this Anglican Covenant, releasing ourselves for fruitful service in the proclamation of the

gospel and binding ourselves more closely in the truth and love of Christ, to whom with the Father and the Holy Spirit be glory for ever. Amen.

PROVINCE OF HONG KONG SHENG KUNG HUI

PROPOSED ANGLICAN COVENANT

RESPONSE TO THE FIRST DRAFT

Following an extended period of consultation within the parishes of the three dioceses of HKSKH, together with the Missionary Area of Macau, a consultation meeting of the Provincial Clergy was held at which a range of views was aired and discussed. The following summary fairly represents the responses of the majority of our members.

1. THE DESIRABILITY OF AN ANGLICAN COVENANT

1.1 A decision to transfer *authority* from the autonomous Provincial Churches of the Anglican Communion, together with a dilution of the *authority* inherently vested in the historic role of the Archbishop of Canterbury as *spiritual leader (primus inter pares)*, to a credal document would be received by many members of HKSKH as incompatible with Anglican tradition. Beyond the mountainous obstacle of actually arriving at an agreed text lies a potential minefield of disputatious haggling over interpretations of the document whenever accusations of non-conforming and heretical provincial behaviour are laid before a Primates' Meeting.

1.2 In common with many other provinces of the Communion around the world, HKSKH treasures the traditional Anglican comprehensiveness and diversity that has enabled different theological and liturgical emphases – Anglo-catholic, Broad, Evangelical – to find expression under one extended canopy. The cohesiveness of pluralistic societies, such as the international community of Hong Kong, depends upon the fostering of a welcoming inclusiveness within churches, social clubs and all the varied organisations in which the majority come together with minority groups in an atmosphere of mutual respect and tolerance.

A covenant, if allowed to impose a prescribed, monochrome reflection of received truth, ecclesiastical correctness and *accepted* behaviour, would seriously undermine communal tolerance. The issue of the place of women as leaders in the Church presents an example of great significance in Hong Kong. In 1944 the late Revd Florence Li Tim-oi was the first woman to be ordained in the Anglican Communion. In Lambeth Palace that pastoral initiative in southern China context attracted vehement disapproval. Anglican women priests, numbers 2 and 3, were 'properly' ordained in Hong Kong in 1971. What was new and controversial was, within a generation, found to be desirable and legitimate by a large part of the Church around the world.

- 1.3 The core of unity must rest upon Jesus Christ our Lord. Whether a covenant would be capable, and the only way, of inducing an appropriate level of order and coherence within what is essentially a family of ‘adult’ churches needs further wide-ranging, exploratory discussion.
- 1.4 The emergence of the draft covenant, following the recommendation contained in the Windsor Report, is an indication of a widespread feeling that the unity of the Anglican Communion is breaking down. Obviously, if a group of primates are unable to partake of Holy Communion with one or more fellow primates then we need to question whether we have unity in our Saviour Jesus Christ.

2. THE PRACTICABILITY OF A COVENANT

- 2.1 The binding power of a future covenant is an unknown quantity when viewed against the current background of escalating polarisation and escalating incursions across provincial boundaries. The sense of autonomy when in harness with contextual and cultural considerations override respect for and understanding of the contexts and cultures of brothers and sisters in Christ in other parts of the world and for the efforts of the Archbishop of Canterbury as he struggles – without even a fig-leaf of canonical authority – to preserve a modicum of unity in the midst of diversity.
- 2.2 A system of punishment, in whatever terms, would need to be established in tandem with a covenant in order to provide a deterrent to systematic violation. It has already been mooted that the judicial authority would be vested in the Primates’ Meeting, which would transform a consultative Anglican-style ‘talking shop’ into an authoritarian Vatican-style *curia*, which would not be welcome.
- 2.3 Within the first draft of the covenant there are potential theological issues that will be difficult to negotiate; for instance, many Hong Kong Anglicans would balk at endorsing an affirmation of the Thirty-nine Articles as set out in Section 2 (5) as one of the confessions of faith.

3. A FURTHER COMMENT OFFERED IN THE LIGHT OF OUR SPECIFIC HKSKH CONTEXT.

The Hong Kong Special Administrative Region (HKSAR) is a constituent territory of the People’s Republic of China (PRC). It follows that HKSKH is an – the only – Anglican province in the emerging super power wherein Christianity has suffered trials and tribulations following the Communist Revolution in the middle of the last century.

During the years between 1984 and 1990, Archbishop Emeritus Peter Kwong, then Bishop of Hong Kong and Macao, worked tirelessly as a member of the Basic Law Drafting Committee. He succeeded not only in greatly contributing to the preservation of Hong Kong's religious freedoms but also in forging close and enduring relationships with the senior officials of the State Administration for Religious Affairs (directly under the State Council of the PRC) and the leaders of the Three-Self Patriotic Movement (the only registered post-denominational Protestant Church in China), including its Chairman for many years, Bishop Ding Guangxun – the last Anglican bishop in China.

The establishment of the HKSKH as the 38th Province of the Anglican Communion in 1998 further underscored the autonomy and independence of our Church as seen by the authorities in mainland China. In the past decade, the harmonious links have been further strengthened and in 2007, two young clerics from the Three-Self Movement Church have embarked on further studies at SKH Ming Hua Theological College in Hong Kong.

There is no doubt that the autonomous governance of our Church, together with the affectionate but non-interfering ties with the See of Canterbury and other churches of the Communion, sit easily with the familiar crystal-clear policies of the PRC government with respect to religious affairs.

HKSKH Anglicans are bound to approach any movement within the Anglican Communion towards the centralisation of power and governance with considerable reluctance and great caution.

We are pleased to offer this brief response to the draft covenant and hope that the frank and sincere comment contained herein will prove useful to the Drafting Group as it continues with its formidable task.

HONG KONG

22nd January 2008

THE CHURCH OF IRELAND RESPONSE TO THE DRAFT ANGLICAN COVENANT

PART ONE

INTRODUCTION

This Church of Ireland response to the Anglican Draft Covenant was prepared by a small drafting group comprised of those who were, or had been, elected members of ACC and those who had been much involved in ecumenical affairs on behalf of the Church of Ireland. The preliminary discussion centred on whether the idea of a Covenant was to be supported, or whether something much simpler was required, such as a common statement. Two previous Church of Ireland responses within the Windsor process had shown somewhat different emphases in relation to this issue. However it soon emerged that there was within the drafting group, a general willingness to support the Covenant concept.

The drafting group decided that rather than make a line by line response to the Draft Covenant, it would use it as a basis for the construction of what it was felt would be an acceptable form of Covenant. A new drafting for a Covenant was then discussed at a full meeting of the drafting group and the Bishops of the Church of Ireland. It received a very positive response with a few minor suggestions which were easily incorporated. The Standing Committee of the General Synod, representative of the clergy and laity of every diocese then passed the response.

The thinking behind the Church of Ireland re-drafting could be listed as threefold:

1. A Covenant should express very clearly the themes of Mutual Responsibility and Interdependence within the Body of Christ;
2. A Covenant should aim, insofar as possible, to be inclusive;
3. Whilst perhaps not solving the present crisis a Covenant should, by emphasising what is implied by mutual responsibility, go some way to prevent similar crises in the future.

The methodology of the redrafting included the following:

- To reduce discursive material;
- To remove elements of legislative structure;
- To recognise that the present Instruments of Communion should not be “set in stone”; in a Covenant, as these have evolved in the past and will do so in the future;
- To sharpen a sense of common identity and inter-dependence;
- To retain an emphasis on provincial autonomy;
- To emphasize responsibility to consult and listen in the context of mutual commitment.

In discussion it became clear that, though procedures were felt to be inappropriate within the context of a Covenant, the Anglican Communion would have to put in place procedures, in keeping with the Covenant, to deal with crises which might develop.

The redrafting of the Covenant as attached here is offered in the sincere conviction that the Church of Ireland has a real contribution to make. This response is representative of work undertaken together by those of a wide variety of views in relation to both churchmanship and issues of human sexuality. It reflects a determination to stay together in the face of the current difficulties. This redrafting is offered as a suggestion as to a possible Covenant which might be agreed on the one hand by those who emphasized the need for a greater sense of communion and all that this implied, and on the other by those who stressed the need for the recognition that provincial autonomy must remain paramount.

PART TWO

PROPOSED RE-DRAFT OF THE DRAFT ANGLICAN COVENANT

1 Preamble

We, the Churches of the Anglican Communion, under the Lordship of Jesus Christ, solemnly covenant together in these articles, in order to proclaim more effectively through our communion in our different contexts the grace of God revealed in the Gospel, to offer God's love in responding to the needs of the world, to maintain the unity of the Spirit in the bond of peace, and to grow together in our commitment to communion in the full stature of Christ.

2 Each member Church affirms

- 2.1 that it is part of the one, holy, catholic, and apostolic Church, worshipping the one God, Father, Son, and Holy Spirit;
- 2.2 that it professes the faith which is uniquely revealed in the Holy Scriptures as containing all things necessary for salvation and as being the rule and ultimate standard of faith, and which is set forth in the catholic creeds;
- 2.3 that it holds and duly administers the two sacraments ordained by Christ himself – Baptism and the Supper of the Lord – ministered with the unfailing use of Christ's Words of Institution, and of the elements ordained by Him;
- 2.4 that it participates in the apostolic mission of the whole people of God;
- 2.5 that its mission is shared with other Churches and traditions not party to this covenant;
- 2.6 that, led by the Holy Spirit, it has borne witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons;
- 2.7 the historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of his Church and the central role of bishops as custodians of the faith, leaders in mission, and as a visible sign of unity.

3 Each Church commits itself

- 3.1 To answering God's call to share in his healing and reconciling mission for our blessed but broken, hurting and fallen world, and, with mutual accountability, to share its God-given spiritual and material resources in this task.
- 3.2 In matters of common concern, to have regard to the common good of the Communion in the exercise of its autonomy, and to support the work of the Communion with the spiritual and material resources available to it.
- 3.3 To spend time with openness and patience in matters of theological debate and enquiry, listening to and studying with one another, in order to discern the will of God.
- 3.4 To ensure that biblical texts are handled faithfully, believing that scriptural revelation must continue to illuminate, challenge and transform all cultures, structures and ways of thinking.
- 3.5 To seek with other members, through the shared councils of the Communion, a common mind about matters of concern, consistent with the Scriptures, common standards of faith and the canon law of the Churches.
- 3.6 To acknowledge a moral authority in the current Instruments of Communion, while recognizing that they have no juridical, legislative or executive authority in the respective provinces.
- 3.7 To seek guidance from the Instruments of Communion where there are matters in serious dispute among Churches that cannot be resolved by mutual admonition and counsel.
- 3.8 To take heed of the Instruments of Communion in matters which may threaten the unity of the Communion and the effectiveness of our mission.
- 3.9 To acknowledge that in the most extreme circumstances, where member churches choose not to fulfill the substance of the covenant, such churches will have relinquished for themselves the force and meaning of the covenant's purpose.

4 Declaration

With joy and with firm resolve, we declare our Churches to be partners in this Anglican Covenant, releasing ourselves for fruitful service and binding ourselves more closely in the truth and love of Christ, to whom with the Father and the Holy Spirit be glory for ever. Amen.

November 2007

日本聖公会 北海道教区

DIOCESE OF HOKKAIDO, NIPPON SEI KO KAI

主教 ナタナエル 植松 誠
〒001-0015
札幌市北区北15条西5丁目1番12号
日本聖公会 北海道教区事務所
電話 (011) 717-8181
FAX (011) 736-8377



THE RT. REV. NATHANIEL M. UEMATSU
DIOCESAN OFFICE
KITA 15 JO, NISHI 5-1-12,
KITA-KU, SAPPORO 001-0015
JAPAN
TEL 81-11-717-8181
FAX 81-11-736-8377
e-mail bishop.hok@nssk.org

RECEIVED

- 4 JAN 2008

ABC
cc 7/11

The Most Rev. and Rt. Hon. Rowan Williams
Lambeth Palace,
London, SE1 7JU
ENGLAND

December 29, 2007

Dear Archbishop Rowan,

Christmas greetings from Japan.

As the House of Bishops of the Nippon Sei Ko Kai, we would like to send you our response to An Anglican Covenant, draft prepared by the Covenant Design Group, in January, 2007.

The NSKK House of Bishops had released the response to the Windsor Report 2004 to be shared at the Primates' meeting in Newry, Northern Ireland in February, 2005. The basic position of the NSKK in the issue of the Anglican Covenant had already been explained in this response, and we would like to confirm it at this time again as it is in the response. Attached is the copy of "Comments on the Windsor Report by the Nippon Seikokai House of Bishops," the response to the Windsor Report 2004.

As you could see in the paragraph 10 of our comments, the NSKK believes that the best traditions and legacies of the Anglican Communion make this kind of codified covenant unnecessary, and that even if it is agreed that this kind of basic mutual agreement needs to be codified, it should happen only after a number of years of careful examination and then only as a minimum basic agreement.

We believe that the proposed Anglican Covenant should not be put forward as it is to be ratified at each province of the Anglican Communion, because we are afraid that it would create the situation where the churches which do not ratify the Anglican Covenant be excluded from the Communion and thus the split of the Communion be finalized in spite of the effort to maintain the unity of the Communion.

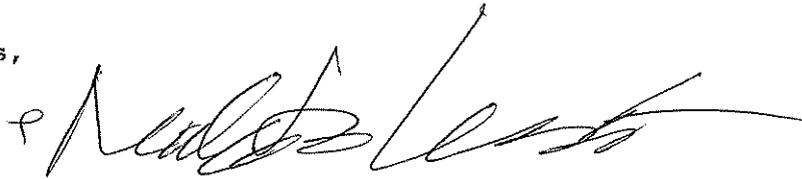
We, the House of Bishops of NSKK, reaffirm that as well as the historic position of the Archbishop of Canterbury be the central focus of both unity and mission within the Communion (Windsor Report, paragraph 109), other instruments of unity: the Lambeth Conference, Primates' Meeting and the ACC, are essential entities symbolizing the unity of the Anglican Communion, and we would like to pay our respects to those who are working hard in these instruments to maintain the unity of our beloved Communion and to pray for the Holy Spirit's guidance upon them. We expect that the instruments of unity would keep working hard to do their important task,

and we see no need to create any other instrument of unity in addition to those 4 instruments.

We understand the import of the primates' meeting. However, it seems that the role and authority of the primate and/or primates' meeting varies from one province to the other, and we do not think there is common understanding for the primate and/or primates' meeting in the Anglican Communion. Thus, we never wish that the primates' meeting have power to restrain each province with its decisions.

Your Grace Rowan, please be assured that you are always in our prayer. May the Lord guide you and protect you at this difficult time.

Faithfully yours,

A handwritten signature in black ink, appearing to read 'Nathaniel M. Uematsu'. The signature is written in a cursive style with a large, sweeping initial 'N' and a long horizontal stroke at the end.

The Most Rev. Nathaniel M. Uematsu
Primate of Japan & Bishop of Hokkaido

Comments on the Windsor Report by the Nippon Seikokai House of Bishops

February 2005

1. As a result of the confusion in the Anglican Communion caused by the Episcopal Church of the USA (ECUSA) and the Anglican Church of Canada (ACC) with a series of resolutions and actions around the subject of homosexuals persons, a committee to advise the Archbishop of Canterbury on the nature and unity of the Anglican Communion was set up. The report of this committee, "The Windsor Report 2004", was made public in October 2004. The House of Bishops of the Nippon Seikokai (NSKK), as a member of the Communion, has paid serious attention to this report.
2. This committee carried out a basic examination of the essential nature of the Anglican Communion and the direction the churches connected with it should take. It further advised the parties (churches) concerned in the series of actions on the steps they should take. The process leading to these conclusions cannot have been an easy one. We are deeply grateful for their efforts.
3. The NSKK, at the Primates' meeting of 2003, has already expressed its regret that ECUSA and ACC. (Diocese of New Westminster) proceeded to that series of resolutions and actions in spite of the concern expressed (Resolutions 1: 10-4) by the [1998] Lambeth Conference and the Primates' meeting. In that light we understand the basic viewpoint expressed in the Windsor Report.
4. However, it should be enough for the Anglican Communion as a whole, or the Archbishop of Canterbury, to urge the churches (dioceses) concerned with those kinds of resolutions and actions to reconsider their stand. There is no need to enumerate (Section D) the kind of 'advisories' (practical directions) that have no precedent in the history of the Communion. Similarly, it should also be sufficient just to urge reconsideration of their actions on the part of those bishops who have intervened in the legitimate resolutions and actions of autonomous provinces. (The above relates to Mandate 2 [page 8 of the Report] assigned to the committee.)

5. At the same Lambeth Conference that passed the resolution to refrain from the ordination of homosexual persons, the bishops of the Communion urged us to commit ourselves to listen to the voices of homosexual people. The NSKK sincerely hopes that every province and diocese of the Communion will understand the importance of this resolution and act upon it.

6. At this time the NSKK wishes particularly to emphasize that element of the Anglican tradition which seeks all possible means to recognize the diversity which emerges in the process of the indigenisation (inculturation) of the Gospel.

7. Moreover, while the NSKK believes in the authority of the Scriptures, we understand that the text of Scripture was formed within a particular historical and faith context. Accordingly, we believe that, in a context which differs both in history and in the expression of faith, we are actually permitted a variety of ways of interpreting Scripture.

8. Based on the above assumptions (6 and 7), we cannot think that the Church can have only one, absolute view of human sexuality. While recognising the authority of the Bible, there is every possibility that in the process of working out its message, differences of time and culture may be reflected in the understanding of human sexuality. We would like to think of the series of decisions and actions of ECUSA and ACC in this light.

9. This [Windsor] report makes a number of proposals concerning the way the unity of the Anglican Communion should be. However, the NSKK does not think that unity can be manifested only if we take the same interpretation of Scripture and the same theological standpoint concerning our basic understanding of human sexuality.

10. Concerning the proposed Covenant for the Anglican Communion, the NSKK believes that the best traditions and legacies of the Anglican Communion make this kind of codified covenant something that is unnecessary for either side in the argument. In particular, the statements in Part III, Article 10 of the Proposal, concerning "moral values," and the "vision of humanity" appear to imply a variety whose considerable latitude ought not to be limited by such a covenant. Even if it is agreed that this kind of basic mutual agreement needs to be codified within the Anglican Communion, it should happen only after a number of years of examination and then only as a minimum basic agreement.



THE CHURCH OF THE PROVINCE OF MYANMAR

Bishopscourt
140 pyidaungsu Yeiktha Road
Dagon P.O. (11191)
Yangon, Myanmar.

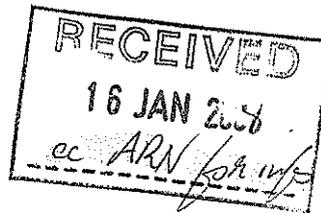
Tel (R) : 95-1-285379 95-1-381909
Tel (O) : 95-1-246813 95-1-395279
Fax : 95-1-251-405 95-1-395314
Cable : Episcopal, Yangon

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RECEIVED 16 JAN 2008

COPY

The Most Revd. Dr. Rowan Williams
Archbishop of Canterbury
Lambeth Palace
London SE17JU

31st December 2007



ABC
cc JM

Dear Archbishop Rowan,

Greetings in the name of our Lord. I am sending to you the initial response of the draft of the Anglican covenant. The draft was studied by a group of people assigned by the Provincial Standing Committee and a response was put up to the Standing Committee held in September 2007.

Our responses will be pointed out only where there might be a dispute or debatable words, phrases etc., which mean we agree all the rest proposed in this Anglican Covenant Draft.

2. The Life We Share:

No.(2) Holy Scriptureas being the rule and standard of faith.....afresh in each generation. Any action or practice which is going against the Holy Scriptures must be denounced. Honestly speaking, we all human beings go against the teachings of the Scriptures in one way or another.

No.(6) Instead of using "to this generation" we prefer using "to each generation" as used in No.(2).

3. Our Commitment to Confession of Faith

(1) "...received by the developed in the communion of member churches"

It is debatable for the use of developed in the communion of member churches. As each province has developed its traditions according to its context, it may stray from biblical derived moral value as mentioned in line 2.

(3) "...ensure that biblical texts are handled faithfully, respectfully, comprehensively and coherently".

These terms are also debatable each diocese or province would claim that it does so. For example, the majority of the Anglicans in Myanmar are illiterates they take the biblical text mostly literally and think that they handle the biblical text faithfully. So the ordinary believers usually accuse theologians and scholars as being misleading the church through their scholarly interpretations of the biblical texts.



THE CHURCH OF THE PROVINCE OF MYANMAR

Bishopscourt
140 pyidaungsu Yeiktha Road
Dagon P.O. (11191)
Yangon, Myanmar

Tel (R) : 95-1-285379 95-1- 381909
Tel (O) : 95-1-246943 95-1- 396279
Fax : 95-1-251-405 95-1- 395314
Cable : Episcopal, Yangon

6. Unity of the Communion

(2) "...to proclaim the Gospel afresh in each generation...." If the word "afresh" means "a different or an alternative or a new," we do agree. We realize what is right for this generation is not appropriate for the next generations.

(3) "...consistent with the Scripture..." This phrase also needs to be explained. There are two problems here. One is the problem of the translation from original Hebrews to Greek Vulgate and to other languages. For examples, there are differences between Septuagint (LXX) and Hebrews original version, and Vulgate (Latin version). Later translations also contain such differences in each version. It is very difficult whether "the Scriptures" refer to the original Hebrews and Greek Versions or any version of the Bible. Without using Bible commentary it would be really hard for the believers to understand Matt. 7:1-2, "Do not judge other, so that God will not judge you for God will judge you in the same way you judge others..." See also & 7:21-23. In Matthew it is said, "Be perfect as your heavenly Father is perfect" and in Luke, "Be merciful as your heavenly Father is merciful." Not to judge others, to be perfect and be merciful and be merciful are quite difficult to do.

The second one is the "interpretation" of biblical texts, not the Bible itself. Comparative studies of the Law codes in Exodus, Numbers with Deuteronomy, and 1 & 2 Sam, 1 & 2 Kings with 1 & 2 Chronicles. When the ordinary believers read these books, without using Bible commentary, it would be very difficult for them to know which texts are correct. In Myanmar we do not have Bible commentary not only in Burmese which is the common language but also in other ethnic groups. Due to that, the phrase "consistent with the Scriptures" is totally agreeable in theory but in practice it is quite argumentative.

I believe the Covenant will be life giving which will serve God's purposes in strengthening the integrity and unity of our Anglican Communion.

With love and prayer in Christ.

Your Sincerely,

Samuel San Si Htay

Archbishop and Bishop of Yangon

Some observations on the draft of “An Anglican Covenant” from the Province of the Episcopal Church in the Philippines

1. The Episcopal Church in the Philippines concurs with the intention for An Anglican Covenant as a part of a continuing process of growth within the Communion for united witness. We affirm the sufficiency of the instruments of unity in so far as it encourages consensus-building among leaders on matters affecting the whole. The latter is a time-tested principle in maintaining peace in many of our communities in the Philippines.
2. On Item 6, we propose the expansion of Matthew 18:15-18 to include verses 19 and 20 and the inclusion of 1 Cor. 8: 1 b-2, 9-13.
3. On 6.1 we propose the inclusion of the word "harmony" following "common good" thus, "common good of and harmony in the Communion.

Notes:

The Philippine Province is a young Province still struggling with its identity in this country, the various issues in the Communion and the gifts that it can contribute to this nation and the wider community where she belongs. We will certainly place the future text of the Covenant before our Synodical bodies.

Harmony is closer to the *symphonein* in Matthew 18:19 (Le. " ... agree on earth about anything, they ask, it will be done for them by my Father in heaven [RSVJ). Being in agreement is essential for answered prayers. In our experience, harmony is not only among people - families and communities - but also with the rest of creation. While humanity is important, the stewardship of creation teaches us valuable lessons in humility, harmony, balance and is also an impetus for united witness. Harmony places the responsibility and leadership on each member. This is an important experience of the ECP whose constituency are largely indigenous peoples in the northern and southern portions of the country. It is a communal and collective responsibility - a shared leadership that is not strange to Anglicans.

1Cor 8:tb-2, 9-13 is proposed mainly for the values of charity and forbearance. In terms of relationship, an older brother and sister is always asked to exercise charity and forbearance to a younger sibling. It is a mark of maturity, too. It also implies vs. 9. We hope that these two key words find their place in Item 6 of the Covenant.

**The Draft Anglican Covenant:
A Response from the Faith and Order Board
of the Scottish Episcopal Church**

1. We value greatly our membership of the Anglican Communion, and appreciate the many benefits that this Communion brings to its constituent Provinces. We are saddened by the conflicts in recent years which have given rise to the Windsor Report, and to the consequent preparation of the Draft Covenant; and we share the desire of all in the Communion to heal the divisions which have been emerging amongst us.
2. We are grateful to the Covenant Drafting Group for its efforts in this matter, and we appreciate the magnitude of the task it faces. There is much in the Draft Covenant which we wish to commend: we appreciate its rootedness in Scripture, and in the common tradition which the Anglican Communion affirms: we are grateful for its attempt to give voice to generally-agreed principles within our communion; and we feel that this is an immensely valuable exercise which should call us to celebrate all that we hold in common.
3. As in all Provinces of our Communion, different individuals and different congregations within the Scottish Episcopal Church have responded differently to the Draft Covenant, and we wish to honour and affirm the diversity of views which are present within our Province. Nevertheless, it appears to us from the comments we have received that a majority of our members would broadly affirm the response which we set out below.
4. We have three principle areas of concern regarding the Draft Covenant.
 - The discussion of the foundations which are traditionally held to undergird Anglicanism omits to mention reason, which has long been thought to stand alongside scripture and tradition.
 - The wording of section 6 of the Draft Covenant is potentially open to a wide variety of interpretations. For example, to take paragraph 6.3 alone, we feel that the expressions such as ‘common mind’, ‘matters of essential concern’, and ‘common standards of faith’, all require significant further definition before they can bear the weight being placed upon them in the context of this Covenant. We are led to wonder whether the wording of section 6 of the Draft Covenant is fit for purpose in any practical circumstance in which it is likely to be called upon.
 - We note that the Draft Covenant invests the Primates’ meeting with considerable and wide-ranging powers. We question whether the Primates’ meeting is the Instrument of Unity best suited to the task being entrusted to it (rather than the ACC, which contains a more wide-ranging representation of Church members).

5. We have two further observations to make from our particular, Scottish, context.
 - We feel that nuances which are of significance to particular provinces have been overlooked as a consequence of the quest for agreed principles. For example, our liturgical tradition has foundations other than just the Book of Common Prayer of 1662. As a consequence, the narrative of institution does not have the privileged place in our Eucharistic liturgies that is implied in section 2.3: indeed, the invocation of the Holy Spirit (the epiclesis), which does not appear in the 1662 prayer book, is equally as significant in our tradition. Instances such as this, taken singly, may appear trivial; but we are concerned that the production of any document of this type may fail to do justice to the rich pluriformity which exists within our Communion.
 - While we believe it to be regrettable that any formal document should be required for the continuation of relationships within our Communion, rather than the mutual bonds of understanding, trust, and respect which have hitherto underpinned Anglicanism, if such a document is felt to be necessary, within our own tradition in Scotland the term ‘concordat’ has been preferred to ‘covenant’ (the latter word having painful resonances in our context that would not be present in others’). A concordat, or bond of union, celebrates those things which its signatories have in common, reminding them thereby of their mutual affections and responsibilities. The American-Scottish Concordat of 1784 noted that the parties involved ‘agree in desiring that there may be as near a Conformity in Worship and Discipline established between the two Churches, as is consistent with the different Circumstances and Customs of Nations.’ We offer to our Communion such a model as a possible alternative to the Covenant proposal which is currently before us.
6. We are conscious that a full response to the Draft Covenant would require a document rather more detailed than this present one, in order to do justice to the arguments both of the Draft Covenant and of those in our Province who have offered comments on it; but in the interests of furthering discussions expeditiously, we offer this concise response to the Drafting Group for its consideration.

Response of the Anglican Church of Southern Africa to the Draft Anglican Covenant

Summary

The Anglican Church of Southern Africa is a very diverse Province with views that span close to the whole spectrum of those found within the Anglican Communion.

A wide consultation process has thus thrown up a range of perspectives, though for the most part there is agreement on the value of a Covenant and the need for appropriate mutual accountability, provided that it neither diminishes legitimate diversity and autonomy, nor constrains Anglicanism's traditional ability to address new circumstances as they arise. There is hope that a Covenant has the potential to provide a confident articulation of Anglican identity that can help us hold together as far as possible while working through differences, though acknowledging that there may need to be limits on the breadth of beliefs and practices among those who call themselves Anglican.

Of concern is that the process to develop a Covenant may be proceeding too quickly, and may be too far driven by current disagreements, which risk distorting our ability to develop a text that will achieve its stated objectives, and have a long 'shelf life.' Some have suggested a parallel commentary, which explains more fully the choices of the form of the draft and the language it employs. Some felt that though the centrality of Scripture is a fundamental Anglican tenet, this was not adequately expressed in the Draft; while for others the choices of verses for each section was unexplained, did not include key biblical references to covenant, appeared to be little more than arbitrary 'proof texts' and in all this begged the questions that the hermeneutical project will address.

The most widespread criticisms were of Section 6 of the Draft Covenant. There was close to universal disquiet at the extended role proposed for Primates, with the view that this undermines our commitment both to being 'episcopally led *and* synodically governed' and to proper collegiality between primates and their fellow bishops. Rather, there was strong affirmation that the Anglican Consultative Council should play a fuller, even decisive, role, many suggesting that this should be the body which acts in 'extreme circumstances' (section 6.6), though there should be a longer process before such point was reached. There was also concern that there was no mention of the role of Provinces' due synodical processes in the decision-making of the Communion, and little that related the Covenant to the daily life and mission of Anglicans.

The draft also raised a fundamental wider-ranging question, which is our understanding and expression of communion not only between Anglicans but in the *koinonia* of the wider Church of God. Has the work of the Inter-Anglican Theological and Doctrinal Commission been taken into account? Furthermore, given the focus of the draft on our internal life, there is a risk that we present our own self-understanding in a way that does not cohere with our relationships with others. Will, for example, the Roman Catholics 'recognise' us in the Covenant, in a way that we wish them to do so?

The draft provides no process for 'restoration and renewal.' There should be far stronger expectation of and encouragement for this, if we are to avoid the creation of new anomalies that resemble that between the Anglican Church in Southern Africa and the Church of England in South Africa. Another particular South African concern is whether

the Covenant would have any provision for others to become members of the Anglican Communion, or in 'full communion' with the Anglican Communion – a question that has been raised by the Ethiopian Episcopal Church.

Detail

By way of background, it is worth noting that Southern Africa is a hugely diverse Province in terms of race, language and culture, and similarly so in churchmanship. Almost every shade of Anglicanism is found here. We therefore have a particular experience of living with diversity (not least in opposing the artificial dehumanising divisions of apartheid and working for reconciliation across the whole human family) as well as having among us views on the presenting issue of human sexuality that span close to the entire spectrum of those found within the Communion.

It is within this context that, in September 2006, the Synod of Bishops concluded that they did not believe that differences on human sexuality were a church-dividing matter, saying:

*'We know from experience that unity is a divine given but requires constant effort to be realised; a journey that requires tolerance and grace so that no-one should be hurt and all should feel that they belong. Our own journey continues to remind us of the need for a generosity of spirit and the respect for diversity.
... As Bishops, we remain convinced that within the Anglican Communion what unites us far outweighs what divides us.
... We urge the Anglican Communion to choose to remain united in accordance with the will of the Triune God whom we seek to serve. ... We urge every part of the Anglican Communion to recognise, in one another, our common sanctification in Christ and to seek steps that, in time, will lead to reconciliation and the unity and peace that Christ wills for his Church.'*

Against this background, the Archbishop of Cape Town encouraged a wide consultation process on the Draft Covenant, and a sub-group of the Diocese of Cape Town's Theological Commission produced a study guide which was circulated to all Dioceses and used by several in their discussions. Six Dioceses submitted detailed responses (some developed in consultation with laity and clergy, some with only clergy), which are drawn on in what follows, along with some responses made by individuals.

The Archbishop also commented publicly on the Covenant in his address to the Diocesan Convention of the Diocese of California in October, while on sabbatical prior to retirement (see Appendix).

The detailed comments that follow begin with general points that refer to the Draft Covenant as a whole, and then continue with particular points raised by the sections of the Draft.

General Remarks

There is widespread agreement that the Anglican Communion would be helped by some clear enunciation of the basis of our common life in a way that allows us to go forward holding faithfully to our Christian calling. There is support for the concept of a Covenant *insofar* as it is able to achieve this – though a few have expressed concern at whether this

is actually achievable in practice. The current draft is found to be inadequate in a variety of areas, most notably section 6.

Points relating to the general nature of a Covenant include the following:

- Even the title of ‘Covenant’ was questioned, given that this seemed to be ‘a human attempt at managing unity’, rather than reflecting the nature of God’s covenants with humanity.
- A Covenant must demonstrate that we are serious about tackling the differences we face, and with honesty.
- The Covenant, and the process by which it is developed, must inspire confidence in Anglicans at every level
- It must both build unity and allow appropriate diversity (though there would not be total agreement on what constitutes ‘appropriate’ in this and following points!)
- It must preserve an appropriate autonomy for Provinces, balanced against a right level of mutual accountability and commitment
- It must allow for open airing of new issues as they arise, even if only in one or two Provinces. Others must not put a brake on, and close down, the addressing of pertinent questions. All of us must be encouraged to be aware of our cultural contexts – none is neutral, none is necessarily better or worse than any other. It is how we enunciate the gospel and live it out within them that matters.
- Thus, while upholding moral values, it must ensure the flexibility for continuing growth and development of Anglican Tradition
- To be too prescriptive would both ‘box in’ the Holy Spirit, and undermine the laity in living out their calling in the diversity of their contexts.
- The Covenant must provide processes that allow and encourage us to continue talking for as long as possible while we explore differences, without the perceived need for participants to separate themselves when disagreements first arise.
- It must respect the due Canonical and Synodical processes of Provinces and Dioceses

Wide-ranging concerns were raised about the timing and pace of the Covenant process:

- We should not feel under pressure to conclude a text hastily – we are in danger of moving too fast.
- We should not allow ourselves to be driven by the particular presenting issue, as there was far too much risk of us each addressing the draft on the basis of whether it would deliver the outcome we would prefer for the current difficulties. (Some here drew parallels with whether such a covenant would have allowed for the ordination of women to priesthood and/or episcopate – developments which all but one welcomed and feared might not have been possible with the current draft, the exception citing the opposite with feeling!)
- It also seems we are operating out of a need for ‘damage control’ rather than from the perspective of building up our common life, fuelled by a vision of a flourishing future.
- ‘We are in danger of straining out a gnat and swallowing a camel.’
- There is also too much of a feeling that this is about ‘power’ – not least, between north and south, colonial and post-colonial. We should not operate on this basis.
- Indeed, it is questionable whether now is a good time to pursue the idea of a Covenant, given the atmosphere of distrust, mutual accusation, and fundamental disagreement, with pressures from certain quarters for conformity and opposing diversity.

- The Covenant ought to be developed only *after* the outcomes of the Canon Law and Hermeneutics projects are finalised, taking their conclusions into account.
- More work needs to be done on 'diversity and unity' and we should 'not fear where an inclusive Church would take us.' We should be guided by the Lord's attitude to the stranger, the marginalised and the outsider.

One Diocese reflected in depth on the parallels between the Anglican Communion and recent South African history. They said

Both the Virginia Report and the Windsor Report have recognised the need for a basis of common life and have begun in helpful ways, to address that need. However any 'top down' or partisan basis on which a covenant may be drawn in haste will prove counter-productive; an enforced basis of unity will self-exclude those who cannot own it, and an enforced and exclusionary document containing any group's shibboleths will be ignored, We have learned in South Africa that for any process to be 'owned', it needs to be processed by the people it affects, often slowly and over time. It requires effort and expense; witness the process by which we arrived at the ordination of women.

Such a process is hard to envisage, given that the differences among us are geographical and cultural, and bridging these would require persons from distant places to engage quite deeply with each other. An unhurried Lambeth is a start but needs to be supplemented, maybe through the network of partner and link dioceses across the Communion. It would be wise to recognise that such a process will take 20 years; Lambeth should accept that and bind itself to a midway review in 2018 with a view to finality after 2028.

They also raised the question of whether a 'Truth and Reconciliation' process might be pursued, which, inter alia, would revisit the roots of Anglican history, noting that

It has been suggested that the English saw so much bloodshed around religious issues during their Civil War, that they founded an inclusive church on the basis that any amount of divergence is tolerable as long as open dispute is avoided; in any event, the Church of England, even while disputatious, continuously failed to address constructively the theological and church-cultural issues within itself over the past 200 years, but rather exported its divisions through a colonial turf-war which merely planted its divisions more widely. Only when the world shrank to today's village proportions did it realise how divided it was, and how fundamentally dishonest had been much of the 'mission and outreach' of global Anglicanism. Therefore we may be unable to make much progress until we have a 'Truth and Reconciliation Commission' at the roots of the Communion (notably in England) to address the sources of our misunderstandings and the mismatched pieces of our church life.

Another diocese made similar comments, commending reconciliation processes between individuals, particularly at the (archi)episcopal level.

Some felt that the draft was too long (often saying it was too full of theological and legal jargon that had little meaning for the majority of Anglicans and so would not enhance their life of faith), and that a more general conceptualisation would be better. Others, however, wanted a longer draft that went far more into specifics. On both sides there was disappointment that the Design Group had not provided a commentary explaining its decisions on form and structure, and choice of language.

One Diocese felt that the position and authority of Scripture ought to be made more explicit, in the Preamble, and more generally throughout the Covenant.

However, there was also widespread unhappiness (from across the spectrum of churchmanship) at the scriptural references that introduce each section: no justification was given for the use of scripture in this way, nor for those texts cited; some were lengthy passages, others only a few verses, and no reference was made to their biblical contexts, which would be the basis for understanding their import; key texts on the nature of covenant were omitted; and there were fears of ‘proof-texting’ and that choices were made to underline particular, not necessarily universally shared, perspectives.

The further point was made that interpretation of scripture was one of the underlying questions at stake in current disagreements, and to list texts in this way thus begged more questions than were answered.

It was also noted that while scripture is the supreme guide in our faith, we are nonetheless ‘*not required to believe anything that cannot be proved thereby*’ (39 Articles) and thus ‘there is space for some much-needed agnosticism’ at times, not least in relation to pastoral care, and in not tying down Anglican identity too narrowly: ‘we need a process which makes space for the views of all our people and does not command them how to vote.’

There was also widespread concern that a connection should better be made between any Covenant and the ‘grass roots’ life of the Church. A Covenant should be comprehensible to every church member, and should express Anglican identity in ways that strengthen and encourage Christian life and mission at parish level also.

The question was raised of whether there should be some provision internal to the Covenant to allow for its future amendment. There was a danger that it would be ‘set in stone’ and so soon become outdated, risking irrelevance

Specific Comments

1. Preamble

One Diocese suggest the final clause should read ‘*and to seek to grow together towards the full stature of Christ.*’

2. The Life We Share

There was concern that this section in particular should be informed by the outcome of the canon law project. Do all Provinces cite the 39 Articles, for example, and might oaths of canonical obedience be useful to quote?

There was also surprise that no reference was made here or elsewhere to ‘scripture, tradition and reason’, which have historically been seen as foundational within Anglican self-understanding.

3. Our Commitment to the Confession of Faith

Several Dioceses expressed concern that the wording of this section was too open to a variety of interpretations.

In (1) it was felt that 'biblically derived moral values' was a weak phrase, since biblical warrant is claimed for all manner of, sometimes contradictory, moral positions: 'almost any position could be derived from the Bible by those holding that position.' (See reference above to hermeneutics project.) A proposed alternative was '*a biblically inspired vision of humanity.*'

The reference that scripture 'must continue to illuminate, challenge and transform cultures ...' in (3) was welcomed;

Also in (3) it was suggested that 'comprehensively' be replaced by '*contextually*'.

In (4) the question was raised about what we mean by, and how we test 'prophetic' leadership/

The following rewording was proposed for (5): '*pursue a common ... Communion as we journey together towards discerning the truth that peoples from all nations may be truly free in celebrating the new and abundant life, in our Lord Jesus Christ, expressed through love, mutual respect, and openness to honour one another, despite our differences.*'

4. The Life We Share With Others

It was suggested that the first sentence be amended to read: 'We affirm that the Communion is a gift from God: and that *God's people from all over the world are called to declare God's glory* and be a sign of God's Kingdom.'

5. Our Unity and Common Life

While the Instruments of Communion were generally confirmed, concern was raised as to whether the Archbishop of Canterbury was likely always to be a British citizen, which distorted the office, as did also the requirement to swear allegiance to the British Crown, and the particular relationship with Parliament and other aspects of establishment.

One Diocese wondered whether there should be an additional Archbishop, not from the Church of England, having a special and unique relationship with Anglicans outside the Church of England.

It was stressed that though the Archbishop of Canterbury should be the 'first among equals' he should not become an Anglican "Pope".

6. Unity of the Communion

This section gave rise to the greatest number of comments. There was near universal agreement that the draft gave too great a role to the Primates, whom some felt already enjoyed too much power.

Rather, there was strong affirmation that the ACC should be the body that has a decisive role in addressing disputes, should this be necessary (with the hope that this would be rather more the 'last resort' than in the draft which seemed to move too precipitately to this point). One diocese suggested that the ACC function by houses, with each house being required to attain a 2/3 majority on the action to be taken in matters of serious dispute.

One diocese qualified this by noting that not all ACC representatives are necessarily chosen through due synodical processes and hoped the balance of decision-making could be sited within Provinces and Dioceses, taking account of the councils of parishes, unless ACC membership could be shown to be fully in touch with the grass roots.

There was a strong explicit commitment to upholding our ethos as episcopally led *and* synodically governed.

There was also concern that privileging the Primates undermines our understanding of conciliarity among bishops. Our being 'episcopally led' should focus more on the Lambeth Conference – though it was noted that there was huge disparity among Provinces about the number of parishes and individuals falling under each bishop's oversight.

One suggestion was that the paragraphs be reordered: 3), 4), 1), 2), 5), 6).

It was suggested that the Instruments of Unity be listed in (1) after the reference to them.

It was suggested the word 'prayerfully' be added to (2)

Conscious of our own long and divided relationship with the Church of England in South Africa, there concern that the draft contained no procedure for what might happen *after* the actions of (6). There should be much clearer provision for, and expectation of, going forward in some sort of relationship, even if impaired, and seeking future reconciliation. Several dioceses voiced concern that similar situations to ACSA/CESA should not be allowed to arise.

The question was raised as to who are the 'we' of (6).

7. Our Declaration

This wording was generally acceptable. There was concern that the declaration should indeed be made with joy, and not with any feeling of compulsion.

+David Beetge
Vicar General of the Anglican Church of Southern Africa.

21st December 2007.

Appendix

Extract from the address given by Archbishop Njongonkulu Ndungane to the Diocesan Convention of the Diocese of California, on 19 October 2007

"... We must honour our inheritance as both episcopally led and synodically governed. Clergy and laity, the whole people of God, must be included in wide debate, alongside the deliberations of the Primates, and the discussions of Bishops at Lambeth. We are not a church constituted in its bishops alone – and certainly not in its Primates alone.

I have deep reservations about the prominence given to the Primates, rather than the Anglican Consultative Council, in the draft Anglican Covenant. Indeed, I remain to be

convinced that a relationship founded on grace and the unity in Christ that is his gift, can be regulated in this way at all.

Furthermore, the present draft seems to be crafted as a mechanism for exclusion. This is wholly contrary to the very nature of God our Father, whose desire is always to seek reconciliation; and the very nature of Jesus Christ, who came not to condemn but to save; and the very nature of the Holy Spirit, the manifestation of whom is given to each of us for the common good, the life in common which Christians are called to share."

A Response from the Executive Council of The Episcopal Church to The Draft Anglican covenant

October 28, 2007

[Episcopal News Service] The Covenant Design Group has requested comments on the Draft Anglican Covenant to assist in the further consideration and revision of the Draft Covenant by the churches of the Anglican Communion. The Episcopal Church, at its General Convention of 2006, committed itself to this covenant development process and requested that its Executive Council engage in this process. (See General Convention Resolution GC2006-A166, which is attached.)

The present document contains the response of the Executive Council of The Episcopal Church to the Covenant Design Group's request. We submit it with the sincere hope that it will be useful to the Covenant Design Group, to members of The Episcopal Church, and to our sisters and brothers in Christ across the Anglican Communion as the future shape of our Communion is considered.

We are mindful that the recent actions of The Episcopal Church have been among the precipitating factors in the current movement to consider a covenant for the Anglican Communion. For that reason, it is appropriate that we express here several matters that may have become obscured in the tensions of the moment.

The Episcopal Church deeply and sincerely desires to continue in the life of mutual responsibility and interdependence with the other churches of the Anglican Communion. The word "communion," in its earliest form in Latin, signified "mutual participation." We believe that such mutual participation is God's desire for the Anglican Communion in our shared work of evangelical witness, our shared efforts to eradicate the scandalous inequities and injustices that plague our world, and our shared sacramental life. We further believe that communion in Anglicanism has historically embraced a shared commitment to theological breadth and comprehensiveness.

The tensions of the present moment notwithstanding, we believe that there is a strong common identity that unites Anglicans worldwide. Anglicanism flourishes in geographical and cultural contexts of remarkable diversity. Yet we share a distinctive character that is familiar wherever it is found. Anglicans embrace a provisionality that argues for freedom in non-essential matters and humility in those matters where faithful Christians may err. We share a profound desire that the church be comprehensive of all sorts and conditions of people, and that it bring both justice and the saving grace of Jesus Christ to all. At our best, we are characterized by a genuine pastoral sensitivity to those with whom we have differences and by a profound respect for all people. In our lives together, we delight in a particular love of liturgical worship and the sacramental life of the church in all its various expressions. We see evidence of this common identity in the joyful fellowship and the mutual love that seems to arise wherever Anglican Christians meet.

The current consideration of the future shape of our Communion comes at a providential moment in history. Movements for liberation in the last century have given voice to a multiplicity of new perspectives in our Communion. Marginalized colonial missions of the past are now distinctly realized member churches of the Anglican Communion. At the same time, economic globalization and instantaneous global communication are linking together the lives of this diverse group of churches more closely than ever before. What was once a colonial expression of Anglicanism is becoming a postcolonial world-wide communion.

In this age of globalization and post-colonialism, our Anglican identity fosters a powerful and creative dynamic between the particular and the universal, the local and the global, the contextual and the catholic. The question then, before Anglicans today, is: how can we live more deeply into what God, in Jesus, empowered by the Holy Spirit, is calling us to be in the variety of our local circumstances while, at the same time, remaining in unity with sisters and brothers in Christ who live in different circumstances? How can Anglicanism move beyond the confines of a mono-cultural privileged, English-speaking church of the West to a multicultural and global plurality of post-colonial churches without losing a sense of our common purpose and identity? What role can an Anglican covenant play in negotiating the life of the Anglican Communion lived between the local and the global?

And so we ask: how might a covenant enhance or impede the spread of the gospel and the reign of God through the Anglican Communion today? A covenant can describe structures, relationships, or a process by which members of the communion settle disputes. At the same time it must witness to the reality of the plurality of voices, cultures, and nations that now make up the Anglican Communion.

We can say with confidence that The Episcopal Church deeply desires to maintain and strengthen the Anglican Communion. Our hope is to achieve this end in a way that is consistent with our understanding of our identity and the identity of Anglicanism.

Following its mandate in resolution GC 2006-A166, the Executive Council of The Episcopal Church developed a process to solicit ideas and comments regarding the draft covenant from members of the church. We received approximately 500 responses to a study guide, a copy of which is attached as Appendix 2. Responses came from all provinces of The Episcopal Church, from individuals (the majority of whom are lay people), parish study groups,

vestries, diocesan committees and councils, deputations to General Convention, bishops, and regional groupings of dioceses. Many of the responses were quite detailed. The Executive Council was profoundly moved by the interest shown by so many members of this Church and the care with which they made responses.

There are great differences of opinion about the draft Anglican Covenant in our church. Our intention in this document is to set these various opinions before the Covenant Design Group and the Communion generally in a fair and open manner so that the many concerns and perspectives in The Episcopal Church can be understood and considered.

This document is informed by these various responses and the Executive Council's deliberations on the Draft Anglican Covenant. It represents the considered opinion of the Executive Council on the draft covenant and our hopes for the continued work of the covenant development process. We sincerely appreciate the efforts of the Covenant Design Group and its commitment to the search for Christian unity as represented in the Draft Anglican Covenant. As the responsible agent of our synodical structure Executive Council offers this as an official response of The Episcopal Church.

Concerning the necessity for an Anglican Covenant

At the outset we asked ourselves and our church, "Do you think an Anglican covenant is necessary and/or will help to strengthen the interdependent life of the Anglican Communion?" Notwithstanding the resolution of General Convention (A166), many feel that a covenant is neither necessary nor helpful.

The principal contention within The Episcopal Church today is whether a process for resolution of disagreements about doctrine or practice at the inter-Anglican level is within our understanding of communion. We wonder if such a process would be healthy and productive for the life of the communion over the long-term. Related to these concerns is the sense that an Anglican covenant is a means by which a church perceived as recalcitrant, namely The Episcopal Church, can be brought into conformity with a particular set of norms in the Anglican Communion. Specifically, many are concerned that the immediate purpose of the covenant will be to halt or reverse developments in the thought and practice of The Episcopal Church in faithfulness to the Gospel as they understand it. Moreover, many are concerned that fundamental changes in our common life as Anglicans are being proposed in response to the problems of the moment and these changes may have unintended consequences in decades to come. They believe that decisions and changes made in a time of anxiety and fear may not best serve the cause of communion. Our study process has led us to the conclusion that The Episcopal Church, as with the Executive Council, is not of one mind as to the efficacy of this particular Draft Covenant in either form or content. Furthermore, some parts of the Covenant have received broad endorsement within The Episcopal Church, whereas other parts have engendered vigorous debate and opposition. Recognizing this diversity of opinion, we will now discuss each section of the Draft Anglican Covenant, seeking to be responsible to the variety of opinions within our church.

Concerning sections of the Draft Anglican Covenant

An Introduction to a Draft Text for an Anglican Covenant:

There is wide appreciation that the Introduction is a valuable statement of the theological basis for communion. We particularly appreciate the understanding expressed in the Introduction that communion is seen as a gift from God, grounded in the reality of the Incarnation of Jesus Christ, and consistent with God's covenants with Israel. We understand communion as a plurality of churches coming together to serve God's mission in the world and as a witness to God's promises to the world, in spite of conflict and fragmentation. The Introduction both affirms the communality of our life together as Anglicans and our call to interdependence as Christians in many different contexts.

We recognize that the ills of colonialism and imperialism notwithstanding, God has brought diverse peoples together in our Anglican Communion. We believe that our work in defining the global nature of our communion, and our struggle to define its future shape, have much to offer the world and the Christian church in this time. So we join in the prayer with which the Introduction concludes that God redeem our struggles and weakness and renew our common life together for the purpose of witnessing to the new life and hope found in Jesus Christ.

We thus find the Introduction to be of great value and would ask the Covenant Drafting Group to move its ideas to a more prominent position. We hope that ideas contained in the Introduction could be included in the body of the covenant itself in the next draft.

Section 1: The Preamble

There is wide agreement that setting forth the goals of the Covenant is useful. There is some confusion, however, as to whether the goals also represent a rationale — that is, if the goals also stand as the argument for adoption of the Covenant. In that regard, we find the Introduction provides a better rationale for communion than the Preamble. We would suggest that including the ideas contained in the Introduction in the Preamble would create a stronger document.

Some are concerned that the language "to grow as a Communion to the full stature of Christ" could, in this context, imply that Anglicanism is intended to grow into a singular global church rather than a communion of churches.

While the idea "growing in the full stature of Christ" is clearly scriptural and should be a core aspiration for all Christians, the use of that language here could be read as implying that the structures of the Anglican Communion are intended to grow into a hierarchical or curial organization. Perhaps the "full stature of Christ" might be balanced

by Paul's description of the church, as found in 1 Corinthians 12:12: "For just as the body is one and has many members, and all the members of the body, though many, are one body, so it is with Christ."

Section 2: "The Life We Share"

Section 2: "The Life We Share" articulates some of the common beliefs that we affirm as Anglicans. We agree that Anglicanism is part of one holy catholic and apostolic church, worshipping one true God, Father, Son and Holy Spirit.

We further welcome the affirmation of the first three articles of the Chicago-Lambeth Quadrilateral, namely: that the Holy Scriptures contain all things necessary for salvation, that the standard of faith is set forth in the creeds, and that two sacraments, Baptism and Eucharist, duly administered, are necessary for the church.

We note that the fourth item of the Chicago-Lambeth Quadrilateral, the embrace of the historic episcopate locally adapted, has been moved to Section 5: "Our Unity and Common Life." We do not believe that this separating out of bishops from the discussion of our core beliefs and linking it to the discussion of the Instruments of Communion is helpful. We believe the idea of episcopacy should be introduced in this section, reflecting its importance to our Anglican identity, rather than in later the discussion of structure in Section 5.

We affirm as stated in the draft covenant that The Episcopal Church, as part of our common life, "participates in the apostolic mission of the whole people of God."

The Episcopal Church recognizes the Thirty-nine Articles as part of our Anglican legacy, and as such we list them as historical documents in our Book of Common Prayer. At the same time, most people in The Episcopal Church do not attach primary significance to the Thirty-nine Articles for our self-understanding as Anglicans. Signing them has never been a prerequisite for ordination in The Episcopal Church. Citing the Thirty-nine Articles in the Covenant elevates them to an importance that is not shared by most in this church. Similarly, while we acknowledge that the Prayer Book of The Episcopal Church has continuity with and is indebted to the early prayer books of the Church of England, the 1662 Book of Common Prayer has not had authority in our church since the ratification of the first American Book of Common Prayer in 1789.

Most in The Episcopal Church find the reference to the Thirty-nine Articles and the 1662 Book of Common Prayer in the Draft Covenant as elevating these formularies to the status of definitive statements of who we are as Anglicans today, and this is highly problematic in light of the limited role they have played in our history and practice as a church.

We wholeheartedly agree that our loyalty to the faith inherited consistent with other sister Anglican churches around the world is an important resource for bringing the grace and truth of Jesus Christ to this generation.

Section 3: "Our Commitment to Confession of the Faith"

Reactions to this section are highly mixed, leading us to ask if this section is particularly necessary to the Covenant.

Section 3: "Our Commitment to Confession of the Faith," as it stands, incorporates a wide range of commitments many of which are broadly accepted but some of which imply agreement to as yet undetermined Communion-wide understandings. There seems to be little in this section that cannot be understood as growing from the positive affirmations of our Anglican Christian identity developed in Section 2: "The Life We Share," or in Section 4: "The Life We Share With Others." If Section 3 is to be retained, many believe that it needs considerable reworking.

While the commitments contained in Section 3 are commendable, the language used for some of them is subject to various interpretations and misinterpretations. It seems to many of us unwise to place language of this sort within the Covenant without having a clear and agreed-upon definition of what these terms mean.

For example, what does the phrase "biblically derived moral values" mean and how are such values determined? In the American context, the phrase, "biblically-derived moral values," is fraught with baggage. On the individual level this phrase can convey a facile and judgmental approach to Christian moral ethics and decision-making not in keeping with the best of Anglicanism. Historically, some of the greatest national sins of conquest and subjugation have been defended by appeal to "biblically-derived moral values."

Similarly, we might ask what understanding of human nature is operative in the phrase "the vision of humanity"? Clearly, Holy Scripture contains a very complex and, at times, paradoxical vision of humanity. Using a phrase like this in the context of the covenant seems to ignore these complexities and the difficulties that Christians have had through the centuries in understanding and applying this biblical vision of humanity to their lives and societies.

We would suggest that it is disputes over concepts like these that have led to some of the current challenges before the Anglican Communion. We doubt that using such terms in the body of the covenant without further definition would advance the interest of unity or a common understanding of what the terms mean and how they should be applied.

We affirm the statements in the draft covenant that welcoming members of all Anglican churches to the Eucharistic fellowship and participation in the sharing of Jesus' body and blood is a manifestation of God's gift of communion that we cherish as Anglicans. Similarly, The Episcopal Church strongly supports the injunction that "biblical texts [be] handled faithfully, respectfully, comprehensively and coherently." There is concern, however, that the emphasis on primacy of "the teaching and initiative of bishops and synods" can be read to diminish the role of the laity in discerning the truth in God's word. While it is true that Scripture must "illuminate, challenge and transform cultures, structures and ways of thinking," many in our church believe that the truth of Scripture, as the living word of God, can most fully be incarnated in the particularities of our own local experiences. The role and witness of all members, lay and ordained, of the Anglican Communion world-wide is critical to this making-real of the Gospel. As Max

Warren, once Secretary General of the Church Missionary Society, said, "It takes the whole world to know the Gospel."

The governing insight of the Covenant appears to be an emphasis on broadly-shared fundamentals of the faith interpreted through the on-going life of the Communion and its churches. For that reason, the extra-creedal confessional nature of Section 3 seems out of place and inconsistent with the larger document. Perhaps it might be helpful in the structure of the whole Covenant if, having begun with statements of who we are (Section 2: "The Life We Share"), the Covenant then moves directly to our service to God's mission (Section 4, "The Life We Share With Others"), and then to how we live into that mission through the structures of the Anglican Communion. In this regard, Section 4: "The Life We Share With Others" is widely seen as a useful statement of Anglican participation in the mission of God and provides a parallel to Section 2, placing our life as a fellowship of churches in the context of God's mission in the world. If Section 3 were deleted and Sections 2 and 4 were linked together and written in one voice, the hope of many for a fuller statement about our common life as Anglicans would be met.

Section 4: "The Life We Share With Others"

We recognize that much of this section was informed by the work of the Inter-Anglican Standing Commission on Mission and Evangelism in its report to the Anglican Consultative Council 13, known as "Communion and Mission." The Episcopal Church agrees with the commitment that, "answering God's call to share in his healing and reconciling mission for our blessed but broken and hurting world, and, with mutual accountability, to share our God-given spiritual and material resources in this task."

The Executive Council of The Episcopal Church, consistent with Anglican Consultative Council resolution ACCXIII no. 27 has studied and affirmed the Covenant for Communion in Mission. Many in The Episcopal Church would prefer to see a covenant based largely on the terms of the Covenant for Communion in Mission. This, they believe, would create an Anglican covenant based on relationship rather than structure and more appropriately focus on the missional nature of our interdependence. But, as discussed below, others believe that relationship without structures for determining the shared identity on which relationship is based is not sustainable.

We find the articulation of the five marks of mission at the end of Section 4 to be particularly important for defining our common identity as Anglicans in service to God's mission. Given the centrality of these five marks of mission to our understanding of Anglican faithfulness, we suggest that they be highlighted and moved to the beginning of this section.

Section 5: "Our Unity and Common Life"

The principal concern voiced by many about Section 5: "Our Unity and Common Life" is that it focuses our unity almost entirely on the office of bishop. As stated in the discussion of Section 2 above, we do see the historic episcopate locally adapted, as articulated in the Chicago-Lambeth Quadrilateral, as a key component that informs and forms our Anglican identity. Most in The Episcopal Church affirm "the central role of bishops as custodians of faith, leaders in mission, and as visible sign of unity."

While we are indeed an "episcopal" church, the relation of that episcopacy to the baptized, on the one hand, and the emphasis on an increasing role of primates, on the other, raise a variety of concerns. Locally, in The Episcopal Church, our presiding bishop enjoys few of the metropolitan powers often associated with the primates. In fact, The Episcopal Church has never had any form of archepiscopacy. The use of the term, "primate" for our presiding bishop is a recent development. We note as well that the use of the term "Primate" in the Anglican Communion is recent and is effectively a broadly inclusive word denoting the chief bishop and pastor of a participating Church in the Anglican Communion.

Because of The Episcopal Church's embrace of lay people in the governance of the church since 1789, the exercise of episcopate is always in relationship to the role and authority of the baptized. Further, most in the Episcopal Church believe that decisions taken by the church should always include lay people, deacons, priests and bishops as a structured part of the decision making process.

We believe the description of the role of the Instruments of Communion in this section needs further clarification and discussion. Prior statements of the Virginia Report and the Windsor Report articulate four "Instruments of Unity." The recent meeting of the Anglican Consultative Council has clarified these four instruments as including "one Focus of Unity" — the Archbishop of Canterbury — and three "Instruments of Communion" — Lambeth Conference, Anglican Consultative Council and Primates Meeting (ACC XIII, no. 2). Yet the Covenant designates all four instruments as "Instruments of Communion." Some believe that the designation of the four instruments as "Instruments of Communion" imbues the four instruments with more structural authority than previously understood.

Communion and unity are both gifts of God, not something that we create. "Communion" seems to be a more appropriate term for a group of churches. Moreover, the Anglican Consultative Council, the Anglican Communion's representative body, uses this term. For these reasons, we believe the word "communion" should be used throughout to describe the four instruments.

It is clear that the next four paragraphs of this section seek to clarify the roles and responsibilities of the four instruments. There is much agreement with the description of the role of both the Archbishop of Canterbury and the Lambeth Conference. There is, however, some concern about describing Lambeth Conference as "an instrument in guarding the faith and unity of the Communion." This language seems to go beyond the currently understood role of the Lambeth Conference and beyond the initial reason for its creation, which was for

conversation and mutual support. There is further concern about how that role for the Lambeth Conference can be fulfilled.

Some in The Episcopal Church have pointed out that placing the discussion of the Primates Meeting ahead of the Anglican Consultative Council does not represent the historical developments of the four instruments. Historically, the development of the Anglican Consultative Council preceded the creation of the Primates Meeting by almost a decade.

Similarly many are concerned that the description of the roles of the Primates Meeting and the Anglican Consultative Council imbues the primates with more authority over "doctrinal, moral and pastoral matters" than has previously been the case, while relegating the Anglican Consultative Council to the specific and limited role of "ecumenical and mission work." This description of the roles and the changing of the historical order appears to elevate the primates to a position of new authority in the Anglican Communion. As discussed below, some believe that a more healthy balance in decision-making in the communion would result from a parallel development of the role of the Anglican Consultative Council and the Primates Meeting.

One of the principal defects in the Draft Covenant as perceived by many in The Episcopal Church is its failure to recognize effectively the voices of lay people, deacons and priests in the councils of the Anglican Communion. In fact, even for those who accept the idea of a covenant, many reject the proposal of the increased role of primates alone as presented in this section.

Section 6: "Unity of the Communion"

We see Section 6 as a further elucidation of what is set up in the previous section. We note a progression in the six commitments in this section from (i) a relational understanding of communion as consultative and communal (koinonia), to (ii) a more conciliar, consultative process of discerning "common mind," and finally (iii) to a synodical or council structure for decision-making in contentious circumstances.

Most Episcopalians do not want to see the development of a synodical decision-making body in the Anglican Communion. They would strongly prefer communion as based on relationships and shared participation in service to God's mission.

Nevertheless, some in The Episcopal Church believe that interdependence and mutual accountability require reasonably well-defined structures of consultation and resolution to function effectively. They believe that a communion of Christian churches is based on relationships of shared identity, and shared identity requires a means of defining that identity and what is and is not within its boundaries. Those in this group believe that the absence of structures for defining what can and cannot fall within our shared identity as Anglicans has contributed to the current discord in the Communion. They believe that instituting such structures is the only logical way to maintain the Communion. Further, they see much value, internally and ecumenically, in a global Anglican Communion that can speak with one voice on important issues of doctrine and practice. They believe that the Communion could pursue God's mission in the world more effectively if the Communion's identity were more clear, its structures were better defined and its decision-making processes more transparent and deliberate.

We are not of a common mind regarding the authority granted by Section 6 to the various Instruments of Communion, and in particular the Lambeth Conference and the Primates Meetings. Many if not most of our members have serious reservations about what we perceive as a drift towards a world-wide synod of primates with directive power over member churches.

As to other items contained in Section 6, most in The Episcopal Church easily affirm commitments 1 and 2 of that section: it is indeed important "to have regard to the common good of the Communion in the exercise of its autonomy," to give financially to support the work of the Anglican Communion and to desire "to spend time with openness and patience in matters of theological debate and discernment." While many in The Episcopal Church believe that it is important to have a common mind about "matters of essential concern," there is anxiety as to who defines these matters. Similarly, as to the third item in this section, there is a healthy appreciation of the status of the Instruments of Communion, but it is unclear to many as to what is meant by their "moral authority which commands our respect." Most importantly, however, there is serious disagreement with the presentation of the Primates Meeting as having the power to adjudicate "matters of serious dispute among the churches of the Anglican Communion." Many of those who would support the need for such adjudication would argue that a more representative and elected body such as the Joint Standing Committee of the Anglican Consultative Council and Primates Meeting should be the body authorized to oversee the decision-making process.

Finally, to many, the provision contained in item six for loss of full status in the Communion appears to be punitive and offer little opportunity for reconciliation.

Ultimately, the fundamental question remains: Is there a need for a juridical/conciliar body in the Anglican Communion to deal with "issues" and is such a body consistent with our understanding of what it means to be an Anglican? With all due respect to our sisters and brothers across the Anglican Communion, a great many in The Episcopal Church do not see the need for such a body at present.

Section 7: "Our Declaration"

We see no issues with the ideas and language contained in this section.

Concerning the consequences of signing a Covenant as proposed in the Draft:

The Executive Council asked interested parties to respond to additional general questions concerning the Draft Covenant. Reflecting on responses received and growing from our own deliberations we offer these observations.

The Episcopal Church is committed to a process that would result in a covenant that we could sign. As indicated above, there is much work that can be done to make the current draft more true to the aspirations of The Episcopal Church and its understanding of the diversity and life and work of Anglican Communion.

At its best, an Anglican covenant can move the churches of the Anglican Communion to renew the sense of mutual responsibility and interdependence in the Body of Christ that has motivated life in the Communion in the past and lead us to higher levels of service to God's mission. A covenant can provide a context for engaging one another in new ways. It can make explicit the discipline of consultation, consensus and forbearance that has typified the Communion at its finest.

At its worse, many fear that an Anglican covenant might become the beginnings of a constitutional structure that would remake the plurality of churches of the world-wide Anglican Communion into a singular global church whose provinces are bound to as yet undisclosed limitations on autonomous action.

We are prepared to consider a covenant that says who we are, what we wish to be for the world, and how we will model mutual responsibility and interdependence in the body of Christ. We believe we must be open to God's doing a new thing among us; therefore, we remain open to explore such new possibilities in our common life while honoring established understandings.

Closing Remarks

The Executive Council believes that the Draft Anglican Covenant signals the beginning of a process for considering the future shape of our communion. Its ends are the hope for a communion whose member churches work and struggle in trust, with a full sense of mutual responsibility and interdependence in the Body of Christ. While some of our members consider the draft adequate as it stands, the majority believe that we must work in the hope that the final form of this document will provide a better means of engaging one another respectfully and with mutual regard, as we seek to agree on essential matters of faith and order while celebrating our differences.

We stand at a remarkable crossroads in the development of the Anglican Communion. We believe that the Anglican Communion, in its unity and diversity, is gifted to serve God's reign in unique ways. We hope that our shared faith in God, Father, Son and Holy Spirit, will draw us more deeply into relationships of shared service to God's mission in all its fullness with our sisters and brothers in Christ in the Anglican Communion. We trust that these relationships, undergirded by our shared sacramental life, will bring us new life and draw us more deeply together.

We commit The Episcopal Church to the effort to perfect this draft so that the resulting Covenant can be a beacon of hope for our common future.

Response by the Drafting Group

Church in Wales

To “An Anglican Covenant”

Covenant Design Group, February 2007

Introductory Remarks

Our primary concern for the Anglican Communion is reconciliation. Whether the proposed Covenant is a means towards reconciliation or an expression of reconciliation is presently unclear. Our common ground as a Communion is spiritual; inasmuch as we are human, some conflict is inevitable. Nevertheless in common we have the love of the Lord. Our passion throughout discussion was a burning concern for holiness, prayer, reconciliation and repentance; we prayed for the grace to walk in other shoes. Law and covenant at best serves these spiritual concerns.

The form of our response is as a commentary on the text of the Covenant as published by the Anglican Communion office in February 2007.

Preamble

- The Biblical texts cited embody the idea of unity, grace and peace, but there is a lack of clarity about why these particular texts were chosen and about the hermeneutical links with the succeeding remarks.
- The emphasis on mission is welcome (which makes the omission of John 17 from the cited texts all the more surprising). The Church discovers its identity in sustained and deepening engagement in mission.

The Life we share

- The notion of ‘member’ church is not helpful. Preferable is the notion of the participation of constituent churches.

- The Thirty-nine Articles and 1662 Prayer Book are not currently authoritative documents for every member of the Anglican Communion. This section could be better framed around the Chicago-Lambeth Quadrilateral.
- Given the weight laid on the episcopacy later in the document, it is a curious omission in this section.
- We need to see the Church as much in terms of *becoming* as *being*. The life of the communion is dynamic; we are being carried and embraced into the Trinitarian God in whose image we are created.
- The idea of ‘proclaiming afresh’ raises questions about the extent to which inherited traditions of understanding and practice are negotiable. The current focus in the Anglican Communion is on sexuality, but it could be any one of a number of issues over which Anglicans disagree (pluralism could be another).
- Perhaps we need to get away from ideas of negotiation altogether and think of ‘interchange’ instead. We need to become in heart and mind as *the other* is in our disagreements. We seem in far too much of a hurry to reach agreement before we have reached that depth of understanding in which healing and forgiveness can be effected. The Covenant, if undertaken too hastily, would be a politically expedient but short-termed solution and without the prior work of reconciliation would be unlikely to hold.
- The idea of a covenant is opposed to that of a contract. God’s relation with his people is one of grace. The possibility of expulsion destroys the notion of covenant, for although a covenant in the Bible set high standards that had to be kept by the people of Israel, nevertheless the fundamental impetus was one of inclusion. Our concern is that the final section of the draft covenant moves towards contract, and the breaking of relationships.

Our Commitment to Confession of the Faith

- We have here the elements of a Confessional church. The present tensions indicate the difficulty of defining what we mean by core doctrine. To what extent do we allow space for development? We also recognise that we can make errors and here it is important not to have such an authoritarian structure that closes any openness or reflections from those who are not part of the structure. We may need the ‘best scholarship’, but we also need the insights of the poor, powerless and marginalised.
- There was disagreement over the phrase ‘moral values’ – whether bringing to the life of the Church the worst of voluntarism – theologically (the prior importance of the will over the heart) and politically (a ‘one-size-fits-all approach to ethics). On the other hand it gives shape and content to the (otherwise vague) ‘biblically derived... vision of humanity’

- Scripture as interpreted and applied by the church can be a source of illumination, challenge and transformation to human cultures and systems. However the church has also shown itself to be blind to aspects of human culture and how this can illuminate our reading of Scripture. The Reformation heritage is that the Biblical text belongs to the people alongside the Episcopal responsibility as guardians of the faith.
- People do tend to read ‘in their own image’. There is a real danger with ‘synodical teaching’ which has shown an increasing tendency to be policy-driven. If this happens we have not only an increasingly secular style of doctrinal decision-making and with it a top-down model of collective authority, but we also risk obscuring the light and freedom of individual conscience.
- The primacy of Scripture is evident but this is the living word of God and not the dead letter of the law and needs to be read within the ongoing and transformative power of the Spirit. Christians belong *to* one another *in* Christ and we explore the word together.
- The point about pilgrimage is well made; this pilgrimage is shared with others beyond the Anglican Communion and this wider perspective is important. Luke 15 suggests some interesting directions, but we are not to be diverted...
- It is clear that we do want to be definite about revelation in Scripture and in Christ and not fall into relativism, but to do this without becoming *Confessio Anglicana*.

The Life we share with others

- We do have a tremendous story worth celebrating of growth into a global communion, but this leads inevitably to tensions between Provinces. The growth of the Communion raises huge questions, for example:
 - Theological education has been traditionally dominated by western modes and categories of thinking; this is now being (rightly) challenged.
 - Finance – what role does it play in inter-Provincial relationships? The role that it currently plays is not necessarily desirable.
- We are called to adopt an attitude of taking responsibility for others – not in a patronising way but with generosity and humility; thus ‘we declare His glory’ and become ever more confident of our shared life within the dynamic of the love of God.
- We fear that an over-structuralised Communion will lead to a loss of the present Anglican engagement with local issues and prompting of the Holy Spirit. Unless there is a generous approach to boundaries ‘creative dissent’ is in danger of being stifled by the call to conformity.
- It is valuable to recognise the diversity that is a reality in the Anglican Church.

- There is a lack of attention to the importance of being a worshipping, holy and reconciling community; we cannot have a polity in a spiritual vacuum.

Our unity and common life

- The idea of bishops as a *visible sign of unity* needs some unpacking. We understand the Anglican tradition as one of emphasising the ‘bishop in synod’. There is an over-heavy emphasis on the episcopate in this section, which tends to overlook the synodical polity of the post reformation church with its lay involvement. While the ordinal confers the task of preserving unity on the bishop, the task of mission involves the whole people of God. This balance is not adequately evident in the Covenant.
- In the light of the Primates not being in communion with one another at Dromantine and Tanzania, this section appears either idealised or aspirational.
- The question of the theological basis for our unity is one we recognised and moved on; it is immense and beyond our immediate terms of reference. In brief our physical unity derives from and depends on our spiritual unity.
- Contextuality is a key concept, but it lacks precise discussion in the document. Every church exists in and relates to a number of contexts – the local/international, global, familial, ecumenical, inter-faith, historical... It becomes problematic when one or more is emphasised to the detriment of others.
- The four Instruments of Communion are said *to serve to discern our common mind*. Does this mean a majority opinion or do we truly want to discern this through a synodical process? The principle of ‘guarding faith and unity’ implies a change in the authority of the Lambeth Conference or at least in an ability to declare definitive Anglican teaching that is more than morally binding. This would go hand in hand with the development of canon law. Although this passage denies the creation of a juridical central legislative or executive authority, the Covenant itself goes on to recommend that the Primates meeting essentially exercises that function rather than the Anglican Consultative Council. The Anglican Consultative Council (henceforth A.C.C.) is the only Instrument of Communion to have a clear constitutional basis and representation from all orders of ministry. We reject the implied move from an episcopally-led and synodically-governed church to a developing Magisterium that seeks to exercise its ‘inherent’ powers that existed in a pre-reformation church.
- Somewhere we need something about the fallibility of the Instruments of Communion. William Chillingworth (1602-44): *Good sir, you must... be so acute as to distinguish between ‘infallible in fundamentals’, and being ‘an infallible guide in fundamentals’. That there shall be always ‘a church infallible in fundamentals’ we easily grant; for it comes to no more but this, ‘that there shall always be a church’. But that there shall be always such a church,*

which is an infallible guide in fundamentals, this we deny. (In Evans and Wright, ed. *The Anglican Tradition: A Handbook of Sources* SPCK 1998, p. 210)

Unity of the Communion

- This section marks the move to prescription.
- The process of mutual listening is commended, but what exactly are the structures that exist (or should exist) to enable this process?
- The central question is how disagreements are resolved. They can be settled by any number of means, including that of ‘forgetting over time’.
- The notion of ‘essential concern’ is not clear. Anglicanism has generally held that all that is essential concerning the faith is addressed in the Creeds and that the church is at liberty in matters of rite and ceremonial. The church’s authority in moral questions is balanced by its own tendency to err or to fail to distinguish what is in Scripture from what is of Scripture. In the current debates all sides consider themselves faithful to Scripture.
- Is a *moral authority which commands our respect* sufficiently robust or even precise enough? Yet is anything more robust desirable? We are suspicious of an enhanced juridical authority given to Primates. Within the Anglican Communion as a whole it is only the ACC that approaches a synodical status. We see the ACC as pivotal and the Anglican Communion as primatially-led but synodically-governed by the Primates within the ACC. This we believe to be consonant with Anglican polity.
- We look for greater clarity about the process of how an Anglican Province may be considered to relinquish their place within the Communion and the process of restoration. Who are the ‘we’ in paragraph 6?
- What are the implications for canon law in the various Provinces of the Communion? This is potentially an enormous question that needs unpacking beyond our ability and terms of reference.

Concluding Remarks

- We feared that the Covenant as presented may be seen as an institutional response to spiritual issues. Whilst we have no wish to divorce spirit and institution, whether it is appropriate to seek institutional remedies to spiritual problems is altogether a different question. A call to serious prayer and fasting may precede talk of a covenant.
- The language of the Covenant indicates a change of emphasis from autonomous provincial government with consultation to a global body with central authority for leadership with powers of exclusion. We stress the need to keep the Anglican Consultative Council central, and have serious concerns about the authority of the Primates in the section *Unity of*

the Communion. We also feel that the language of this section is prescriptive in a manner that does not help Anglican understandings of authority as synodical. We see the role of bishops as more that of providing an oversight which forms clergy and laity for the needs of the day, and for faithful and costly mission, rather than as being authoritative leaders and teachers who require obedience. Koinonia as developed in the Anglican –Roman catholic conversations is hard to reconcile with the proposed model of Primatial authority.

- We prefer to see unity in terms of the Chicago- Lambeth Quadrilateral, without the reference to the Ordinal and the 39 Articles, in the section *The Life We Share*.
- We have reservations about the stress on ‘ biblically derived moral values’ , and the reading of biblical texts through synodical teaching, in the section *Our Commitment to Confession of the Faith*
- Although there are clear pressures to find solutions to evident problems, we are concerned that we seem to be in too much of a hurry. The Windsor report indicated a long process before arriving at a covenant. Are events pushing us too quickly and should we resist?
- A covenant that will actually achieve something will need tightening up and fewer bland sections. But the more teeth that a proposed Covenant has, the less likely it seems that it will meet widespread approval.
- Our concern can be put starkly. The Roman Catholic Church developed an ecclesiology at Vatican I that was a response to cultural, social and political pressures that were seen as threatening the integrity of the church. Both at the time, and subsequently, this ecclesiology was not seen as helpful. Again there are pressures on the Anglican Communion, although these are different from 1870. Again there is an appeal to a particular ecclesiology. It is clear that some structures do need to be put in place, but we doubt if Section 6 of the draft covenant is the most appropriate response.
- Finally it may be worth noting that for the most part there was a spirit of concord in our working group, which we all felt encouraging and enlightening, even though there remain areas of disagreement. This did not undermine our *koinonia*.
- The report to the bishops of the Church in Wales is unanimous.

Derek Belcher;

Lorraine Cavanagh;

Tudor Griffiths;

Peter Sedgwick (Convenor)

June 2007

Two members of the group have added appendices.

Appendix 1.

Our meeting yielded a number of insights into the present conflict situation which has so paralysed and damaged our life of communion. Of these, perhaps the most significant was our shared conviction that repentance and reconciliation leading to a renewed understanding of the real nature of our shared communion need to precede any attempt at covenant making. The covenant events recorded in scripture justify this line of thinking. They are designed to address specific but also ‘timeless’ situations which needed to be healed or changed *prior to* the making or renewing of covenant. All of these had to do with a breaking of faith or trust. As Anglicans, we find ourselves in precisely this situation; one which is characterised by a breaking of faith and trust, first with Jesus Christ whose image in us is defaced by our bitter feuds and, secondly, with one another in our bitterness and animosity, when we are called to serve his world and care for his people in love. The crisis which we face is therefore primarily a spiritual one.

For this reason, it is logical to suppose that a covenant will only hold if our spiritual health is restored. This health depends on our ability to rediscover the true nature of communion which is a distinctive Anglican hospitality towards one another. Far from being a sign of weakness, hospitality calls for courage and faith as we pray for the grace which enables the will to ‘hear’, and so experience, the pain felt by those with whom we disagree, and to seek forgiveness for our part in it. In so doing, we honour the particular integrity of others and take responsibility for their flourishing in our life together. It is therefore important that the hospitality which is hinted at in the preamble be preserved at all costs, since it is only this which will prevent the further politicisation of the Anglican life of communion in which, at present, all are losers and to which nobody truly belongs in the deepest sense.

To think of covenant making requires, therefore, that we first think of what it means to be a holy people. This is something which is implicitly stated in the draft itself, so that it requires that we pay attention to how holiness is ultimately to be defined and to what practical measures will be needed to ensure that we remain holy, even in our disagreements. This confirms the fact that those who shape canon law, and/or put in place the structures needed to maintain a healthy life together, also need to work from a deeper understanding of the spiritual significance of the life of communion. For this to be possible, we shall all need to work with them in exploring more deeply how we are to think of holiness as it pertains to reconciliation; what this entails for opposing members of the Communion; what, in the spirit

of responsibility towards one another, it requires of us; how we are to think of truth and of how grace shapes and reveals truth (wisdom) ‘afresh’ in every generation; and lastly, what will give us the confidence to continue to embrace one another when the one truth of Jesus Christ’s love for all of his people appears to resonate so differently between the members of a single communion.

Lorraine Cavanagh

Appendix 2: Doctrinal and Canonical Development

A basic fault line in the Covenant is definitive or core doctrine. The Catholic creeds and the Chicago/Lambeth Quadrilateral are sufficient for some with the 39 articles of religion as either historical statements or principles of Belief. ⁱ This ignores a classical Anglicanism based on ecumenical councils. In issues of ‘moral law’ Hooker, like Aquinas offers a new perspective in relation to innate behaviour and intention. ⁱⁱ

The process for an Anglican *ius commune* engages in **general** and **specific** issues of authority. ⁱⁱⁱ A reassessment of nature of Law permits doctrinal development and legitimate boundaries for dissent. A parallel may be drawn between a Roman Catholic Definitive and Non Definitive Doctrine. This recognises that we can live together with our differences where validation is developed retrospectively through the *census fidelium* and the *doctrine of reception* that charitably accepts differences. What are these sources for development?

Sources of Canonical Development

All authority is derived from God, the Holy Trinity, ^{iv} and uniquely encountered in Jesus Christ. ^v Anglican authority is dispersed and facilitated, through synodical government and the voices within the Anglican Communion. ^{vi} The Lambeth Conference statement on same sex relationships has persuasive moral authority as seen in ‘Some issues in human sexuality.’ ^{vii} David Tustin explores the tensions/ anomalies in this approach, in relation to the dialogues between Anglicans and Lutherans. ^{viii} He argues for the legitimate right for tailor-made solutions to each local context, whilst keeping an eye on ‘basic general principles.’

Legitimate Development

The nature of development, like the Reformation, is that it does not initially obtain universal consensus. Like Aquinas, Hooker saw an interlinking relationship between Natural and Divine law. ^{ix} Moore presents us with a way at challenging the present understanding of

Natural and Divine Law.^x Within first and second order issues of doctrine, ethical issues are seen as related to a cultural context. We must therefore question the *Kuala Lumpur Statement* which views sexuality as a first order principle. Orthodoxy must engage in a broad river approach. Baum proposes a five point approach to legitimate development where there is a creative cognitive dissonance between doctrine and love. His approach uses an interactive scriptural authority interpreted by the Summary of the Law, Beatitudes and the creeds.^{xi} A legitimate development is 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 should not invalidate either their Sacramental orders or inclusion in the Anglican Communion.^{xii} Historically this is evidenced in both the Ordination of women to both the Presbyterate and Episcopate and continuing invitations to the Lambeth Conference by the Archbishop of Canterbury.

Legitimate Dissent

I argue for legitimate dissent in worldwide Anglicanism, when we are mindful of both Official teaching and due canonical process of law making. In the RC 1983 Code of Canon Law there are levels of *public dissent*, to non-definitive doctrine where there are persuasive or sufficient reasons (*ratio*).^{xiii} The Anglican principle of *gravamina* reflects this.^{xiv} A fuller development of this area is given in *A Canonical Understanding of Dissent*.^{xv} Any doctrinal and canonical process of discernment must have a right of dissent. Discernment of boundaries can only be through consultation and synodical expression through a developed ACC.

Derek Belcher

June 2007

ⁱ Sixtus B. 'Authority to Teach in Classical Anglicanism' *Ecclesiology Vol. 3 Number 3* (2007) p.296-322.

ⁱⁱ Hooker *Laws of Ecclesiastical Polity Vol.3* (Via media edition 2004)p 492-49. His discourse on justification, behaviour is assessed in term of intentions. 'God, in that which is done, respecteth specially the mind and intention of the doer.

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

^{iv} Lambeth Conference, *Report, Part II*, (1948) p.84.

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

^{vi} 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 Fidelium and the Lambeth Quadrilateral. Non Definitive Doctrine is of a persuasive authority mediated through Lambeth Conferences, Synodical Government and the work of Doctrine Commissions.

^{vii} *Lambeth Conference 1998- Resolution calling homosexual sex "incompatible with Scripture."*; *Some issues in*

human sexuality guide to the debate (CIO 2003).

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

^{ix} 9Hooke R., *Laws of Ecclesiastical Polity, I. 12. 1* (Via Media edition 2004). "When supernatural duties are necessarily exacted, natural are not rejected as needless."

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

^{xi} See Michael Ingham, Conference Address *Reclaiming Christian Orthodoxy* (Accessed 2007 [www.lgcm.org.uk/Halfway To Lambeth/Speeches/Ingham.htm](http://www.lgcm.org.uk/Halfway%20To%20Lambeth/Speeches/Ingham.htm)).

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

^{xiii} 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).

^{xiv} Church of England: Canon H1 s3, s4. *gravamina* -serious argument.

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

AN ANGLICAN COVENANT
Comments of the Provincial Synod of
The Church in the Province of the West Indies
on
The Draft prepared by the Covenant Design Group in January 2007

1 Preamble

We recommend:

That the biblical texts that accompany each section be inserted after each narrative instead of preceding them.

That Ephesians 4:1-16, as a key text on the subject of “ unity within the body of Christ” be given some prominence over the others.

That each of the four tasks in the preamble be treated as separate bullet points for emphasis

We, the Churches of the Anglican Communion, under the Lordship of Jesus Christ, solemnly covenant together in these articles, in order

- **to proclaim more effectively in our different contexts the Grace of God revealed in the Gospel**
- **to offer God’s love in responding to the needs of the world,**
- **to maintain the unity in the Spirit in the bond of peace, and**
- **to grow up together as a worldwide Communion to the full stature of Christ.**

(Psalm 127.1-2, Ezekiel 37.1-14, Mark 1.1, John 10.10; Romans 5.1-5, Ephesians 4:1-16, Revelation 2-3)

2 The Life We Share:
Common Catholicity, Apostolicity and Confession of Faith

We recommend

that paragraphs 1,2,4,and 6 stand as is, and delete “of” in the last line of paragraph 3.

that the Design Group be requested to look again at paragraph 5. Some question the wisdom of including formularies that members of the Communion would have difficulty accepting

Each member Church, and the Communion as a whole, affirms:

1. that it is part of the one, holy, catholic, and apostolic Church, worshipping the one true God, Father, Son, and Holy Spirit;
2. that it professes the faith which is uniquely revealed in the Holy Scriptures as containing all things necessary for salvation and as being the rule and ultimate standard of faith, and which is set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation;
3. that it holds and duly administers the two sacraments ordained by Christ himself – Baptism and the Supper of the Lord – ministered with the unfailing use of Christ’s words of institution, and (of) the elements ordained by him;
4. that it participates in the apostolic mission of the whole people of God;
5. that, led by the Holy Spirit, it has borne witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons [1]; ???
6. our loyalty to this inheritance of faith as our inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making Him known to our societies and nations.

(Deuteronomy 6.4-7, Leviticus 19.9-10, Amos 5.14-15, 24; Matthew 25, 28.16-20, 1 Corinthians 15.3-11, Philippians 2.1-11, 1 Timothy 3:15-16, Hebrews 13.1-17)

3 Our Commitment to Confession of the Faith

No change recommended, all five paragraphs stand as is.

In seeking to be faithful to God in their various contexts, each Church commits itself to:

1. uphold and act in continuity and consistency with the catholic and apostolic faith, order and tradition, biblically derived moral values and the vision of humanity received by and developed in the communion of member Churches;
2. seek in all things to uphold the solemn obligation to sustain Eucharistic communion, welcoming members of all other member churches to join in its own celebration, and encouraging its members to participate in the Eucharist in a member church in accordance with the canonical discipline of that host church;
3. ensure that biblical texts are handled faithfully, respectfully, comprehensively and coherently, primarily through the teaching and initiative of bishops and synods, and building on our best scholarship, believing that scriptural revelation must continue to illuminate, challenge and transform cultures, structures and ways of thinking;

4. nurture and respond to prophetic and faithful leadership and ministry to assist our Churches as courageous witnesses to the transformative power of the Gospel in the world.
5. pursue a common pilgrimage with other members of the Communion to discern truth, that peoples from all nations may truly be free and receive the new and abundant life in the Lord Jesus Christ.

(Deuteronomy 30.11-14, Psalm 126, Mark 10.26-27, Luke 1.37, 46-55, John 8: 32, 14:15-17, 1 Corinthians 11.23-26, 2 Timothy 3:10-4:5;)

4 The Life We Share with Others: Our Anglican Vocation

We recommend:

that the words “Colonial expansionism and” be inserted in the final sentence of paragraph .

that the Design Group re-visit the clause “for discovery of the life of the whole gospel” and provide a stronger emphasis on mutuality in its treatment of our shared mission in the second paragraph.

an addition to the five marks of mission - # 6

We affirm that Communion is a gift of God: that His people from east and west, north and south, may together declare his glory and be a sign of God’s Kingdom. We gratefully acknowledge God’s gracious providence extended to us down the ages, our origins in the undivided Church, the rich history of the Church in the British Isles shaped particularly by the Reformation, and our growth into a global communion through **the Colonial expansionism and** the various mission initiatives.

As the Communion continues to develop into a worldwide family of interdependent churches, we also face challenges and opportunities for mission at local, regional, and international levels. We cherish our faith and mission heritage as offering us unique opportunities for mission collaboration, **for discovery of the life of the whole gospel** and for reconciliation and **shared mission** with the Church throughout the world.

The member Churches acknowledge that their common mission is a mission shared with other churches and traditions not party to this covenant. It is with all the saints that we will comprehend the fuller dimensions of Christ’s redemptive and immeasurable love.

We commit ourselves to answering God’s call to share in his healing and reconciling mission for our blessed but broken and hurting world, and, with mutual accountability, to share our God-given spiritual and material resources in this task.

In this mission, which is the Mission of Christ, **we commit ourselves**

1. to proclaim the Good News of the Kingdom of God

2. to teach, baptize and nurture new believers;
3. to respond to human need by loving service;
4. to seek to transform unjust structures of society; and
5. to strive to safeguard the integrity of creation and to sustain and renew the life of the earth.

6. to promote and encourage worship at all levels of the church.

(Jeremiah 31.31-34, Ezekiel. 36.22-28, Matthew 28.16-20, John 17.20-24, 2 Corinthians 8-9, Ephesians 2:11-3:21, James 1.22-27)

5 Our Unity and Common Life

We recommend:

that the word “custodians” in the last line of the first paragraph be replaced and insert the prefix ‘the’ before faith.

Some time was spent discussing the four Instruments of Communion and suggests that attempts be made at redefining the role of the primates Meeting in its ministry to Global Church. It was also agreed that work needs to be done on strengthening the role and function of ACC.

We affirm the historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of his Church and the central role of bishops as (custodians) **guardian and teacher** of **the** faith. *(leaders in mission, and as visible sign of unity.)*

We affirm the place of four Instruments of Communion which serve to discern our common mind in communion issues, and to foster our interdependence and mutual accountability in Christ. While each member Church orders and regulates its own affairs through its own system of government and law and is therefore described as autonomous, each church recognises that the member churches of the Anglican Communion are bound together, not juridically by a central legislative or executive authority, but by the Holy Spirit who calls and enables us to live in mutual loyalty and service.

Of these four Instruments of Communion, the Archbishop of Canterbury, with whose See Anglicans have historically been in communion, is accorded a primacy of honour and respect as first amongst equals (*primus inter pares*). He calls the Lambeth Conference, and Primates’ Meeting, and is President of the Anglican Consultative Council.

The Lambeth Conference, under the presidency of the Archbishop of Canterbury, expressing episcopal collegiality worldwide, gathers the bishops for common counsel, consultation and encouragement and serves as an instrument in guarding the faith and unity of the Communion.

The Primates' Meeting, presided over by the Archbishop of Canterbury, assembles for mutual support and counsel, monitors global developments and works in full collaboration in doctrinal, moral and pastoral matters that have Communion-wide implications.

The Anglican Consultative Council is a body representative of bishops, clergy and laity of the churches, which co-ordinates aspects of international Anglican ecumenical and mission work.

(Numbers 11.16-20, Luke 22.14-27, Acts 2.43-47, 4.32-35, 1 Corinthians 11.23-26, 1 Peter 4:7-11, 5:1-11)

6 Unity of the Communion

We recommend that the word "Member" be inserted to read "Each Member Church commits itself".

This Province is prepared to commit to the six statements of commitments, acknowledging that the group instrument that receives and responds to issues of concerns, as outlined in paragraph 5, must be sufficiently respected by the Communion and enjoy the trust of member churches.

Each Member Church commits itself

1. in essential matters of common concern, to have regard to the common good of the Communion in the exercise of its autonomy, and to support the work of the Instruments of Communion with the spiritual and material resources available to it.
2. to spend time with openness and patience in matters of theological debate and discernment to listen and to study with one another in order to comprehend the will of God. Such study and debate is an essential feature of the life of the Church as it seeks to be led by the Spirit into all truth and to proclaim the Gospel afresh in each generation. Some issues, which are perceived as controversial or new when they arise, may well evoke a deeper understanding of the implications of God's revelation to us; others may prove to be distractions or even obstacles to the faith: all therefore need to be tested by shared discernment in the life of the Church.
3. to seek with other members, through the Church's shared councils, a common mind about matters of essential concern, consistent with the Scriptures, common standards of faith, and the canon law of our churches.
4. 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.

5. to seek the guidance of the Instruments of Communion, where there are matters in serious dispute among churches that cannot be resolved by mutual admonition and counsel:
 1. by submitting the matter to the Primates Meeting
 2. if the Primates believe that the matter is not one for which a common mind has been articulated, they will seek it with the other instruments and their councils
 3. finally, on this basis, the Primates will offer guidance and direction.
6. 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.

(Nehemiah 2.17,18, Mt. 18.15-18, 1 Corinthians 12, 2 Corinthians 4.1-18, 13: 5-10, Galatians 6.1-10)

7 Our Declaration

With joy and with firm resolve, we declare our Churches to be partners in this Anglican Covenant, releasing ourselves for fruitful service and binding ourselves more closely in the truth and love of Christ, to whom with the Father and the Holy Spirit be glory for ever. Amen.

(Psalms 46, 72.18,19, 150, Acts 10.34-44, 2 Corinthians 13.13, Jude 24-25)

Notes:

[1] This is not meant to exclude other Books of Common Prayer and Ordinals duly authorised for use throughout the Anglican Communion, but acknowledges the foundational nature of the Book of Common Prayer 1662 in the life of the Communion.



Lusitanian Church

Catholic Apostolic Evangelic

(Anglican Communion)

Response to the Draft Covenant Text

Towards an Anglican Covenant

The Standing Committee of the Lusitanian Catholic Apostolic Evangelic Church, under the chairmanship of its Diocesan Bishop Fernando da Luz Soares, met on November 10, gave consideration to the Draft Covenant text issued by the Covenant Design Group towards an Anglican Covenant.

Recognizing that the consultation that is now being taken was addressed to the Provinces, and despite of not being a Province, the Lusitanian Church, as part of the Anglican Communion as a Extra-Provincial Diocese, considered that it should express its position on a so burning issue in which the Communion is now strongly involved. Likewise, it was decided that a official response should be elaborated with the following points born on the discussion about the draft text for an Anglican Covenant.

1. The Lusitanian Church agrees with the elaboration of a Covenant whose text, in accordance with the proposal of the Lord Archbishop of Canterbury, will serve:
 - a) to consolidate trust, cooperation and action in the relationships of the churches with each other and with the Communion as a whole;
 - b) to clarify the identity and the mission of the Anglican Communion and the churches which integrate it, facilitating the self-understanding of the Anglican Consultative Council and the ecumenical relationships.
2. The Lusitanian Church accepts a Covenant that respect the structure of the Anglican Communion as a conciliar family, that is, the relationship among the churches that seeks unity in the acceptance of diversity and maintains bounds of affection between the churches within the mutual respect of their own autonomy.
3. However, the careful reading of the draft text proposed by the Covenant Design Group provided to us a sense of discomfort with some points of conflict, which rather than unite can be instruments of disunity and absence of bounds, namely:
 - a) attempt to transform the structure of the Anglican Communion in a confessional family, with the definition of statutes and rules that it will certainly reduce or even remove the richness of the conciliar unity;
 - b) explicit determination to point a standard vision of morality as the main point of unity in the Communion;
 - c) Claim to give to the Primates Meeting a binding statute (court, curia or other) with legislative powers upon the Provinces, limiting their autonomy and the conciliar richness of the Anglican Communion.

4. Accordingly, we have many reservations on the draft text for the Anglican Covenant issued by the Covenant Design Group, as it might lead to the extinction of the richness of diversity that characterizes the Anglican Communion as an ecclesial body and, in consequence, the objectives of the Covenant, referred in the paragraphs 1 and 2 above, won't be achieved.

The Lusitanian Church Standing Committee realizes that the richness of Anglicanism lies in its diversity lived in conciliar unity, even with all the difficulties and tensions that this process entails (our cross, as a path to the Resurrection), and believes that the proposed draft does not promote the necessary peace and harmony, but, above all, can be an instrument of real disagreement and division in the Anglican Communion.

Thus, we urge the draft to be fully refunded so that the Anglican Communion could be raised as a true family of churches in the service of the mission of Jesus Christ in the diversity of mankind, for whom He gave Himself.

We will continue to pray for the anglican church leaders asking the Lord to guide their hearts and minds so that, in the humility of Jesus Christ, they will discover the ways for the Unity of our Communion.

Diocesan Centre, Vila Nova de Gaia, 28 December 2007

+ Fernando Soares

A Response to The Draft Anglican Covenant

by the Revds. Jonathan Clatworthy, Paul Bagshaw and the Rt. Revd.
Dr. John Saxbee, Bishop of Lincoln, on behalf of the Modern
Churchpeople's Union.

Contents:

- 1) Introduction
 - 2) The status of the proposal
 - 3) Continuity and innovation
 - 4) The central proposal: Section 6, Unity of the Communion
 - 5) The Church of England
 - 6) Theology
 - 7) Polity
 - 8) Ecumenism
 - 9) Trust
 - 10) Hope for the future
- Conclusion

1) Introduction

Stripped of its rhetoric, and set in the context of the Communiqué issued after the Primates' Meeting of February 2007 in Dar es Salaam¹, one aspect of the Draft Anglican Covenant stand out.

The Draft Covenant proposes to restructure the Anglican Communion. It proposes to grant powers to the Primates which would, over time, transmute the Communion from an association of autonomous Provinces into a single juridical body.

This paper is primarily concerned with the proposal to reallocate power and its possible and probable consequences. These proposed changes would have deep ramifications for the ecclesiology and character of the Anglican Communion and we deplore any attempt to curtail debate on the issues. In our judgement, these proposed changes would constitute a distortion of Anglicanism and would not be a legitimate development. We believe that the proposal has no good or adequate justification. Nor do we see any beneficial consequences. However we also believe that there are deep and rich resources within Anglicanism which can offer alternative ways forward for the Anglican Communion.

Accordingly this paper urges the rejection of this Draft Anglican Covenant and the proposals contained in it.

2) The status of the proposal

2.1 The Windsor process

The Draft Covenant was one outcome of the Windsor Report and part of what has become called the 'Windsor process' intended to find a way to resolve the growing conflict between ECUSA / TEC and some of the more conservative parts of the Anglican Communion.

However the advisory character of this process has been lost. The critical Resolution 1.10 of the Lambeth Conference 1998 has been transmuted by asseveration from having the moral authority of a resolution of the bishops in council, into 'the standard of teaching on matters of sexual morality for the Communion'². In the same way, and given weight by the Archbishop of Canterbury and the Primates' Communiqué, the Windsor process has acquired a prescriptive quality. This is an unjustified claim which exceeds its constitutional character as the outworking of recommendations of a report of an *ad hoc* working group.

No Resolution of a Lambeth Conference and no recommendation from an advisory group, howsoever eminent, can be of more than persuasive authority.

2.2 From admonition and counsel to imposition

The Report of the Covenant Design Group³ recommended that the Primates' meeting should take strong action to adopt the Draft Covenant in its 'fundamental shape' and with 'an appropriate measure of consent to this text and express an intention to pursue its fine-tuning

¹ *The Communiqué of the Primates' Meeting in Dar es Salaam* 19th February 2007.

<http://www.aco.org/primates/downloads/index.cfm>

² As stated, for example, in a Pastoral Letter sent by Archbishop Williams to the Primates of the Anglican Communion, released 5 March 2007, <http://www.archbishopofcanterbury.org/releases/070305.htm>.

³ *The Report of the Covenant Design Group* meeting in Nassau 15th-18th January 2007.
http://www.aco.org/commission/d_covenant/index.cfm

and adoption'. The Primates were asked to 'recognise the general substance of the preliminary draft' as 'a concise expression of what may be considered as authentic Anglicanism'⁴. All of this, the Design Group declared, was urgent: there was an 'urgent need to re-establish trust' in the Anglican Communion, and the life of the Communion 'would suffer irreparably if some measure of mutual and common commitment to the Gospel was not reasserted in a short time frame.'⁵ No evidence or justification was offered for this assertion.

The Report of the Covenant Design Group recognised that formal assent had to be given through the consultative and constitutional processes of the Provinces. Unlike previous papers concerned with the covenant proposal the Covenant Design Group offered no timetable for adoption of the Covenant. Instead it set out a 'dual track approach': first to obtain the endorsement of the Primates and the Lambeth Conference 2008 and then to seek the formal assent of each Province. Provincial autonomy is thus regarded not as the nature of Anglicanism but as an intermediate step on the way to transferring power to the Primates.

The tone of the Report of the Covenant Design Group held an audible shift from a voice of persuasion to a voice of imposition. This was echoed by the Primates' Communiqué of 2007 which outlined a move to resolve the current conflict by attempting to impose a solution on TEC which intruded on its proper autonomy and failed to pay regard to TEC's legal processes⁶.

Even if the great majority of the Primates believed that the Draft Covenant and all that it entails is the right way forwards, to attempt to bulldoze the Communion into compliance is an abuse of power.

2.3 The Primates' initial response

The Primates, however, did not entirely follow the urging of the Covenant Design Group. They stated that a Covenant 'may' benefit the Communion 'in the longer term' by leading to the required trust. They also saw value in specifying what was meant by the 'bonds of affection' of Anglicanism and in the commitment of each Province to these bonds⁷. But they did not see it as urgent, nor did they endorse any specific aspect of the Draft Covenant nor its 'fundamental shape' or central themes. However they did adopt the 'dual track approach'. They commended the Report of the Covenant Design Group for study, seeking responses before the Lambeth 2008 Conference, and proposed that, after further consultation, a final draft be brought to the meeting of ACC-14 before a definitive text was sent to the Provinces for acceptance or rejection⁸.

This is not an enthusiastic acceptance of the Report of the Covenant Design Group. One reason might be that the Primates were, on the whole, impatient of the time it would take to ratify the Covenant, even on an accelerated track, and perhaps anxious about the possibility that the Covenant would not in the end be ratified. Katherine Grieb observed that, at least in

⁴ *The Report of the Covenant Design Group* paras. 10, 11, 12.

⁵ *The Report of the Covenant Design Group* para. 8.

⁶ *A Communication to The Episcopal Church from the March 2007 Meeting of the House of Bishops*, Episcopal News Service http://www.episcopalchurch.org/3577_84148_ENG_HTM.htm

⁷ *The Communiqué of the Primates' Meeting in Dar es Salaam* 19th February 2007, para. 29.

⁸ *The Communiqué of the Primates' Meeting in Dar es Salaam*, paras. 15, 16.

relation to TEC, ‘The Primates have given the clearest possible signal that they themselves cannot wait for the Proposed Anglican Covenant’⁹.

3) Continuity and innovation

3.1 *The innovative nature of the Covenant*

Two alternative arguments for easier acceptance of the Covenant have been propounded: either that it contains nothing new or that it does contain something new, but it is no more than a small step in the direction in which Anglicanism is already travelling.

We believe, to the contrary, that the Draft Covenant entails changes to the Anglican Communion which are fundamental and extensive.

The statement that ‘nothing which is commended in the draft text of the Covenant can be said to be “new”’;¹⁰ is not borne out by content of the Draft Covenant. Much of the Draft is written in terms scoured from historic formulae which reflect and have shaped the development of the Anglican Communion. But these traditional phrases have in fact been used to disguise a proposal for a fundamental shift in the polity and relationships of the Communion. To describe what is proposed as ‘a concise expression of what may be considered as authentic Anglicanism’ and as ‘not the invention of a new way of being Anglican’¹¹ is, at the least, to be economical with the truth. There is no point or purpose to a Covenant that is not intended to make changes.

Outside the formal consultation papers it has been argued that the transfer of powers to the Primates is not in itself new but would be a formal recognition or articulation of what has been happening in Anglicanism over the last decade¹². Or, as Archbishop Gomez has argued, the proposals are innovative but they reflect and embody the coming of age of ‘the Global South’ whose voice has grown increasingly strong in Anglicanism since the first Anglican Encounter in the South in 1994. In his view the ACC has become seen as a drag on mission whilst the Primates’ Meeting has, with the support of Lambeth Conferences, emerged as the Council most adapted to the new global reality of Anglicanism¹³.

Even if these interpretations were correct they are not sufficient. To minimise the degree of novelty is to seek to spin the Covenant proposals to minimise opposition to its proposals.

If the shift from the present polity to a new one appears to be a small step to those deeply engaged in the process it may only indicate how distant those leaders are from followers for whom their proposals would indicate a major innovation.

Furthermore, to argue that a set of conditions is already the case does not of itself justify translating contingent reality into juridical form. This is not a neutral act. It would inaugurate

⁹ Katherine Grieb, *Interpreting the Proposed Anglican Covenant through the Communiqué*, http://www.ecusa.anglican.org/3577_83906_ENG_HTM.htm

¹⁰ *The Report of the Covenant Design Group*, para. 13.

¹¹ *The Report of the Covenant Design Group*, paras. 12, 14.

¹² Ephraim Radner, *Making Promises: the Proposed Anglican Covenant in the life of communion*, <http://www.anglicancommunioninstitute.org/articles/2006/Covenant.html>

¹³ Archbishop Drexel Gomez, *On being Anglican in the 21st Century*, http://www.globalsouthanglican.org/index.php/comments/on_being_anglican_in_the_21st_century_abp_drexel_gomez/

a new legal reality which in turn would enable developments which are not at present possible. It would preclude other possible futures without debate.

3.2 The reception of innovation

In our view the Draft Covenant itself is an innovation and so too is the Anglican polity it envisages. The Draft proposes a step-change in the structures of Anglicanism and not merely a natural development. It proposes changes at the heart of the Anglican Communion which, over time, are likely to extend into every corner of the Church. At the very least the likely consequences of the proposals should be clearly described, and a careful assessment should be made of the impact they are likely to have for the life of the Communion.

We believe that any such change should be subject to a rigorous and lengthy process of testing, discernment and reception.

The Windsor Report recognised the need for all members of the Anglican Communion to ‘own’ any new Covenant (para. 118). The discussion document *Towards an Anglican Covenant* (paras. 23-25) envisaged a 6-9 year timetable for consultation¹⁴. The absence of a timetable in the Report of the Covenant Design Group, and its dual track approach of seeking urgent assent by the Primates with longer term consideration by others, would tend to minimise the value of reception through the councils and synods of the whole church.

We are particularly concerned that the voice of the laity should be heard in this process.

3.2 The justification of innovation

We recognise that the Anglican Communion is a dynamic network which is in continual change. Nonetheless we believe that deliberate innovation should be subject to a process of reception appropriate to its impact on the Church.

Innovation should be judged by its capacity to order and enable the mission of the Church to meet the challenges of the twenty-first century. Innovation should not be inconsistent with Scripture, should be in loyal continuation with the (Christian and Anglican) traditions which we have received, and should be in accord with the ecclesiology of the Church. Authentic continuity is necessary but not sufficient: innovation should also be judged by its capacity to enable the Church to thrive. Innovation should, in the best prayerful judgement of the Church as a whole and as tested in practice, serve to build up the body of the Church, to further its mission, deepen its holiness, enhance its witness, and nourish the vitality by which it preserves, teaches and lives out the faith.

Given the depth and extent of the changes envisaged, those who propose the Draft Covenant should show how their proposals meet these criteria. They should also show both that implementation of their proposals would be better than smaller modifications of the *status quo*, and that this particular change is the best of all reasonable options.

¹⁴ *Towards an Anglican Covenant A Consultation Paper on the Covenant Proposal of the Windsor Report*, March 2006, <http://www.anglicancommunion.org/commission/covenant/docs/Covenant%20Report.pdf>.

4) The central proposal: Section (6) Unity of the Communion

4.1 The key to the Covenant

The overall import of Section 6 is clear: if the present members of the Communion were to commit themselves to this Covenant each would see a diminution of its autonomy in favour of control by the Primates, and each would be asked to pay for the privilege (§6.1).

Yet, despite its significance, Section 6 is characterised by silences, ambiguities and evasions. Almost every section of the Draft Covenant – and this section critically – begs questions of definition, interpretation, implication, and implementation.

In the absence of clarification, and of a much fuller statement of the implications and application of the Covenant, it would be entirely inappropriate for anyone to sign. To sign without this clarification would be to hand a blank cheque to the Primates (and thence to their advisors and lawyers) to determine the future of the Anglican Communion.

Section 6 of the Draft Covenant is its operative section. It describes the key innovations to which the signatories are asked to commit themselves and indicates structures that would follow adoption of the Covenant. §§1-5 and 7 of the Draft should be read through the lens of this section.

4.2 Study and debate

Tensions are immediately evident. The emphasis on ‘openness and patience in matters of theological debate’ and the necessity of ‘study and debate’ (§6.2) is to be welcomed. Yet it is contradicted by the actions of those (including some Primates and some concerned with the drafting of the Covenant) who chose to establish and support groups of churches within the Anglican Communion designed to corral together those who think one way and to keep them away from others. The value of open debate is in tension with the precipitate actions of the Primates, set out in the Communiqué from Dar es Salaam, setting unprecedented conditions for TEC.

Similarly the requirement that novel and controversial matters be ‘tested by shared discernment in the life of the Church’ is to be welcomed. Yet even while the listening process¹⁵ continues the whole idea of according gay and lesbian people standing as full members of the Church is rejected by some¹⁶. Some, at least, of the Communion are evidently unwilling to tolerate the present extent of diversity in the Communion and have been keen to foreclose discussion.

¹⁵ <http://www.aco.org/listening/index.cfm>

¹⁶ The summary of the response from The Church of Nigeria to the listening process includes:

In Nigerian traditional culture homosexuality is seen as taboo. Homosexuals are thought of as threatening the divinely ordained order of the community. The Western idea of human rights is subservient to the service of the common good. The so called ‘right’ to homosexual orientation threatens the order of society because the continuation of the race is threatened by gay practice. Children are treasured as fruits of marriage and any union, as a gay union, that prevents the propagation of the community's growth is a personal shame to be openly censured.

<http://www.aco.org/listening/reports/nigeria.cfm>

4.3 *The Provinces and centralised authority*

The most critical paragraph §6.3¹⁷ is also the vaguest. Whilst its import is clear – to create greater conformity and to reduce diversity – almost every phrase cries out for elaboration.

The terms ‘to seek’ (§6.3 and §6.5) and ‘to heed’ (§.4) place duties on signatories which are not adequately specified. At a minimum no party would be obligated to do more than to ask a question and listen to the answer. Yet it would also seem that any signatory affronted by something it considered ‘essential’ (for which no test has been adduced¹⁸) could instigate a complaint. Read in this minimal manner this clause would focus the institutions of the Anglican Communion on complaints and disputes and not on the building up of the body.

Yet §6.3 is probably intended to be read in a maximalist manner placing a positive duty on each signatory to co-ordinate its ‘formal teaching’¹⁹ with the ‘common mind’ as determined by the Primates (§6.5). In place of present diversity and voluntary co-operation an active programme of developing and enforcing uniformity is envisaged.

4.4 *A common mind?*

But the central concept of a ‘common mind’ (§6.3; §6.5.2) is delusory. What is held in common is taken as read and is not a matter for discernment. Where something is a matter of dispute then, self-evidently, there is no common mind.

A ‘common mind’ is thus a euphemism for a majority opinion. In practice, in this Draft Covenant, the ‘common mind’ of the Church is to be determined by and equated with the majority opinion of the Primates (§6.5). But before any Covenant can reasonably be signed there needs to be much tighter specification of what a ‘common mind’ might mean and greater transparency as to how it might be attained. This would include, for example, specifying how a majority is to be determined, what would constitute a sufficient majority²⁰, in what form the common mind should be expressed, what legal authority it would have, and who would be responsible for subsequent interpretation and implementation²¹.

If, as has been suggested, the Primates are to be their own ‘interpreters and enforcers’²² then, first, this would represent a dangerous and unaccountable concentration of power over the Church and, second, it would mean that the common mind of the Church would be no more or less than whatever the Primates said it was.

¹⁷ §6 “Each Church commits itself ... (3) to seek with other members, through the Church’s shared councils, a common mind about matters of essential concern, consistent with the Scriptures, common standards of faith, and the canon law of our churches.”

¹⁸ The conclusion of the Primate’s Theological Commission of the Anglican Church of Canada on the Blessing of Same-Sex Unions (the St. Michael Report) that homosexuality is a matter of doctrine, but not core (credal) doctrine and therefore not a matter over which communion should be impaired or severed. Others would disagree indicating one difficulty with determining what is ‘essential’. See <http://www.anglican.ca/primate/ptc/smr.htm>.

¹⁹ *The Communiqué of the Primates’ Meeting in Dar es Salaam* 19th February 2007, para. 11, but not in the Draft Covenant itself.

²⁰ Would each Primate have one vote, or would votes be weighted according to nominal membership? Would 50%+1 constitute sufficient majority to determine the common mind, or 100%, or something in between?

²¹ Would there perhaps need to be an international body for interpretation of statutes and an international ecclesiastical court? How would their judgements be enforced?

²² Katherine Grieb, *Interpreting the Proposed Anglican Covenant through the Communiqué*.

In effect the capacity to determine the ‘common mind’ of the church creates a novel jurisdiction. Both the process and the limits of this jurisdiction need to be specified. Without adequate clarification and agreement as to what would constitute ‘a common mind’ there can be no clarity about the relationship between the Primates and the Provinces. To sign the Covenant in its present terms would be to hand to the Primates powers limited only by the boundaries of the Church.

In the absence of further clarification the duty to seek a common mind would seem likely to alter the practice of the Church in a number of ways. First there would be an increased probability (simply because the means would be available) that one Province would concern itself with affairs in another, and that they would intervene earlier, which might well mean exacerbating issues that would have been better left to blow themselves out. Second, there would be a natural tendency to seek a sharply defined solution to a theological or practical problem when diversity, provisionality and the recognition of complexity may be both possible and desirable. Third, the whole programme of determining a common mind through the Primates’ Meeting is to reach for a single authoritative structure to replace the present dispersed authority.

4.5 Standards of faith

It is not clear what ‘common standards of faith’ (§6.3) might comprise that are not already set out in the existing formulae of the Anglican Communion. At its strongest this phrase might imply a duty to compile one prayer book across the Communion, for example, or that no Province could refer to any theological standard which was not held in equal regard by all others.

Equally important is the characterisation of the relationship between the ‘common standards’ and contemporary church life and teaching. §2.6 of the Draft Covenant refers to the ‘loyalty’ to an inheritance of faith in statements culled from a number of accepted Anglican formulae. ‘Loyalty’ is a commendably elastic term. Yet the mechanisms of §6 would seem to imply (though it doesn’t state) a presumption of a much more stringent relationship between the inheritance of faith and its contemporary expression.

In the Preface to its Declaration of Assent²³ the Church of England sets out the position of the Church as a whole as professing ‘the faith uniquely revealed in the Holy Scriptures and set forth in the catholic creeds’. Its historic formularies ‘the Thirty-nine Articles of Religion, the Book of Common Prayer, and the Ordering of Bishops, Priests and Deacons’ have ‘borne witness’ to ‘Christian truth’. The individual making the declaration is asked whether they will ‘affirm your loyalty to this inheritance of faith as your inspiration and guidance under God’. They reply that they ‘do so affirm and accordingly declare my belief in the faith’ set out in the terms of the Preface.

This formula makes a clear affirmation of faith, it demands of its ordained members a faithful loyalty to that inheritance of Christian truth, and it refuses to make heavier or narrower demands on individuals as to the manner of their loyal interpretation of that inheritance. We would commend the Church of England’s Preface and Declaration of Assent to the Communion as a basis for relationship between Provinces.

²³ Church of England, Canon C15.

4.6 Canon law

The reference to ‘the canon law’ seems to entail a co-ordination of canon law across the Communion. To date voluntary and informal communication has kept the differing jurisdictions very roughly in step with one another, though studies which show the similarities of canon law across the Communion also show the differences²⁴. To replace this voluntary approach with centralised ‘guidance and direction’ (§6.5.3) would be to destroy the definition of autonomy set out in §5 para. 2²⁵.

This step is key to the whole Covenant project. Power can only be exercised over member churches if the international structures have the legal capacity, directly or indirectly, to amend the canons of each Province. If the Covenant is to have any consequences it must override Provincial autonomy. By this step the levers of power over the local church will be placed in the hands of the Primates²⁶.

4.7 The Instruments of Communion

§5 describes the present international structures of Anglicanism in language which avoids evaluation and which does not weigh the interrelationship between the Instruments of Communion.

One consequence, and perhaps a purpose²⁷, of granting final authority to the Primates’ Meeting would be to re-orientate the Anglican Consultative Council and the Anglican Communion Office. At present the ACC is the one international instrument with a written constitution, a representative structure, and lay members. §6.5 would reduce the role of the ACC to offering the Primates advice, should the Primates ask. Thus organizations developed to serve the whole Communion would, in this dispensation, serve a committee, a curia, of 38 people.

The Draft does not address the role the Lambeth Conference would have in its proposed scheme. Yet even if the Conference were to work closely with the Primates’ Meeting, in practice ‘the historic episcopate, locally adapted’ (§5 para. 1; cf. also §4 para. 2) would be wholly subordinated to powers concentrated in the hands of the Primates.

4.8 The absent laity

Apart from a brief, factual, mention in §5 para. 6 the laity are invisible in this Draft Covenant. If the Draft’s processes were to be implemented the voice of the laity would be utterly

²⁴ Cf. Norman Doe, *Canon law in the Anglican Communion: a worldwide perspective* (Oxford : Oxford University Press, 1998).

²⁵ Some States may regard the loss of autonomy as provocative: the Anglican Church in such a place may find itself undermined locally by its (perceived) submission to a foreign jurisdiction. The suggestion that Anglicans may find themselves strengthened by a Covenant (Windsor Report §119 (5)) will need to be assessed in each separate case.

²⁶ The extent to which levers pulled at an international level will effect changes in the local church can only be known when tried. However one probable consequence of the transfer of ultimate power from Province to Primates would be to slow down local decision making.

²⁷ Archbishop Drexel Gomez has said

... the Anglican Communion Office, in its political shape, arose in an attempt to take account of the “revelations” of the church’s missionary thrust, and to help bring this reality to the table. This was a logical step, bound to the needs of new organization and coordination of councils and mission that simply had not existed before the 1970’s. But the Office’s limitations, in the rapidly unveiling world of Anglican realities, were defined by its principal funders (mostly American). And these limitations, seen by many as a drag on actual mission, have been reflected in the ACC struggles of the past few years.

On being Anglican in the 21st Century.

peripheral and rendered inaudible. This is a contradiction of an ecclesiology in which the Church is ‘the blessed company of all faithful people’²⁸. To marginalise the laity in decision making would be to hobble the body of Christ, to undermine the faithful work of the people of God, and to diminish the quality of ecclesial life.

More prosaically the structures of the Communion rest on the shoulders of the laity. From local missions to international gatherings the Church relies on the finance overwhelmingly provided by lay people. If they are to be asked to pay for new or greatly expanded distant international structures they must first be persuaded of their value.

4.9 Subsidiarity and the allocation of power

There is no reference in the Draft Covenant to subsidiarity. §6 is concerned to find ways by which to concentrate power and to extend the power of the international institutions of Anglicanism into the legal structures of each Province. No thought appears to have been given to the proper limits of such power, nor to which matters may properly be debated and decided at a local level (nor to how such a decision might be made). Nor has consideration been given to the proper ‘loyalty’ to the local expression of the inheritance of faith.

The Covenant has grown out of one historically specific conflict yet adoption of it will set the character of the Communion for generations to come. If it is to be adopted it must be clear, robust, subtle and sufficiently flexible to address other present issues (lay presidency, for example, or polygamy) and to address unforeseen disputes.

Diversity is given no value in this Draft and its whole drift is towards conformity. In this it contains a potential threat to every member: a scheme devised with a view to expunging one local expression of faith may, in different hands at a different time, be turned against others. Powers granted to a group for one purpose may later be used for other purposes and against other groups. It is therefore in the interests of each group to constrain carefully the power they share with others.

4.10 Centralisation

§6.4 is disingenuous. It acknowledges that, at present, the Instruments of Communion have no power and only ‘moral authority’. Yet the following paragraph commits signatories to submit to the adjudication of the Primates’ Meeting. Adoption of this Covenant would steadily erode local autonomy. It is a one-way ratchet. Over time more and more matters would flow to the Primates for decision, more and more matters would be sent down to Provinces for incorporation in their canon law. There is no intimation in this Draft as to whether or how matters could be re-opened for debate.

4.11 The capacity for development

This Draft does not contain any mechanism by which innovation could occur and be received into the body of the Church²⁹. Instead it would hand all power to the most conservative and obdurate. Perhaps ‘the point of a covenant is to prevent any significant change from occurring in the Church’s doctrine and practice’³⁰. However, a mechanism which is

²⁸ *Book of Common Prayer* (1662).

²⁹ Many years ago John Sentamu described the Church of England as having the engine of a motor mower and the brakes of a juggernaut. The Draft Covenant would embed this disparity into the global church with perhaps even greater force.

³⁰ Katherine Grieb, *Interpreting the Proposed Anglican Covenant through the Communiqué*.

concerned only with preventing change rapidly rusts and becomes unusable, or is simply ignored and rendered otiose.

To be robust the Covenant must hold the means for undoing past decisions. Had there been no such capacity in place since the first Lambeth Conference divorcees could never be remarried in Church (Resolution 4, 1888); the Church would continue to warn ‘against the use of unnatural means for the avoidance of conception’ (Resolution 66, 1920), and women could never have been ordained (Resolutions 113-116, 1948). Nor, for that matter, could this present Draft Covenant have been countenanced:

The Anglican Communion is a fellowship, within the one Holy Catholic and Apostolic Church, of those duly constituted dioceses, provinces or regional Churches in communion with the See of Canterbury, which have the following characteristics in common:

- a) they uphold and propagate the Catholic and Apostolic faith and order as they are generally set forth in the Book of Common Prayer as authorised in their several Churches;
- b) they are particular or national Churches, and, as such, promote within each of their territories a national expression of Christian faith, life and worship; and
- c) they are bound together not by a central legislative and executive authority, but by mutual loyalty sustained through the common counsel of the bishops in conference.³¹

Traditional Anglicanism recognises that Councils may err³², has been prepared to admit its own error and, when appropriate, has repealed previous resolutions. This capacity should be retained in any new structure.

As it stands the Draft Anglican Covenant contains no means by which it may itself be reviewed or repealed.

4.12 The threat of expulsion

Finally, §6.6 is dishonourable. It is of the essence of a voluntary association that a member may walk away of their own volition. If, however, a member is to be expelled then responsibility for expulsion lies with those who decide and implement that decision. The majority may feel that a member has, by their words and actions, occasioned such a decision but to attribute blame to the Church which is expelled is irresponsible self-deception. To embed a denial of responsibility for schismatic actions in the heart of Anglicanism is to compromise the moral integrity of the whole Communion.

5) The Church of England³³

As with other Provincial legislatures, if the General Synod signs the Covenant it will subordinate its authority to that of the Primates’ Meeting.

5.1 The Process of adoption of a Covenant

Should a Covenant be brought to General Synod in its present form it is likely to be subject to Section 8 of the Constitution of the General Synod as ‘providing for’ ... ‘a scheme for constitutional union or a permanent and substantial change of relationship between the

³¹ Resolution 49, 1930. <http://www.lambethconference.org/resolutions/1930/1930-49.cfm>.

³² Article XXI.

³³ The MCU is largely focused in the Church of England although its membership includes people in other Anglican Provinces and other denominations.

Church of England and another Christian body'³⁴. This Section requires approval by a majority of Diocesan Synods before General Synod may grant final approval.

Should the Draft Covenant be passed by the Synod it is highly probable that it would also require Parliamentary approval. At this stage (without a final text or any indication of the character of debate in Diocesan and General Synods) it is impossible to predict what the response of parliamentarians would be.

5.2 Possible implications for the Church of England

Before General Synod takes such a step it should first explore the implications for its own governance of the Church of England and also for the relationship of Church and State. It is probable that the proposed change in the status of the Church of England in relation to the Anglican Communion will have implications for existing legislation and for the Established nature of the Church of England.

6) Theology

Nothing in this Draft Covenant impinges explicitly on the substance and practice of theology amongst Anglicans. Nonetheless we are concerned that conservative theological presuppositions which have driven the disputes over the place of homosexuality in the Church are discordant with classical Anglicanism. Furthermore there are indications that the adoption of this Covenant might itself engender a narrowing of perspective and a limiting of theological adventure.

6.1 The devaluation of diversity

Concern about the implications for theology comes in part from silences in the Draft Covenant. There is no explicit welcome for a diversity of theological or spiritual approaches.

In §3.1³⁵ of the Draft Covenant the definite article seems to govern the whole sentence. *The* 'catholic and apostolic faith, order and tradition' makes sense at a broad level of generality. This may be appropriate for a Covenant. However, without further elaboration, the sentence might seem to deny that *the* tradition also contains an innumerable array of traditions when 'faith, order and tradition' are described with greater care.

Whilst this point may be explained by the necessary brevity of a Covenant the certainty of *the* 'biblically derived values' and '*the* vision of humanity' (§3.1) cannot be substantiated theologically, historically or in terms of present disputes. In terms of definiteness more is being demanded here than can possibly be delivered.

6.2 Classical Anglican theology

Classical Anglican theological method has accepted that there is no single infallible source of truth in matters of religion. Instead we rest on the three-legged stool of Scripture, reason and

³⁴ *Synodical Government Measure 1969, Schedule 2, Constitution of the General Synod*. It may be argued that the purpose of this clause was to address formal ecumenical relationships and would not apply to the Anglican Communion of which the Church of England is already a part. However if the Anglican Communion is to be given juridical form it would constitute 'another Christian body'.

³⁵ §3 "In seeking to be faithful to God in their various contexts, each Church commits itself to: (1) uphold and act in continuity and consistency with *the* catholic and apostolic faith, order and tradition, biblically derived moral values and *the* vision of humanity received by and developed in the communion of member Churches;" (*emphasis added*).

tradition: truth emerges as each source is balanced against the others in a continuing and continually refreshed search.

This balancing of sources has allowed historical circumstances to produce new insights. It permits established doctrines to be properly challenged in the light of new information or new understandings of our relationship with God as has happened on a great many occasions. The insight that slavery is against the will of God, for example, had to be asserted over a long period against those who argued from the Bible for the retention of slaves.

We acknowledge that this open, questioning theology is not the sole authentic tradition of Anglican theology. It was accepted since the seventeenth century as the central thread of Anglican theology until, in the nineteenth century, the Oxford Movement made it one perspective amongst others. Nonetheless this balanced, measured tradition has helped the Church maintain its orthodoxy and continuity, has helped keep its schools of theology together in one community, and has also assisted the Church to respond faithfully to internal and external change.

6.3 Foundationalism

By contrast foundationalist theology is grounded in the conviction that religious truths are revealed without the mediation of human reason, and that these truths are absolute, ahistorical and incontrovertible. Because such truths are accorded priority over human reason it can seem as though they may be known with certainty. This is more characteristic of sectarian Calvinism than of Anglicanism.

The most common form of foundationalism perceives divine certainties to be found verbatim in the uninterpreted Bible. As little positive role is assigned to human reason, discussion of the interpretation of the Bible is constrained and all attempts to modify or reinterpret established doctrines are in principle rejected. Because certainty is claimed, there is no incentive to listen respectfully to the views of those who disagree (except, perhaps, the better to persuade them of their error). Where it is asserted that the truths already believed are complete, the possibility of new insights is denied.

We believe that there is an incommensurability of foundationalist and non-foundationalist theological approaches³⁶. The debate about homosexuality is one example in which the differences between Anglican and foundationalist responses to disagreement may be expressed. Nonetheless we also believe that Anglicanism is a broad church capable of containing people who espouse these differing theological presuppositions and who work out their implications in different ways. To abandon this position would be to invite disruption rather than debate and would limit theological thinking instead of encouraging theological development.

7) Polity

7.1 Theology and power

Anglican theology is embodied in the structures of the Church. Classical Anglican theological method is expressed in the present polity of the Anglican Communion. It is marked by a willingness to look for a *via media* between its differing poles, an acceptance that

³⁶ See, The Modern Churchpeople's Union, *Response to: Towards an Anglican Covenant, A Consultation Paper on the Covenant Proposal of the Windsor Report*, November 2006.
<http://www.modchurchunion.org/Publications/Papers/Covenant/Summary%20response.htm>

authority is properly dispersed both in geography and through the structures of the Church, by an ability to live with difference and provisionality, and by a recognition that no group and no sub-tradition has an exclusive monopoly on interpreting the will of God.

Theology is enabled by the Church. At its most formal the Church commissions and requires the contributions of theologians to its governance, its conversation with other churches, and its engagement with its society. Less formally, theology is the articulation of the response of the soul to God. Theology draws on patterns of intellectual training, structures of governance, participation in prayer and worship, expectations of discipleship all bound up together. The manner of theology helps shape the Church; the life of the Church helps shape theology.

In our view the Windsor Report and the Draft Covenant is deeply stained by the assumptions of foundationalist theology. Developments which embody the foundationalist assumptions cannot, therefore, successfully defend Anglican theology nor claim to be its authentic successor.

On the contrary: foundationalism allied to power threatens utterly to destroy the rich Anglican theological heritage. An attempt to superimpose a centralised, hierarchical, authoritarian structure over Anglicanism is an attempt to embody foundationalist presuppositions in the polity of the Church. If it succeeds it will reconstruct Anglicanism in its own image and replace the rainbow of loyal local expressions of faith with a monochromatic application of centrally determined proclamations. The phrase ‘the common mind’ will not mean the mind of the church, it will come to mean the way church members must think.

7.2 Theology and unity

Foundationalism is an inherently fissiparous creed. There are no human grounds by which to determine disputes where more than one group claims to know the word of God. Disputes over the ordination of women, for example, cannot be resolved by debate if those for and against both ground their position in the claim that they alone express the will of God as revealed in the Bible. The only option remaining is to separate, each side condemning the other as heterodox.

But the body of Christ is comprised of the whole people of God, and the Spirit of God is not constrained by the human mind. The Anglican Communion has, to date, respected and valued such differences – and throughout its history has argued and disputed a number of issues which have seemed at the time to be fundamental to the faith – and has found ways to move forward together with friendship and open-handed hospitality.

Division does not inevitably stem from disputation. Division occurs where groups refuse to listen and cease to talk to one another. Foundationalism, grounded in an *a priori* conviction of the rectitude of the speaker, is inherently predisposed against listening to alternative views.

If there is to be an Anglican Covenant, therefore, we believe it should cherish classical Anglican theological method and its expression in Anglican polity, re-articulating it in new conditions. An Anglican Covenant should protect traditional Anglican inclusiveness by affirming open and respectful debate. It should reject all attempts to foreclose debate or suppress open, honest and informed seeking after truth, whether on homosexuality or on any other issue. It should refuse to impose hierarchically determined conclusions on genuine differences of opinion. We suggest that the greatest protection for inclusivity may be found in faithful listening to the voice of God echoed in the voices of God’s faithful people.

8) Ecumenism

Apart from a bland reference to ‘mission shared with other churches’ in §4 para. 3 the Draft Covenant makes no mention of the ecumenical consequences of its proposals.

If, as we believe, adoption of this Draft Covenant would effectively create a new form of Anglicanism then each existing ecumenical agreement will need to be revisited.

In some places member Churches of the Anglican Communion have local formal ecumenical relationships. The Draft Covenant is silent on the issue of where decision making would lie in relation to ecumenism. Yet if decision making were to become more centralised in the Anglican Communion then Provincial ecumenical arrangements will become less tenable.

9) Trust

The several hopes for the Covenant³⁷ have been reduced to one hope: that it will restore trust amongst members of the Communion.

But this Covenant is the mirror image of trust: it is an attempt to create structures of power which have no need for trust but which instead will crystallise distrust in juridical form. It will replace relationships of trust by relationships of constitutions and law. The Draft Covenant is not the beginning of a new dawn of trust and mutual respect but a monument to the depth of conflict and the breakdown of relationships.

In 2007 the most senior leaders of the Anglican Communion would not all sit at the Lord’s table together. No document can establish trust amongst those who refuse to sit down and communicate together. Nor, if this Draft Covenant is adopted, will the Primates sit together because they trust one another or because, for all their differences, they respect one another as faithful servants of Christ. They will sit and eat together because each is satisfied that the others have met conditions set out in prior agreement.

Nor is there any reason to believe that trust between the Primates and the rest of the Communion will be enhanced should they take unaccountable power into their own hands. On the contrary, it is almost certain that the Primates would become the focus for all the disputes and fractures in the Communion and the focus for all lobbying and bitterness.

10) Hope for the future

We do not believe that this Draft Covenant is an appropriate foundation for the future of Anglicanism.

We see hope for the future in a reassertion of classical Anglican theological method and its expression in the collegial polity of the Anglican Communion comprised of autonomous and mutually accountable Churches. We recognise that, as a result of global changes and the challenge from conservative Anglicans, this tradition will need to be re-articulated in new circumstances.

³⁷ See, for example, *Towards an Anglican Covenant, A Consultation Paper on the Covenant Proposal of the Windsor Report* §§6, 8-10.

In particular we would affirm as giving hope for the future:

- Provincial autonomy should be retained and the Anglican Communion should remain composed of self-governing Churches voluntarily associating closely with one another. One consequence of this re-affirmation would be the recognition that intrusion into the jurisdiction of other members of the Communion would constitute an act of schism.
- Participation of autonomous Provinces in the international structures of Anglicanism, in voluntary discussion and informal co-ordination of liturgical development and canon law should continue to thrive. The nature of voluntary association is that some bodies will find themselves in close harmony with one another whilst other groups will find themselves to be more peripheral. Over time the strength of these linkages will change. Members of a voluntary association may choose to leave at any time, but there should be no threat of expulsion.
- There may be a greater need for clarity as to what matters are appropriately discussed at a local, and what at an international level. In this regard the achievements of the Anglican Consultative Council are to be celebrated, not diminished.
- Where disputes range internationally the Instruments of Communion should sometimes (where appropriate to the issue under debate) be able to establish clear and careful consultative processes, publicly seeking, receiving and sharing advice. Timetables, once established, should be maintained and the processes should be as transparent as possible. At no time should there be an attempt to use power or the threat of sanctions to pre-empt the course of debate.
- Lay people are constitutive of the whole body of the Church. Processes of debate and reception should include and involve lay people fully, both informally and formally, at every level of the synods and councils of the Church. To some greater degree the international institutions of Anglicanism should be made more accountable to the laity.
- At all levels the Church should encourage a rigorous and lengthy process of testing, discernment and reception of perceived developments in faith and order. This cannot be done in the abstract and member Churches must be able to test innovations in practice as part of their autonomous loyalty to the inheritance of faith. Similarly past decisions must always be liable to be re-opened when information, circumstances, and understandings change.
- Church leaders have a particular responsibility for setting the tenor of debate especially when it becomes most passionate. Classical Anglicanism has developed strengths in the honest, open search for truth that should be cherished. Central to this approach are the affirmations that no-one has absolute certainty, no truth is so well established as to be beyond all question, and that all disputants may learn from those with whom they disagree.
- Church leaders (whilst themselves disputants) also need the strength and the support to prevent debate being foreclosed. Openness, patience, study and considered reflection require formal encouragement. These qualities may also, at times, require protection: contemporary communications are highly effective in whipping up storms but inimical to reflection over an extended period. Yet there is no place for short-circuiting the search for truth.

- Debate should be characterised by a presumption of the good faith of all participants. There should be an acceptance that authority, wisdom and spiritual discernment are dispersed both in geography and through the Church. Church leaders should seek a *via media* wherever possible, recognising that any answer to theological debate is provisional and that, in this world, no group or no sub-tradition can legitimately claim an exclusive monopoly on interpreting the will of God.

We see most hope for the future in the evident fact that God made us all different and in the reassertion of this diversity as a positive theological quality. Classical Anglicanism has developed in a manner which respects difference, and Anglican polity has developed in a way which is capable of holding together divergent theological traditions.

We believe this rich and orthodox legacy should be reasserted and shaped for the present and future needs of the Church. We do not expect or want everyone to agree within narrow bands but to nurture and encourage the search for truth wherever it may lead. We value and would promote mutual respect and hospitality which stretches across all our differences.

Conclusion

We oppose the Draft Anglican Covenant on the grounds that

- it would transform the Windsor process from admonition and counsel into an unprecedented and unjustifiable ecclesiastical coup d'état;
- its central proposal is to transfer power from the presently autonomous Provinces to a Meeting of the 38 Primates. The ambiguity of the text leaves open the possibility that this power would be unlimited, unaccountable, and irreversible;
- the consequences of this development for Anglican theology and polity, and for ecumenical agreements, would be extensive and have scarcely been explored;
- the proposed innovation in granting juridical power to the Primates' Meeting would be a distortion and not a legitimate development in Anglican ecclesiology;
- the consultative processes and timetable are wholly inadequate and in particular they completely marginalise the voice of the laity;
- the proposals have not been adequately justified in their own terms (the creation of trust) nor in the wider terms of better ordering and facilitating the mission of the Church;
- and yet Anglicanism has a rich storehouse of dispersed authority, of hospitality, mutual respect and trusting co-operation, of valuing difference and openness to new developments, of the honest and open search for truth, all of which can provide an alternative to the Draft Anglican Covenant as grounds for hope for the future.



WOMEN AND THE CHURCH
St John's Church, Waterloo Road, London, SE1 8TY
www.womenchurch.com
Email: jean.mayland@fish.co.uk

WATCH comment on the proposed Covenant for the Anglican Communion

At their residential meeting in March 2007 the National Committee of WATCH considered the Draft Text of the Anglican Covenant and presents to the Covenant Design Group and the Anglican Communion Office the following comments as a contribution to the ongoing discussion.

1. Necessity for a Covenant

We regret that the drafting of a Covenant is now considered to be a necessity in the Anglican Communion. We cannot agree with the view expressed by the Covenant Design Group that the concept of a Covenant is to be welcomed as a moment of opportunity within the life of the Communion. We would greatly prefer that there were no Covenant as we consider that the concept is alien to Anglican identity, based as it is on the idea that there can be a single infallible source of truth. The most common form of this view expects certainties to be found in the Bible and then made binding on the Communion as a whole

We regret that issues concerning gay and lesbian people have not been dealt with in the same manner as was the desire of the Diocese of Hong Kong to ordain women priests in 1971. When Bishop Baker of Hong Kong informed the Anglican Consultative Council (ACC) meeting in Limuru that his Diocesan Synod had voted that he should ordain two woman priests and asked whether, if he did so, he and his Diocese would remain in Communion, the ACC agreed by a majority vote that they would. The ACC was thus able to allow the ordination of women to happen in Hong Kong and subsequently other Provinces, where Synods agreed to this development, while preserving the right of other Provinces not to ordain women. We are sad that the same open-ness to change has not been shown in the matter of considering the ordination of gay and lesbian people or their civil partnerships.

We regret that a mood now prevails in the Communion that no Province can be allowed to develop except at the pace and in accord with the most conservative of Provinces. This seems to be contrary to the spirit of Anglicanism as a Communion

with its understanding of Provincial autonomy rather than the structure of a hierarchical authoritarian Church. We are doubtful whether the ordination of women would have proceeded as it did if the current mood of the Communion and the new suggested way of operating had been dominant in 1971.

A biblical Covenant always has two sides and two 'partners'. This draft Covenant is very one sided and makes no provision for differing views or for progress.

We are concerned at the effect which this Covenant may have on our Ecumenical Partners, particularly the Porvoo Churches, the Meissen Churches and the Methodist Church of Great Britain which is currently engaged in its own Covenant discussions with the Church of England

2. Process

Much time, effort and money has already been, and will continue to be, spent on refining the Covenant: the whole process will be a mystery to ordinary Anglicans. We are sceptical of the viability of such a process which aims to produce a response from each Province in time to prepare a revised text before the Lambeth Conference in the summer of 2008.

3. The text of the Covenant

Although we would **prefer** that there were no Covenant we believe that it is imperative for us to comment on the draft text because, if there is to be a Covenant, we would want it to be framed in such a way that traditional Anglican inclusiveness is preserved and open and honest debate is encouraged rather than suppressed by a decision imposed by a hierarchy. We do not want a situation in which it becomes impossible for the Communion to move forward or one in which we have a similar dynamic of control from the top as that exercised in the Roman Catholic Church

Section 3: Our Commitment to Confession of the Faith

Para (1)

We query the phrase 'biblically derived moral values' because although we recognize the Bible as communicating true morality and justice, that phrase has become associated with a particular Christian sub-culture that seems to leave no place for the valid and proper development of ideas, biblical hermeneutics or new pastoral situations. In view of the history of change and development within the Church of England, and within the Communion as a whole, the phrase is now seriously compromised. At one time, for example, the Lambeth Conference declared itself to be opposed to contraception as contrary to Scripture whereas a later Lambeth Conference reversed that decision after further biblical study and with the advance of scientific understanding. In a similar way the Church of England and other Provinces of the Communion wrestled with biblical texts and eventually came to the conclusion that the re-marriage of divorced persons in church was appropriate in certain circumstances.

Para (3)

We are not happy with the claim that it is necessary to ‘ensure that biblical texts are handled faithfully, respectfully, comprehensively and coherently, primarily through the teaching of bishops and synods.’ Ordinary Christians living their lives in our complicated society today have a vital role to play. The continuing interpretation of the Scriptures is the task of the whole community of the Church.

We regret that in the terms of the Covenant there is no mention of the importance of tradition, reason and experience in interpreting the Scriptures. The text says that ‘scriptural revelation must continue to illuminate, challenge and transform cultures, structures and ways of thinking.’ There seems no recognition of the truth that the reverse also applies.

Section 4: The Life We Share with Others: Our Anglican Vocation

Final Para point 4

This calls upon the Anglican Communion to ‘seek to transform unjust structures of society’. It fails to recognize that the Church itself has unjust structures especially where women, gay people and other marginalized groups are concerned.

Section 6: Unity of the Communion

Para (2)

We welcome the commitment ‘to spend time with openness and patience in matters of theological debate and discernment to listen and to study with one another in order to comprehend the will of God. Such study and debate is an essential feature of the life of the Church as it seeks to be led by the Spirit into all truth and to proclaim the Gospel afresh in each generation.’

We would hope that this element in the Covenant could be strengthened and accompanied by an acknowledgement that there cannot always be unanimity in all Provinces on all matters as different Provinces do their study and reflection in different cultural and pastoral situations. We would welcome an inclusion in the Covenant recognizing that Provinces should be free to act in different ways and yet be contained within the Communion. We do not think that this possibility is sufficiently recognized in paras (5) and (6), which seem to envisage unanimity on all issues within the Communion, a condition which has never been a characteristic of classical Anglicanism. Our tradition has always been dynamic and there has always been a process of change within the Church of England and the Communion which has taken place at different times and in different places about different issues.

The basis of the Church of England, and through it the rest of the Anglican Communion, has been the Bible and the tradition of the Church as interpreted in the 39 Articles and the Book of Common Prayer. Its life is, in fact, **based in worship**. In his preface to the Prayer Book of 1552 Crammer himself recognized that although the ancient prayers of the Church had been formed out of good ideas, the time had now

come when they needed to be changed. The preface to the 1662 Prayer Book further recognizes that “in the reigns of several Princes of blessed memory since the Reformation, the Church upon just and weighty considerations her thereunto moving, hath yielded to make such alterations in some particulars as in their respective times were thought convenient:”

While respecting the historical basis of the Book of Common Prayer, the Church of England has revised its liturgy on a number of occasions during its history and especially in the 20th Century. Freedom has been given to the Provinces of the Anglican Communion to develop and change their own liturgies in keeping with their own society, culture and language while maintaining a recognized historic liturgical norm. They have done this in a variety of different and creative ways.

With respect to biblical interpretation, the whole story of the abolition of the slave trade and then the abolition of slavery itself was based on a re-interpretation of the Scriptures as then understood. Those determined to abolish the slave trade - and this included a group of leading evangelicals - were obliged to think carefully about biblical texts and show why they had come to different conclusions than those reached, for example, by St Paul in some of his epistles. Basically they came to realise that Genesis texts about all people being made in God’s image were more important than St Paul’s instructions to slaves to obey their masters.

The same struggle with and re-interpretation of some biblical texts has been and continues to be an important part of discussions about the role of women, the ordination of women to the priesthood and, currently in the Church of England, about the consecration of women to the historic episcopate.

Movement on all these matters has differed considerably in the various Provinces of the Anglican Communion and yet Communion has been maintained. The process has moved forward in a pragmatic but open way.

4. Conclusion

The **key omission** in this draft Covenant is that it fails to indicate a process by which Provinces may be allowed to move forward at different times and in different ways about different issues. It is not sufficient to discuss matters openly and insist on unanimity. There must be a mechanism by which honest differences are recognized and those Provinces which wish to make changes that others may not desire, can yet have the freedom to do so if it is judged that change is appropriate to their mission. Anglicanism has always been prepared to allow people to hold different views. The advent of women priests and bishops has led to a situation where different practices are accepted. This pattern needs to be extended to allow new changes to take place while those who hold different views are still held within the fellowship of the Communion.

Jean Mayland

on behalf of the National Committee of WATCH (Women and the Church)

**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

June 2007

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.

A Response to the Windsor Report

prepared by the Windsor Report Response Group
and adopted by the Council of General Synod of the Anglican Church of Canada
March 2007

Introduction

1. We present a response from the Anglican Church of Canada to the Windsor Report, in the spirit of Archbishop Eames' foreword to the report, "in the prayerful hope that it will encourage the advanced levels of understanding which are essential for the future of the Anglican Communion."
2. In October 2004, the bishops of the Anglican Church of Canada "received with thanks the Windsor Report" and "recognizing its importance . . . commended it for study throughout the church." The report was widely read and studied. Responses were invited from Anglicans across Canada, and many, both lay and clergy, took the opportunity to comment on the report. A summary of their response is found in Appendix 2.
3. As Canadian Anglicans, we are committed to our membership in the Anglican Communion. We are committed to engaging in a process of dialogue, listening to the voices of other Provinces and sharing our experience as we try to live out those tasks to which the gospel calls us, under the guidance of the Holy Spirit.
4. We understand that, in responding to the Windsor Report, we are engaging in a process of discernment. From 1997 to 2001, the Virginia Report of the International Anglican Theological and Doctrinal Commission was studied widely and a Canadian response prepared. The Virginia Report raises many of the questions with which the Windsor Report is concerned – what binds Anglicans together, what is the theological basis for unity and communion, what structures can best express the kind of communion we seek. The Windsor Report builds upon the Virginia Report and on the reports of Lambeth Conferences, Anglican Consultative Council and Primates' Meetings, and other Anglican gatherings. We recognize the Windsor Report as an important contribution to this process within the Anglican Communion, and we commend it to our church and to the Communion for wider study. We see the present dialogue as one stage in an ongoing process of discernment of the nature of communion. We agree with Archbishop Eames that the Report 'is not a judgement...but is part of a pilgrimage towards healing and reconciliation'. We view the Report, and the responses it has engendered, as 'a genuine contribution to what communion really means for Anglicans'. (Preface)

5. In the Windsor Report, we find much to affirm and to celebrate, and we find there areas where we believe further work needs to be done. These two aspects shape the next sections of our response.

What we affirm

Among the many things we can affirm in the Windsor Report, we wish to highlight these:

6. We believe that the opening reflection of the Report (paragraphs 1-5) makes a significant contribution to our understanding of the nature of the Church (ecclesiology). We celebrate the statement that “communion with God and one another in Christ is thus both a gift and a divine expectation.” Our unity is based on “our common identity in Christ.” The purpose of our unity is “the furtherance of God’s mission within the world.” (§5)
7. We affirm that “the communion we enjoy as Anglicans involves a sharing in double ‘bonds of affection’: those that flow from our shared status as children of God in Christ, and those that arise from our shared and inherited identity, which is the particular history of the churches to which we belong.” (§45) Communion is not an abstraction but a lived reality that finds its concrete expression in particular communities of faith. We live in Canada, in a particular time and place, and are called to minister within that context. Within the Anglican Church of Canada, as within many of the Provinces of the Communion, there is great diversity – of language, of culture, of ways of understanding and expressing theology. We celebrate that diversity and share with the Communion some of the ways we have come to understand that call to unity in diversity.
8. We remind ourselves that our primary task is “to take forward God’s mission to his needy and much-loved world.” (§46)

Scripture

9. We affirm the importance of Scripture as a “focus and means of unity” (§53) and the Report’s emphasis upon the central role of Scripture in Anglican belief and life. The Windsor Report recognizes that reference to the authority of Scripture in historic Christianity means “the authority of the triune God, *exercised through scripture*”. (§54) It affirms this authority as an aspect of “the dynamic inbreaking of God’s kingdom”, rather than “a static source of information or the giving of orders” (§55). With the Windsor Report, we affirm that “Scripture is thus part of the means by which God directs the Church in its mission, energizes it for that task, and shapes and unites it so that it may be both equipped for this work and itself part of the message.” (§55)
10. We celebrate the way in which Scripture is central to Anglican worship. “For scripture to ‘work’ as the vehicle of God’s authority it is vital that it be read at the heart of worship in a way which (through appropriate lectionaries and the use of

scripture in canticles etc.) allows it to be heard, understood and reflected upon, not as a pleasing and religious background noise, but as God’s living and active word.” (§57) We note the statement in the Windsor Report that “questions of interpretation are rightly raised, not as an attempt to avoid or relativise scripture and its authority, but as a way of ensuring that it really is scripture that is being heard.” (§59) We affirm that it is “the responsibility of the whole Church to engage with the Bible together . . . so that when difficult judgements are required they may be made in full knowledge of the texts.” (§57)

11. We want to respond to the call of the Windsor Report “to re-evaluate the ways in which we have read, heard, studied and digested scripture. We can no longer be content to drop random texts into arguments, imagining that the point is thereby proved, or indeed to sweep away sections of the New Testament as irrelevant to today’s world, imagining that problems are thereby solved.” (§61) We pray that the Bible can be for Anglicans “a means of unity, not division.” (§62) “Our shared reading of scripture across boundaries of culture, region and tradition ought to be the central feature of our common life guiding us together into an appropriately rich and diverse unity by leading us forward from entrenched positions into fresh appreciation of the riches of the gospel as articulated in the scriptures.” (§62)

The Lambeth Quadrilateral

12. With §51, we affirm the Lambeth Quadrilateral which “commits Anglicans to ‘a series of normative practices: scripture is *read*, tradition is *received*, sacramental worship is *practised*, and the historic character of apostolic leadership is *retained*.’ ” In saying this, we affirm the statement of the Primates’ Meeting in 2000, “We believe that the unity of the Communion as a whole still rests on the Lambeth Quadrilateral: the holy Scriptures as the rule and standard of faith; the creeds of the undivided Church; the two sacraments ordained by Christ himself and the historic episcopate. Only a formal and public repudiation of this would place a diocese or Province outside the Anglican Communion.” We note that Appendix 3.1 of the Windsor Report does not quote the Lambeth Quadrilateral, but an earlier version (see Appendix 1 of this report for the text of the Lambeth Quadrilateral as adopted by the Lambeth Conference of 1888 and received by the Anglican Church of Canada in 1893.)

Episcopacy

13. We affirm that “the unity of the Communion is both expressed and put into effect among other things through the *episcopate*.” (§63) We affirm the role of bishops as representing the universal church to the local and vice versa (§64), as teachers of scripture (§58), as chief pastors to their diocese and as bonds of unity in the Communion. (§64)
14. We affirm Windsor’s call to “those bishops who believe it is their conscientious duty to intervene in provinces, dioceses and parishes other than their own:

- To express regret for the consequences of their action
- To affirm their desire to remain in the Communion, and
- To effect a moratorium on further interventions.

We also call upon these archbishops and bishops to seek an accommodation with the bishops of the dioceses whose parishes they have taken into their own care.” (§155) We as a Province have been affected by bishops who have intervened. Such interventions are contrary to the Windsor Report, Lambeth Conference resolutions and the Primates’ Communiqué of 2005.

15. We believe, with the Archbishop of Canterbury’s Panel of Reference, that the Shared Episcopal Ministry scheme of the Canadian House of Bishops provides sufficient supplementary episcopal oversight for dissenting congregations. (See Appendix 4 and Windsor ¶151; the report of the Panel of Reference is available at http://www.aco.org/commission/reference/docs/report_october.pdf)

The Listening Process

16. We affirm the statement of the Windsor Report – “We remind all in the Communion that Lambeth Resolution 1.10 calls for an ongoing process of listening and discernment, and that Christians of good will need to be prepared to engage honestly and frankly with each other on issues related to human sexuality.” (§146) In the Anglican Church of Canada, we have tried to take seriously this call to listening and dialogue. Appendix 2 describes some of the ways in which our church has engaged in this discussion. We look forward to hearing how the “listening process” is proceeding in other Provinces, and to learning new insights from their experience.
17. We are concerned for the human rights of homosexual persons and affirm the call of the Windsor Report for Provinces to be pro-active in support of Lambeth resolution 64 (1988), which called upon each Province to reassess “its care for and attitude toward persons of homosexual orientation.” (§146) We would like to encourage dialogue on what is appropriate pastoral care for homosexual persons and their families. (§143)

Diversity

18. “The nature of unity within the Anglican Communion necessarily includes the rich diversity which comes from factors such as local culture and different traditions of reading scripture.” (§71) We believe that, among Christians of good faith, there can be legitimate differences on many issues, and we wish to protect the freedom of conscience of those with differing views. We believe that further work needs to be done on expressing a theology of diversity, including its limits, especially as rooted in the theology of God the Trinity. We rejoice in the publication of the Cyprus Statement of the International Commission for Anglican Orthodox Theological Dialogue as an important contribution to this subject.

What we have done so far

19. Appendix 2 outlines events and actions in the Anglican Church of Canada. Shortly after the release of the Windsor Report, in response to ¶144, the Bishop of New Westminster stated, “We do regret the consequences of our actions with sadness. We realize that many have not understood what we have been attempting to do in this diocese, or have even received news of our actions with dismay. What we have been trying to do is make the church more welcoming and open to all Christians, whatever their sexual orientation.” In April 2005 the Canadian House of Bishops adopted a statement committing themselves to a moratorium on the blessing of same-sex unions. The synod of the Diocese of New Westminster in May 2005 confirmed the decision to effect a moratorium by restricting the Blessing of Same Sex Unions to the eight parishes which as of the end of synod had, by majority vote of the parish membership, decided to ask to be places of blessing. None of the remaining congregations would be authorized to hold such blessings, until the decisions of General Synod in 2007. The synod expressed its desire to remain full members of the Anglican Communion

20. Decisions made in the diocese of New Westminster have been the result of resolutions of synod over a period of years. In the Anglican Church of Canada, we are taking the time required by our synodical procedures for decision-making. We acknowledge the need to keep other Provinces informed of our decisions, and we continue to work at methods of sharing information. At its meeting in May, 2005, the Council of General Synod passed the following resolution: “that the Council of General Synod affirm the membership of the Anglican Church of Canada in the Anglican Consultative Council in the expectation that the duly elected members attend but not participate in the June 2005 meeting of the Council.” We made a presentation at the meeting describing our experience in the Canadian Church. We continue to take our place in the networks and on the commissions of the Anglican Communion, and remain committed to our partnership relationships.

21. Though in an episcopally led church bishops have a good deal of power and authority, in Canada there are many areas of church life in which bishops have agreed to yield that power to synods. The Primate and the bishops are not free to make decisions themselves on these matters. In the Anglican Church of Canada, we have developed a system of synodical government in which clergy and laity share with bishops in decision-making. As a church, we are moving slowly through the process that our constitution and canons require. The decision-making process takes time, and we need to allow time for the discernment process to unfold.

22. A resolution to allow for the blessing of same-sex unions was deferred by the General Synod of 2004, pending an evaluation by the Primate’s Theological

Commission. The Commission was asked to consider and report to the Council of General Synod whether the blessing of committed same sex unions is a matter of doctrine. The St. Michael Report in 2005 concluded that the blessing of same sex unions is a matter of doctrine, but not of “core” or credal doctrine. They also stated that they do not believe that this should be a communion-breaking issue’. The Council of General Synod received the St. Michael Report and recommended that General Synod debate the following resolution: ‘that General Synod accept the conclusion of the Primate’s Theological Commission that the blessing of same-sex unions is a matter of doctrine but is not core doctrine in the sense of being credal.’ We are obligated by our canons and constitution to consider this report at General Synod 2007, to evaluate its conclusion, and to consider the motion on the blessing of same sex unions deferred from General Synod 2004. Since their publication, both the Windsor Report and the St. Michael Report are being studied extensively in parishes and dioceses. We enter these discussions mindful of the common life of the Communion and in response to the leading of the Spirit, as we see it in our own context

23. In Canada, we live in a society in which civil governments have made legal the marriage of same-sex couples. We are compelled to explore the distinction between the blessing of same sex unions and marriage. We note the distinction the report makes between authorized Public Rites and ‘a breadth of private response to situations of individual pastoral care’ (§143). One diocese has made provision to authorize public rites; others allow a range of private pastoral responses. All are motivated by pastoral concern, and we continue to be in conversation together about this issue.

What requires further work

24. We believe that much more work needs to be done in the Communion on understanding what “reception” means. How do we receive and make effective in the life of each Province the reports and documents of international bodies? How has the Virginia Report been received by Provinces since it was presented to the Lambeth Conference 1998? How do individual Provinces receive, for example, the reports of the Anglican Roman Catholic International Commission (ARCIC)? How are comments and suggestions received and acted upon? In the Anglican Church of Canada, we try to commend all such reports to dioceses and parishes for study and comment. This process of reception takes time, but we believe that there is a value in consulting widely among the members of our church. This process would be enhanced by the translation of critical documents into the languages of the Communion and a more intentional process of listening to linguistic minorities within the Communion who might otherwise be cut out of the discussion.
25. We believe that more work needs to be done to clarify our understanding of what is meant by the phrase ‘the authority of Scripture’, recognizing that Anglicanism has historically accommodated a variety of approaches to the reading and

understanding of Scripture and has in each period used the best contemporary techniques of scholarship and interpretation. We heartily concur that ‘it is the responsibility of the whole Church to engage with the Bible together.’ (§57) We acknowledge the important role of bishops as teachers of scripture (§58), but want to affirm also the role of lay and clergy scholars in their ongoing work as teachers of Scripture. We affirm, as a vital aspect of our Reformation heritage, that it is the common vocation of all the baptized to engage in the learning and teaching of Scripture. Given the Windsor Report’s very high expectation of Christian leaders as teachers of Scripture, the Anglican Church of Canada (and possibly other parts of the Communion) must place renewed emphasis on the biblical and theological formation of bishops, clergy and lay leaders. To this end we applaud the Archbishop of Canterbury’s initiative and call for Theological Education in the Anglican Communion.

26. We believe that a wider range of Scripture should be used in exploring the nature of communion and the Church. The Windsor Report makes use of a relatively small range, drawing on examples from the epistles but not from the gospels or the Old Testament.
27. We believe that more work should be done in examining the way authority is exercised in the Anglican Communion. We are concerned about the attempt to increase the influence of bishops by giving to the Lambeth Conference and the Primates’ Meeting an authority not previously held. In particular, the meeting of the Primates brings together bishops who have differing powers and jurisdiction in their own Provinces. What began as a meeting of collegial consultation is increasingly acting as an authoritative body. With regard to the Lambeth Conference, we refer to the preface to the Lambeth Conference report of 1978 which describes the authority of Lambeth resolutions: ‘The resolutions have no legislative authority unless or until they have been accepted by the Synods or other governing bodies of the member Churches of the Anglican Communion, and then only in those member Churches’. (p. 5)
28. Provinces of the Communion have made different decisions about the ordination of women, the admission to Holy Communion before Confirmation, polygamy, the remarriage of divorced persons, liturgical revision, entering into relationships of full communion with other churches, the jurisdiction of primates, and synodical government. Wherever possible, it is preferable that Provinces consult with one another on important matters, but it has never been the case that all Provinces must agree before a decision is taken. We note the proposal of the Windsor Report that on serious matters, ‘in order for bonds of affection to be properly acknowledged and addressed’, churches proposing to take action undertake ‘to demonstrate to the rest of the Communion why their proposal meets the criteria of scripture, tradition and reason’ (§141). We want to work with all other Provinces to explore ways in which such consultation can happen.

29. We believe that it is important to ensure that laity share in taking counsel on matters affecting the life of the Communion. We do not wish to see this role diminished in the membership of the Anglican Consultative Council. This council provides the one opportunity in the Anglican Communion for lay people and clergy to share with the bishops in discussions and recommendations. We have taken an active role in the Council since its inception. In the Anglican Church of Canada, laity and clergy share with the bishops in decision making at all levels of the church's life.
30. We affirm the idea of developing an Anglican Covenant, noting the call of Windsor that it be developed through a "long-term process, in an educative context, be considered for real debate and agreement on its adoption as a solemn witness to communion." (§118) We are committed to such a long-term process and would hope that such a covenant would promote mutual responsibility and interdependence within the Communion. We have reservations about the constitutional tone of the example provided in the Windsor Report. We find that example too detailed in its proposals and we are concerned that such a model might foster the development of a complex bureaucratic structure which might stifle change and growth in mission and ministry. We would prefer a shortened and simplified covenant, perhaps based on the model of the baptismal covenant, or ecumenical covenants such as the Waterloo Declaration between the Anglican Church of Canada and the Evangelical Lutheran Church in Canada, or the covenant proposed by the Inter-Anglican Standing Commission on Mission and Evangelism. We value the Ten Principles of Partnership cited in Appendix 3 of Windsor and would hope that they inform the drafting of a covenant. We affirm that any group given the responsibility of developing an Anglican Covenant needs to be broadly representative of the membership of the Church, including men and women, clergy and lay people, a variety of geographical regions and theological emphases.
31. The Covenant process could provide a place where the evolving structures of the Communion can be discussed and agreed upon. The current practice seems to be the development of *ad hoc* agreements or actions based on reports which have not yet been received by the whole Communion. We affirm that "we do not favour the accumulation of formal power by the Instruments of Unity, or the establishment of any kind of central 'curia' for the Communion." (§105) In responding to the Virginia Report in 2001, many Canadians felt that the present structures serve well when used fully and creatively. "The personal and relational life of the Church is always prior to the structural. ... Right structuring and right ordering provide channels by which, through the power of the Holy Spirit, the mind of Christ is discerned, the right conduct of the Church encouraged and the gifts of the many are drawn upon in the service and mission of the Church." (*Virginia Report*, 5.4) We would be wary of the over-development of structures which would make it difficult for the Church to respond quickly and easily to fulfill its mission in its local context. We are distrustful of the development of structural changes driven primarily by issues and in the midst of acute crisis.

32. We affirm that respect for dissenting minorities needs to be applied to all sides of all issues being discussed in the Church. The Anglican Church has a long tradition of holding together in one church a variety of theological positions and emphases. We hope that the Church will be resilient enough to maintain that degree of diversity while growing in its sense of communion.

Conclusion

33. We affirm ¶40 of the Windsor Report where it describes “a more general feature which ought to characterize life within the Communion: *a relationship of trust.*” Such trust is, in the first place, the fruit of our shared faith in Christ. Trust is built when we meet together, to listen and to talk in mutual acceptance and humility, to read Scripture, to engage in theological study, and to pray. Trust is built when we engage in partnership for mission and development, for social action and education. As Anglicans, we have spent time in ecumenical and inter-faith dialogue, developing ways of speaking and listening respectfully, of sharing insights and experiences, of expressing differences and yet trying to find those deeper levels of agreement that will enable us to remain in a relationship. We affirm our willingness to work with other Provinces to develop such a relationship of trust and mutuality within the Anglican Communion. We commit ourselves to try to walk with more humility with our sisters and brothers and with our God.

34. With Archbishop Eames, we again wish to affirm that the Windsor Report is “part of a process. It is part of a pilgrimage towards healing and reconciliation.” We look forward to continuing with others in that process and pilgrimage.

Resolution for the Council of General Synod to consider

BE IT RESOLVED:

That this General Synod endorse the report of the Windsor Report Response Group, as adopted by the Council of General Synod (March 2007), and that the following be forwarded, along with the report, to the Anglican Communion Office and the Provinces of the Anglican Communion.

The Anglican Church of Canada:

1. reaffirms its commitment to full membership and participation in the life, witness and structures of the Anglican Communion;
2. reaffirms its commitment to the Lambeth Quadrilateral, as received by our church in 1893;
3. expresses its desire and readiness to continue our participation in the ongoing life of the Communion through partnerships and visits, theological and biblical study, in order to foster Communion relationships, including the listening process and the development and possible adoption of an Anglican covenant;

4. reaffirms its mutual responsibility and interdependence with our Anglican sisters and brothers in furthering the mission of the church;
5. notes that, in response to the Windsor Report, the Diocese of New Westminster expressed regret, and the House of Bishops effected a moratorium on the blessing of same-sex unions, and
6. calls upon those archbishops and other bishops who believe that it is their conscientious duty to intervene in Provinces, dioceses and parishes other than their own to implement paragraph 155 of the Windsor Report and to seek an accommodation with the bishops of the dioceses whose parishes they have taken into their own care; and
7. commits itself to participation in the Listening Process and to share with member churches of the Communion the study of human sexuality which continues to take place, in the light of Scripture, tradition and reason.

Appendices

Appendix 1 - The Lambeth Quadrilateral

In 1893, the first General Synod of the Anglican Church of Canada adopted the resolution: “We desire hereby to make it known that we adopt and set forth as forming a basis for negotiation with any of the bodies of our separated Christian brethren, with a view to union, the following Articles agreed upon by the Lambeth Conference held in London in the year of our Lord one thousand eight hundred and eighty-eight, viz.: -

- 1) The Holy Scriptures of the Old and New Testaments, as ‘containing all things necessary to salvation,’ and as being the rule and ultimate standard of faith.
- 2) The Apostles’ Creed, as the Baptismal Symbol; and the Nicene Creed, as the sufficient statement of the Christian faith.
- 3) The two Sacraments ordained by Christ Himself - Baptism and the Supper of the Lord - ministered with unfailing use of Christ’s Words of Institution, and of the Elements ordained by Him.
- 4) The Historic Episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the Unity of His Church.”

Appendix 2 – A Chronology of Events

Discussions about issues around human sexuality have taken place in the Anglican Church of Canada, both in the House of Bishops and in parishes and dioceses, for more than thirty years. In 1976, the House of Bishops commissioned a task force to assist in their deliberations. In a press release in 1978, the House made this affirmation:

We believe as Christians that homosexual persons as children of God have a full and equal claim, with all other persons, upon the love, acceptance, concern and pastoral care of the Church. The gospel of Jesus Christ compels Christians to guard against all forms of human injustice and to affirm that all persons are

brothers and sisters for whom Christ died. We affirm that homosexual persons are entitled to equal protection under the law with all other Canadian citizens.

The House, at that time, declined to authorize the blessing of homosexual unions, but said, "We will not call in question the ordination of a person who has shared with the bishop his/her homosexual orientation if there has been a commitment to the Bishop to abstain from sexual acts with persons of the same sex as part of the requirement for ordination."

The discussion of issues around human sexuality and homosexuality continued at each meeting of the House of Bishops. The House suggested that bishops take the opportunity to meet and talk with homosexual persons in their own dioceses. A statement of the House of Bishops affirmed, "Our commitment is to continue the study; to listen intently to voices across the church; to probe the scriptures; and to discern, as fully and as honestly as we can, the path of faithfulness."

Lambeth Conferences from 1978 on have called on all Provinces to study these matters. In Canada, we have taken seriously that call to study and to dialogue. At the General Synod of 1992 a major block of time was devoted to an open forum on the topic. More materials were made available for parish study and by 1994/95 approximately 170 groups and 2500 people had used the study guide "Hearing Diverse Voices, Seeking Common Ground". Many diocesan synods included opportunities for study and the sharing of information. The Anglican Church of Canada participated in the Archbishop of Canterbury's commission to study issues of human sexuality.

Lambeth 1988 affirmed the human rights of persons of homosexual orientation. A motion of General Synod in 1995 declared "that this General Synod affirms the presence and contributions of gay men and lesbians in the life of the church and condemns bigotry, violence and hatred directed toward any due to their sexual orientation." The House of Bishops in 1996 adopted a motion to "support the legislation before the House of Commons to amend the Canadian Human Rights Act to prohibit discrimination based on sexual orientation." Their statement read, "This is based on the church's belief that all persons are created in the image of God, and that Christ died for all." In 1997 the House of Bishops redrafted the 1979 guidelines in the light of new pastoral awareness and concern for gays and lesbians, while retaining their original intent.

The Faith Worship and Ministry Committee of the ACC was given a mandate to provide leadership to the church to ensure a continuation of the dialogue and asked that all dioceses set up a commission to foster dialogue, to represent the diversity of attitude within the Church and to consider the full range of expressions of human sexuality in relationship and the church's response to those expressions. Many dioceses have held Days of Listening to provide opportunities for studying issues of human sexuality and hearing the wide range of theological views held by Canadian Anglicans.

The Diocese of New Westminster

In 1987, the Diocese of New Westminster initiated a study of human sexuality for both clergy and laity, and study continued over the next decade. In 1998 the synod of the diocese of New Westminster voted by a narrow majority to request the bishop of authorize clergy in the diocese to bless covenanted same-sex unions. The bishop withheld consent, pending further consultation in the wider church. Synods in 2001 and 2002 passed the same motion, by increasing majorities. The bishop in 2002 consented to this motion. Efforts were made to work with parishes which disagreed with this action, and alternative episcopal oversight was arranged. The bishop continued to consult widely with the national and provincial Houses of Bishops, and representatives of the diocese held an information session at the 2002 meeting of the Anglican Consultative Council in Hong Kong. In 2003 six parishes voted to become congregations in which such unions are blessed, and were authorized to do so. A further two parishes were later authorized.

Following the publication of the Windsor Report, in response to the request for bishops who have authorized rites of blessing to express regret, Bishop Ingham stated:

We do regret the consequences of our actions with sadness. We realize that many have not understood what we have been attempting to do in this diocese, or have even received news of our actions with dismay. What we have been trying to do is make the church more welcoming and open to all Christians, whatever their sexual orientation.

In 2005, the diocese constructed a formal diocesan response to the Windsor Report. The response included a decision to restrict the Blessing of Same Sex Unions to the eight parishes which as of the end of Synod had, by majority vote of the parish membership, decided to ask to be places of blessing. None of the remaining congregations would be authorized to hold such blessings, until the decisions of General Synod in 2007. The synod expressed its desire to remain full members of the Anglican Communion.

The Anglican Church of Canada

In 2004, in light of the developments in New Westminster, General Synod spent time considering the blessing of same sex unions. In its resolutions, the synod affirmed that through our baptism we are members one of another in Christ Jesus; called for continued respectful dialogue and study of biblical, theological, liturgical, pastoral and social aspects of humans sexuality intentionally involving gay and lesbian persons and respectful of the cultures of indigenous and other communities; called for the provision of adequate episcopal oversight and pastoral care for all, regardless of the perspective from which they view the blessing of committed same sex relationships; and affirmed the integrity and sanctity of committed adult same sex relationships. A resolution authorizing the blessing of same sex unions was deferred until the meeting of General Synod 2007, pending an assessment by the Primate's Theological Commission. The deferred motion reads 'That this General Synod affirm the authority and jurisdiction of any diocesan synod, with the concurrence of its bishop, to authorize the blessing of committed same sex unions'. (The Declaration of Principles of the Anglican Church of Canada reads that the jurisdiction of General Synod includes 'the definition of the doctrines of the Church in harmony with the Solemn Declaration adopted by this synod'.)

That commission was asked to consider and report to the Council of General Synod whether the blessing of committed same sex unions is a matter of doctrine. The St. Michael Report in 2005 concluded that the blessing of same sex unions is a matter of doctrine, but not of “core” or credal doctrine. The Commission did not believe that this should be a communion-breaking issue. The St. Michael Report and its conclusions will be presented to General Synod 2007.

The Anglican Church of Canada submitted to the Anglican Communion a preliminary response to the Windsor Report, based on wide consultation with dioceses, theological colleges, and individuals. The Canadian church responded to the request of the Primates’ Meeting to withdraw our members from full participation in the meeting of the Anglican Consultative Council in 2005. At its meeting in May, 2005, the Council of General Synod passed the following resolution: “that the Council of General Synod affirm the membership of the Anglican Church of Canada in the Anglican Consultative Council in the expectation that the duly elected members attend but not participate in the June 2005 meeting of the Council.” Our members attended as observers, and hosted a reception for members to share information about our church. As a church, we remain committed to membership in the Communion.

In our society, the civil marriage of gay and lesbian couples is now legal in all parts of Canada. In the church, ongoing dialogue and discussion continue. Other dioceses in the Canadian church have discussed authorizing the blessing of same sex unions. The Diocese of Toronto deferred consideration of such a motion until after General Synod 2007. The Diocese of Niagara passed such a motion but the bishop withheld consent. Resources on human sexuality have been prepared and distributed to diocese and parishes. The Faith Worship and Ministry committee is working on material to assist our church in talking about the reception of reports. How are documents such as the Virginia and the Windsor Reports “received” and made operative in the life of our church?

Appendix 3 A Canadian Response to the Windsor Report January 2005

The Response Group

The group met in Oakville on January 26 and 27, to read the Canadian responses to the Windsor Report and to prepare a summary for the Primate. Members were chosen from the Partners in Mission Committee, the Faith Worship and Ministry Committee, and the House of Bishops. They included Dr. Patricia Bays (Ottawa), the Rt. Rev’d Michael Bedford-Jones (Toronto), the Rt. Rev’d Peter Coffin (Ottawa), the Rev’d Dr. Tim Connor (Huron), the Rt. Rev’d Jim Cowan (British Columbia), Ms. Cynthia Haines-Turner (Western Newfoundland), the Rt. Rev’d Colin Johnson (Toronto) and Canon Linda Nicholls (Toronto). Staff support was provided by Dr. Eleanor Johnson with the assistance of Canon Alyson Barnett-Cowan, Archdeacon Jim Boyles, and Archdeacon Paul Feheley.

The responses

Canadian Anglicans were asked by the Primate to send in responses to the Windsor Report. By the time of the meeting, 171 responses had been received. 9 were from dioceses, 87 from laity, 51 from clergy, 13 from groups of clergy and laity, and 11 could not be identified as to order. The group was delighted with the large number of lay people who responded. Responses came from all ecclesiastical provinces (17 from Canada, 58 from Ontario, 34 from Rupert's Land, 36 from British Columbia and Yukon, and 20 could not be identified as to geography). On a spectrum from those most concerned to preserve the present practice of the Anglican Church (1) to those most open to change (5), the following was identified:

1 – 44 2 – 28 3 – 29 4 – 41 5 – 24 Can't tell – 3

Since January 26, other responses have come in. They have been read but the numbers are not reflected in the above statistics. The responses covered the whole spectrum of opinion within the Canadian church. The majority of the responses dealt with questions about homosexuality and the authority of scripture. Again, opinion covered a broad range. A smaller number of responses (about a quarter of the total number) dealt directly with the Windsor Report and the four questions prepared by the Primates' Meeting.

The process

The response group, including staff, divided into 6 groups of 2. The responses were divided into packets of equal length. Each group was asked to read the responses in their packet, record statistical information, and make a note of themes, concerns and quotes. Every response received by Wednesday evening (January 26) was read by two people. We looked also at a response from the Council of General Synod, and a report on the discussion held at the House of Bishops meeting. The task force then drew out themes from what they had read. Finally we looked at the four questions (see below) and tried to summarize responses, using direct quotes as examples.

The **four questions** formulated by the Primates' Standing Committee

1. What in the description of the life of the Communion (A & B) can you recognize as consistent, or not, with your understanding of the Anglican Communion?

There were many expressions of thanks to the Commission for the work that they had done.

“The Commission is to be commended on having produced a unanimous Report under very difficult circumstances. We affirm whole-heartedly the assertion that our communion with one another is a gift from God.”

“Overall, I think the report is excellent, and the Commission is to be congratulated on a thorough and persuasive presentation, and particularly for stating the scriptural and historic authority for what it says. I believe it correctly analyses the internal causes of our present problems, although it does not touch upon the external (e.g. the rapid change in Western mores in the past 50 years which other regions have, unsurprisingly, not yet followed.)”

Responses varied as to the accuracy of the description of the life of the Communion. Some said that this was a good description of Anglicanism. Others expressed concern that the ecclesiology described does not match their historical understanding of it. One said that the description was “a somewhat rosy view of Anglicanism, given its history of sectarianism and political factionalism.”

There were a number of concerns about the material in sections A and B. Many felt that more exploration was needed around words like autonomy, interdependence, and adiaphora.

“Although there is a scriptural basis to the Report, many of the terms used are not scriptural, e.g. autonomy, adiaphora, subsidiarity. It seems to us that the key biblical concept we need to affirm is that of the Body of Christ. There should be more emphasis on the world-wide Body of Christ, and on ways in which this understanding of our church and churches could be enhanced.”

Biblical foundations

There was approval for beginning with an examination of the biblical foundations.

“We appreciated the close and logical nature of the reasoning the report, especially in the passages on Scripture.”

“The report’s description of the fundamental character of the church, drawing on Ephesians and 1 and 2 Corinthians, portraying the church as “the practical embodiment and fruit of the gospel”, is one we enthusiastically endorse. We agree that the “redeemed unity which is God’s will for the whole creation is to be lived out within the life of the church.”

“We strongly affirm and support the conclusions of the Windsor Report, and its approach to the importance of the continued integrity of the world-wide Anglican Communion. We acknowledge and especially appreciate the emphasis that the Windsor Report placed on Scripture as the Church’s supreme authority and basis for unity.”

Other responses raised concerns about the choice of texts.

“There seems to be a concentration on the Pauline epistles, with no quotations from the Gospels or Acts or elsewhere. For example, Jesus’ treatment of the topic of divorce, or the apostles’ handling of the reception of Gentiles into the church, might usefully have been referred to.”

“The theological reflection begins in #1 with the fact of sin, and moves very quickly to the reality of division. Sin seems to be understood on the model of the Babel story as alienation and division. It would be fruitful to contrast this with a reflection

beginning with creation, in which the rich diversity of the Trinity overflows into all creation. Such a model would first of all celebrate diversity, rather than see it as a threat or punishment.”

There was a plea for more education around the Scriptures, and a commendation of paragraph 67 which expresses a need for us to read Scripture together. “One of the hallmarks of healthy worldwide communion will be precisely our readiness to learn from one another (which by no means indicates an unquestioning acceptance of one another’s readings but rather a rich mutual accountability) as we read scripture together.”

The ordination of women

The description of the procedure followed in bringing about the ordination of women provoked a good deal of response. In general, it was felt that the Windsor Report describes the story of the ordination of women to the priesthood from the perspective of bishops and decision makers, and not from the perspective of women. We need to acknowledge the pain and the cost that is involved in our decision making process, both in the past and the present.

“The example given as a model of decision-making, namely the ordination of women and the consecration of women to the episcopate, is idealized. It was nowhere near as smooth as the Report makes out, and it is still a source of conflict in the world-wide church.”

“The section entitled “Recent Mutual Discernment within the Communion” (12-21) is a breath taking re-writing of Anglican history that few women would recognize as either helpful or appropriate. In the midst of a pastoral crisis in 1944 Bishop Hall did not consult the “Instruments of Unity” and, in fact, was roundly condemned by them all prior to the Anglican Consultative Council in Kenya almost thirty years later. Despite censure and pressure from Lambeth 1948 and two successive Archbishops of Canterbury, Bishop Hall did not deprive Li Tim-Oi of her priestly orders; she surrendered her license. In light of the terrible suffering that Li Tim-Oi underwent during the Cultural Revolution and of her rejection by the Anglican Communion, the use of her experience as an example of the effective working of the various instruments of unity is, to say the least, disrespectful of a courageous woman.”

“The real lesson derived from the history of the ordination of women is that having the need for unity and fellowship as the first priority results in the endless postponement of decision-making and inequitable treatment for those most closely involved.”

“This section of the report shows that the Anglican Church of Canada is already in impaired communion with many Provinces, even though all the

appropriate steps were followed. If we can exist with a measure of impairment on this issue [ordination of women and of persons divorced and remarried], why can we not now exist with a similar measure of impairment?”

“The report argues that there is no precedent in Scripture and tradition for the ordination to the episcopate of gays/lesbians and the blessing of their union. Was there any such precedent for the ordination of women or for the remarriage of divorced persons? Lambeth 1968 dealt with this question when it pointed to the dynamic nature of tradition with the words,

“If the ancient and medieval role and inferior status of women are no longer accepted, the appeal to tradition is virtually reduced to the observation that there happens to be no precedent for ordaining women to be priests. The New Testament does not encourage Christians to think that nothing should be done for the first time.”

Authority of Scripture

There was a wide range of views on the authority of Scripture. There were statements about the supreme authority of Scripture and insistence that the words of Scripture be followed exactly as read. A number of responses indicated a strong belief that the blessing of same sex unions is forbidden by the Scriptures, and there is a concern that, in some of its recent decisions, the Anglican Church is departing from the Scriptures.

“How can I remain true to orthodox Anglicanism under the authority of leadership that appears to challenge the Scripture?”

“How can those of us who consider the Bible as God’s true Word be one in Christ with those who are interpreting Scripture to fit in with worldly agendas?”

There were also responses which called for a more nuanced reading of Scripture in the light of contemporary scholarship and the changing life of church and society. Some responses encouraged the church to look at the gospel’s message of inclusion.

“We felt it might be important to explore some of Jesus’ own teaching, particularly passages such as the High Priestly prayer and those passages that speak of inclusivity in the life of the faith community. Indeed, there are other Pauline passages on inclusivity that might be quoted.”

One response directed our attention to the way the apostles made decisions on how biblical laws and mores were to be applied, particularly in the case of admitting new members to the church. “The unwavering example of Jesus was and is to look beyond the rules to the people for whom the rules are made.”

“The apostolic example warns us not to prejudge the answer. Nor does it leave the answer to those whose lifestyle is in question. It names two or three trusted senior leaders representing opposite positions to study together whatever texts they deem relevant to the case before them, to examine witnesses to the presence of the Holy Spirit in the lives of those asking a blessing, and to pronounce what minimum rules for bestowing a blessing should apply.”

There was some question about the statement “The Anglican Communion has always declared that its supreme authority is Scripture.” Some saw this statement as a departure from Anglican tradition.

“In fact, Anglicanism from its early days has looked to a balanced authority. Richard Hooker said that Scripture must always be read in the light of tradition and reason. The Bible goes hand in hand with Tradition – the historic creeds, the collective wisdom of the church throughout the ages. This is perhaps more of an emphasis of the catholic side of Anglicanism. The Bible is always to be interpreted in the light of reason. Anglicans tend to use current scholarship to interpret the scriptures, and reject a narrow literalist understanding of the Bible. As well, Anglican scholarship has always studied and used where appropriate contemporary scientific knowledge. This was evident, for example, in the challenge to traditional Anglican thought of Darwin and the new science of the 19th century. We should be wary of forcing a narrow understanding of authority on the Communion.”

Making decisions in the Communion

There was felt to be a need to define autonomy and interdependence, and there were questions about how decisions have been made in the past. Traditionally as Anglicans we have not decided much on the communion level but rather on the diocesan and provincial levels.

“The description of the life of the Communion does not reflect any recognition of the respect one Province ought to have for synodical decisions of another Province. Canadian Anglicans have long tolerated positions taken in other Provinces which do not reflect their own positions. The issue of women as Bishops is an easy example of that tolerance. It is not merely a matter of *adiaphora* but a reflection of the authoritative foundation of decisions made by the Canadian Church which ought to be given more weight than positions espoused by provinces without that authority.”

“The synodical decisions made by the Diocese of New Westminster and General Synod, which are dealt with in the Report, are decisions of the kind of substantial authority I have in mind. I would submit that what is missing from Parts A and B of the Report is a recognition that at least until recently, Canadian Anglicans expected that the Commission would

recognize the significance of those synodical decisions and respect them as more authoritative than pronouncements from Communion-wide bodies newly labeled as Instruments of Unity. For example, I would regard the synodical decisions of ECUSA as more persuasive and influential in the Canadian Church than the pronouncements of a Primate of a Province made without consultation with a Synod.”

Reference was made to the fact that the Communion has in fact changed its mind on occasion, in the discussion of contraception at the Lambeth Conferences of 1920 and 1930, and in the discussion of the ordination of women.

2. In what ways do the proposals in C and D flow appropriately from the description of the Communion’s life in A and B?

Again, responses varied. Some supported the instruments of unity as described in the Windsor Report.

“I am pleased that the Commission supports the work of the Archbishop of Canterbury, the Lambeth Conference, the Anglican Consultative Council and the Primates’ Meetings as the mean of unity and the working of that same Holy Spirit. I do not fear that the support of these instruments will diminish the gains we as a communion have made. In fact, the use of these instruments has caused us to grow in the spirit of justice and truth in Christ.”

“I believe that, with proper care, the instruments of unity can effectively be used for the building up of the body of the communion without the use of a covenant. If we shore up the existing Instruments of Unity, we will move beyond the individualism of this age, not losing our diversity, but finding the common call we have in Christ for the world.”

On the other hand, other responses were concerned about the dangers of a greater centralization of authority.

“The main proposals presented in the Report would seem to call a halt to this development in synodical governance, replacing it with a trend to centralize authority in small bodies operating at the highest levels of the Communion, and not necessarily involving laity. We thus regard them with some hesitation.”

“There seems to be a slide into a corporate organizational model, versus the *consensus fidelium*. We believe that there should be freedom and even encouragement to stretch the boundaries, which is an exciting adventure and a way in which the church discovers new leading from the Holy Spirit.

The Report concentrates on developing rules of procedure in decision-making, whereas the urgent need is to find ways of fostering our bonds of affection, that is, our mutual love, and of

finding new and improved ways of being together. It is more important to concentrate on improving the bonds of affection within the Communion than on clarifying authority and process.”

There was concern about the proposed Council of Advice.

“If it is seen as a permanent body, would it not simply add yet one more bureaucratic level to the mix? A group of specialist advisers can be called together by the Archbishop of Canterbury to consider any issue whenever he or she wishes, and the right to do this might be spelled out in the Covenant. The proposed permanent Council smacks to us of being a kind of “creeping Curia.”

“The proposed Council of Advice appears to lack any ecclesiological significance, and it actually hampers the role of the Archbishop of Canterbury, who already has a formal staff at Lambeth Palace. What is proposed seems to be nearly a curia, and not one that necessarily enables the episcopal ministry of the successor to St. Augustine, but which may well dictate and control it.”

There was some concern over strengthening the role of the Archbishop of Canterbury when this is an appointment of the British Crown. Should the Archbishop be appointed from elsewhere in the Communion? In some of the responses, there was a real resistance to “English” and “colonial” style.

“Often assumptions and attitudes from the British colonial period colour our conversations with each other in ways that we do not always acknowledge. . . . Another visible sign of post-colonialism can be seen in the Church of England’s blithe assumption that, until it has agreed to a particular innovation (like the ordination of women), the change really hasn’t happened.”

“We also note that the Commission has chosen not to question the inherent structure of the current Instruments of Unity nor to examine the implications of the historic relationship between the Archbishop of Canterbury and the British Crown as it pertains to issues of accountability within our wider Communion. The Commission’s recommendations suggest a desire to entrench existing mechanisms, rather than to address the possibility of the need for systemic reform.”

There was concern that the provision of alternative episcopal oversight is a departure from the Anglican tradition of bishops not intervening in other dioceses.

“If there is to be provision for alternative episcopal oversight, it must work both ways so that those in favour of the blessing same-sex unions can be assured of pastoral care.”

The “Shared Episcopal Ministry” statement of the Canadian House of Bishops speaks about the need for episcopal oversight that works both ways. It says, “It would be important to have a number of bishops from different theological perspectives so that all parishes requesting Shared Episcopal Ministry might be served.”

Opinions differed on the “expressions of regret.” Some felt that New Westminster and New Hampshire had made decisions according to the canons of their provinces and so had done nothing for which they needed to express regret.

“I can’t see how any part of the church should be expected to apologize for having taken actions which were in total compliance with the legal requirement of the church (province and diocese), and which faithfully followed the leading and guidance of the Holy Spirit.”

Others felt that their statements of regret had not gone far enough.

“For any expressions of ‘regret’ to be meaningful we also look for them to be accompanied by substantial actions, including the “withdrawal from representative positions . . .” and “turning away from policies. . . “ which have been variously called for. We deeply regret that we have not seen any indication that this is likely to happen. To the contrary, several key North American Church leaders have blatantly assured the media that they intend to continue their policies and practices.”

Some pointed out that, though we have expressions of regret from some bishops, we have not yet heard expressions of regret from bishops who have intervened in other dioceses.

“If listening, respect and dialogue are to be the hallmarks of communion, then I would hope that this might be exercised on all sides of the debate. We have not yet heard expressions of regret from all involved.”

3. What do you think are the ways in which the recommendations and proposals of the Report would impact on the life of the Communion if they were to be implemented?

A large number of responses were concerned over increasing centralization, as illustrated by the examples above (page 7). A smaller minority of reports felt that the recommendations would strengthen the life of the Communion.

“The recommendations, if followed by all parties, could well be a way in which the communion could move forward together. No one wants the Anglican Communion to dissolve, and the moves suggested could signal to all parties enough good will on both sides that the next step would be possible.”

Many were concerned about the provision of delegated episcopal oversight.

“The whole idea of bishops entering the jurisdiction of another bishop is contrary to Anglican tradition and practice, and is a threat to the authority

of the bishop in his/her diocese. While it has been tried in the Church of England, there has been no evaluation as to how this has worked. Did the Church of England seek the approval of the Communion before instituting what is clearly a departure from customary Anglican practice?"

Some wonder how the situation can be resolved in the light of our history.

"The result of proceeding in the fashion set out in the Report is just as likely to be destructive as constructive, since some parts of the Communion are entrenched in their positions on either side of the current question. Rocks have been thrown from both sides, and this could well intensify. The Instruments of Unity have already spoken clearly on this issue over a period of decades, and their statements have not been awarded the weight due to them, so how are further consultations and pronouncements likely to resolve the issue?"

"The discussion of procedures gives me pause. There is a danger that legalisms and systems will take precedence over open theological discussion. There is the danger of a bureaucratic approach which can kill the spirit – "for the letter kills but the spirit gives life."

There were not many comments on the moratoria. From some, there was affirmation of the call for moratoria.

"We approve of the moratoria suggested (143), will observe them ourselves, and commend them to others. We will not pass motions that will challenge the spirit of them."

Some expressed relief that the synods of Toronto and Niagara did not proceed to implement a resolution on the blessing of same sex unions. A few felt that the moratoria on the blessing of same sex unions did not go far enough. They felt that there was no point in asking for expressions of regret from those who were not sorry for their actions. A few felt that there should be no moratorium on the intervention of bishops in other jurisdictions.

"The call to bishops who have intervened in other jurisdictions to express regret, affirm their desire to remain in the Communion, and effect a moratorium on further interventions (155) is an insult to those orthodox leaders who have come to the aid of clergy and parishes who were indeed in situations of extreme breach of trust and saw this action as a last resort (151)."

On the other hand, questions were raised about the definition of a moratorium. Is there a time limit? Some thought that a moratorium on the blessing of same-sex unions would be a step backward.

"While I respect the mandate of the Windsor Report to focus on "understandings of communion and practical recommendations for maintaining communion," there are parts of our communion that have

seemingly been ignored. First, our gay and lesbian brothers and sisters were beginning to experience a sense of hope. Now, by suggesting putting a moratorium on blessing same-sex unions we are asking many to take a step backwards.”

“The request for a moratorium should be carefully considered, but I would suggest that it would only be appropriate if there is evidence that it would serve a purpose, specifically if there were evidence of a real willingness on all sides to use the time for dialogue and learning.”

4. How would you evaluate the arguments for an Anglican Covenant (119)? How far do the elements included in the possible draft for such a covenant in Appendix Two of the Report represent an appropriate development of the existing life of the Anglican Communion?

Again, there was a variety of opinion. Some felt that the Covenant was a good idea.

“The idea of Covenant is a good one which needs to be carefully worked out within the context of a global Anglican Communion.”

“It seems to us that the argument for an Anglican Covenant is very strong. We agree that the Anglican Communion, even if it were to survive this crisis, would not likely survive many further such crises, and so there needs to be a voluntary expression of the will to maintain the bonds of unity. The agreement proposed is a good starting point. However, we are dubious that any such agreement could be reached without first finding a more concrete and detailed unifying statement about the authority of Scripture to be a part of it.”

Some referred to our Covenant with the Evangelical Lutheran Church in Canada as a model. Most in responding felt that the Covenant proposed in the Windsor Report is too detailed in its proposals and feared the development of a complex bureaucratic structure that will stifle change.

“The proposal for a Covenant is good in principle, but all depends on how directive the content is, and where its main focus lies. It seems to many of us that a simple Covenant, affirming and exploring our desire to live and work together, would be more acceptable than the detailed ‘legalistic’ document suggested, which may not give room for the Holy Spirit to work. There is a general feeling among us that the five-part outline of the suggested Covenant is acceptable, but that the actual suggested wording is far too complex and indigestible. It should be drastically shortened and simplified.”

“The draft in appendix 2 is unacceptably proscriptive and envisages a highly centralized Communion under the direction of

the “Instruments of Unity” which now include the “Council of Advice”. The Primates’ Meeting ‘monitors global developments and exercises collegial responsibility in doctrinal, moral and pastoral matters’. (Article 24) Clearly this leaves room for only very limited provincial autonomy.”

“There is a risk that such a covenant could be used as a tool for “cutting off” dissenters when major disagreements arise.”

Some responses suggested that a wider range of opinion be sought.

“Such a document needs to be discussed and approved by more than just the Primates’ Meeting. Input from laity and non-episcopal clergy is required. An Anglican Congress, consisting of bishops, clergy, and laity would be a more appropriate context in which to draft a Covenant.”

A contradiction was noted in 118, 119 about the authority of the covenant.

“There are contradictions in the Report regarding the role of the Covenant. For example, in Para 118, we read that “of itself . . . it would have no binding authority,” yet in Para 119 churches are told that “the solemn act of entering a Covenant carries the weight of an international obligation so that . . . [a] church could not proceed internally and unilaterally. Which is true?”

There was a recognition that we already have ways of consulting within the communion, and we have agreed statements such as the Lambeth Quadrilateral. There was opposition expressed about a perceived trend towards increased centralization. Is the proposed structure intended to foster consultation or to block decisions?

Themes

- It was clear from the responses that Canadian Anglicans want to discuss issues of **homosexuality**, and are anxious that their opinions be heard. Although the Windsor report does not address this issue directly, it is clear from the number of responses that more discussion needs to happen. Many different points of view were expressed, covering the broad range of opinion in the Canadian church.
- Another clear theme was issues of **authority** and how it is expressed. There was a strong emphasis on the authority and interpretation of scripture, again with views covering a broad spectrum of opinion. The discussion of the structures of the Communion also revolved around issues of authority and power.
- Many responses raised questions about the **structures of the Communion** and the way it operates. There were concerns that the Windsor Report assumes a level of interdependence and centralization that are well beyond our current practice. There are differences in canonical structures and governance across the Communion – for example, in the relative authority of primates, bishops, and

synods to make decisions in the life of a Province. Some responses felt that cultural differences and differences in the way Provinces make decisions were not considered.

- There is anxiety about the increasing **centralization of authority** in the proposed Council of Advice and the increased role of the Archbishop of Canterbury. The anxiety was expressed in both ‘conservative’ and ‘liberal’ responses. Who gives this authority, and how is it to be accountable? There is concern also about the increasing authority of the Primates’ Meeting and a fear that this might be at the expense of the Lambeth Conference and the Anglican Consultative Council. Some felt that we already have what we need for communion without adding more structures. There is concern that the voice of the laity is not well represented in the councils of the Church.
- There is concern that the life of the Communion will become bogged down in **rules of procedure**, rather than in expressing the bonds of affection in consultation, dialogue and face-to-face relationships. Will all decisions need to be brought to the Communion before a Province can act? The need to ensure that episcopal candidates are acceptable to other Provinces (131) caused particular concern.
- There is a need to examine **unity** more closely. What does unity mean in terms of Trinitarian theology, an expression of diversity in unity? Is unity an over-riding value, to be sought at all costs? What is the place of mission and justice in our search for unity?

“God is understood in # 2 primarily in terms of unity; the oneness of God then becomes the primary orientation point for the organization of the community, where unity is given primacy. One might contrast this with an approach beginning with the Trinity, in which unity is defined not in terms of sameness, but in terms of reconciliation of diversity.”

- There was a concern about the use of **“illness”** as a metaphor for the life of the Anglican Communion.
“I regret the use of “illness” as a metaphor for the life of the Communion at present. This seems to me to prejudge the issue – people raising questions about inclusivity are seen as causing trouble for others. Is it not possible that our disagreements are a sign of health and growth?”

On the other hand, there were comments which suggested that the current situation can be seen as a gift, giving us an opportunity to explore more deeply God’s call to us as a Communion.

“This crisis ought to be viewed as a gift from God. It should not be feared. Rather, it should be embraced.”

“Christianity is meant to be a stretch, a huge one, taking us where we would rather not go, beyond our comfort-zone, beyond our own kind, beyond the like-minded. In fact, one sign of health in our community is that such debates can occur.”

- There is in the responses a strong **pastoral cry** from people on both sides of the homosexuality issue. Each side to some degree feels abandoned by the church.
“I am deeply saddened that our church has taken a step away from the clear biblical foundations of the Anglican tradition. It is apparent to the people that I serve that Bishops are not defending the faith or banishing false doctrine. Please rise to the occasion and take us back to where we should be.”

There is a perception that the needs of gay and lesbian people are not being listened to.

“[The document] is pastoral towards persons whose consciences are bruised by the conflict but has little pastoral heart for gay and lesbian people.”

“I am very concerned that Windsor has shifted the focus in such a way that unity, seen as international hegemony, is being considered in a manner which makes gay and lesbian people expendable. . . . By all means let us work for unity, but let’s do so by keeping gay and lesbian people openly at the table. Where were they in the Windsor process?”

A number of responses asked the question why the issue of homosexuality is the one which seems to be driving us apart, when we have debated other equally divisive issues over the years.

- We sensed a deep pastoral need for **listening, dialogue and pastoral care**. People are searching for scriptural teaching and pastoral support. There is a concern particularly about the pastoral care of gays and lesbians in conservative dioceses and Provinces. Previous **Lambeth resolutions** have called on bishops “to end any discrimination on the basis of sexual orientation” (1998) and called each Province “to reassess . . . because of our concern for human rights, its care for and attitude towards persons of homosexual orientation.” (1988)
- Questions were raised about the **reception of reports** such as the Windsor Report. How do Primates and bishops engage their Provinces in receiving the recommendations of international Anglican documents and reports? To what extent have documents like the Virginia Report been considered by Provinces?
- There is a concern that much more attention was paid to decisions in New Westminster and New Hampshire than to the role of **intervening Primates**.

There are a number of comments on the intervention of bishops in the life of other Provinces. This practice is certainly a major departure from Anglican tradition.

In conclusion

With regard to the question of the **breaking up of the Anglican Communion**, most respondents hoped that the communion would be able to stay together. Continuing dialogue and study, a willingness to meet and to talk, a focus on mission and justice, were seen to be key to this process. A small number, at either end of the spectrum, saw the breakup of the Communion as a real possibility. Here is a sampling of comments.

“The sooner we learn to walk apart the better for all of us.”

“Were Augustine alive today he would not, I think, approve the blessing of same sex unions, but his advice would be now as it was then – live with our differences in charity and God will sort it out in the eschaton.”

“We need to realize that this [the colonial] period has passed and that now the various churches of the Anglican Communion are evolving in ways which are appropriate to their particular cultures but which differ significantly from one another. In some cases provinces will continue to have close and comfortable ties with each other but in other cases there will be a relationship which may more closely resemble the ecumenical relationships which Anglicans enjoy with other Christian denominations. This loosening of our ties would be preferable to a tightly controlled centralization and would allow us to turn our time and resources to the mission of the Church rather than to arguing with each other over structures and legislation.”

“We are encouraged by the call (145) for all parts of the Communion to engage in continuing biblical study and theological reflection around same gender relationships.”

“We need to learn to live with tension, rather than finding ways to avoid it. To express one’s disagreement with another part of the Communion by voting with one’s feet (or one’s wallet) is sin. ECUSA and New Westminster are challenging us by their actions, and we need to live with that tension and engage in discussion, rather than waiting for some curia or individual to tell us what to do. At times, we need to be able to do things one way in one place and another way somewhere else and yet stay together in love and fellowship.”

“It would be desirable if there could be a middle way – that individual communions could agree to disagree but still value their commonalities.”

Appendix 4 Shared Episcopal Ministry

Shared Episcopal Ministry

This model recognizes the reality that one Canadian diocesan synod has and that in the future others may also deal with the question of whether to allow the blessing of same sex relationships to take place within the parishes of their dioceses. In the event of a diocesan synod and bishop agreeing to such blessings we believe that it is important that a binding conscience clause for parishes and clergy be available. Regardless of the outcome of those Synods some parishes may feel disenfranchised and vulnerable, and therefore desire to seek Shared Episcopal Ministry, where the diocesan bishop would share his/her episcopal oversight with another bishop. When a diocese is considering the question of blessings, we believe that the same synod should consider a motion that would allow Shared Episcopal Ministry in their diocese. Such a resolution should include the provisions outlined at para 3) and 4) below.

The Process of Shared Episcopal Ministry

1. The Metropolitan of each Province would be responsible for assembling a list of current and retired bishops in good standing in the Canadian Church and who would be willing to participate in providing Shared Episcopal Ministry within the province. The provincial house of bishops must approve the list. The Metropolitan will not be included on the list for his/her Province. It would be important to have a number of bishops from different theological perspectives so that all parishes requesting Shared Episcopal Ministry might be served. A bishop from another province of the Communion would be eligible to be on the Metropolitan's list with the assurance that he/she would participate under the terms of these arrangements as outlined. The bishop would be designated as an episcopal assistant to the Metropolitan.
2. When a diocese has agreed to Shared Episcopal Ministry through a synod resolution the costs of that ministry, like all episcopal ministry is deemed to be an expense of the diocese. A suitable budget must also be agreed to between the individual parish and the diocese for the provision of Shared Episcopal Ministry.
3. If the incumbent and members of the parish believe that they cannot work with their bishop in the light of the current disagreements on issues of human sexuality, the rector and the canonically designated lay leadership shall meet with the bishop in a spirit of openness to seek reconciliation. After such a meeting, it is hoped that a mutually agreeable way forward can be found. If it is not a parish may elect the option of Shared Episcopal Ministry by a resolution passing with a 2/3 majority of those present and

- voting at a duly constituted parish meeting [1]. The incumbent must also concur with the decision.
4. In order for the parish resolution to become effective the following provisions are to be followed:
 - a. The parish and the diocesan bishop would choose a suitable bishop from the provincial list to provide Shared Episcopal Ministry taking into account such things as theological perspective and proximity to the parish. Their decision will be conveyed to the Metropolitan who may be asked to assist with the process.
 - b. The parish would retain its voice and vote at synod and would be free to participate in the councils of the Church at all levels.
 - c. The parish must maintain its current and future financial commitments to the diocese.
 - d. The parish would be free to undertake new Church developments subject to diocesan procedures.
 - e. Both the parish and the diocesan bishop would review the decision every three years or earlier if desired.
 5. The duties of the bishop involved in Shared Episcopal Ministry takes as its point of origin the example of dioceses where there is/are suffragan bishop(s). He or she would not have jurisdiction but would be part of the process on appointments, episcopal visits, confirmations, pastoral care of clergy, advice on potential ordinands and participate in ordinations. This model would honour the process of appointment that each diocese currently follows. The diocese would insure that wide ranges of theological perspectives were represented on the committee dealing with postulants for ordination.
 6. In the event that the parish seeking Shared Episcopal Ministry is in the diocese of the Metropolitan the senior bishop by date of consecration would fulfill the role given to the Metropolitan.

The model described above is designed to deal with the circumstances in which all sides acknowledge that there is a level of dissent between a parish and their diocesan bishop, however negotiated oversight is feasible ***Shared Episcopal Ministry*** as defined can provide a means of episcopal pastoral care and direction for the parish.

A Process in Circumstances requiring Conciliation

What follows is designed to deal with the circumstances in which all sides acknowledge that there is such a level of dissent and /or distrust between a parish and their diocesan bishop that negotiated oversight is not feasible To overcome the obstacle posed by such a high level of dissent, some means must be identified to provide Shared Episcopal Ministry from outside of the diocesan structure. The

parish or the diocesan bishop may appeal to the Metropolitan using the following process.

1. The Metropolitan of each province would be responsible for assembling a list of current and retired bishops in good standing in the Canadian Church and who would be willing to participate in providing Shared Episcopal Ministry within the province. The provincial house of bishops must approve the list. The Metropolitan will not be included on the list for his/her Province. It would be important to have a number of bishops from different theological perspectives so that all parishes requesting Shared Episcopal Ministry might be served. A bishop from another province of the Communion would be eligible to be on The Metropolitan's list with the assurance that he/she would participate under the terms of these arrangements as outlined. The bishop would be designated as an episcopal assistant to the Metropolitan.
2. If the incumbent and members of the parish or the diocesan bishop believe that they cannot work together in the light of the current disagreements on issues of human sexuality , the rector and the canonically designated lay leadership shall meet with the bishop in a spirit of openness to seek reconciliation. After such a meeting, it is hoped that a mutually agreeable way forward can be found. If it is not, a parish may elect the option of Shared Episcopal Ministry by a resolution passing with a 2/3 majority of those present and voting at a duly constituted parish meeting [\[2\]](#). The incumbent must also concur with the decision.
3. The diocesan bishop would seek the consent of his/her diocesan council (or equivalent) to implement Shared Episcopal Ministry. The parish or the diocesan bishop would advise the other party that they were petitioning the Metropolitan to appoint a bishop to provide Shared Episcopal Ministry.
4. The Metropolitan shall meet with all involved to endeavour to resolve the outstanding issues. The Metropolitan may request two others who are acceptable to both parties to join him/her to review the situation, to consider the appeal, and to make recommendations to all parties.
5. Prior to implementation the Metropolitan will have ensured that there is an agreement between the Parish and the diocese on how all costs related to Shared Episcopal Ministry will be borne, including diocesan assessment.
6. With the consent of the Diocesan Bishop and of the parish, the Metropolitan will appoint a bishop to provide Shared Episcopal Ministry from the list approved by the provincial house of bishops. The Metropolitan would take into account the question of reasonable proximity to the parish and diocese and the theological position of the parish .

7. The parish would retain its voice and vote at synod and would be free to participate in the councils of the Church at all levels.
8. The parish would be free to undertake new Church developments subject to diocesan procedures.
9. Both the parish and the diocesan bishop will review the decision every three years or earlier if desired.
10. The Duties of the bishop involved in Shared Episcopal Ministry takes as its point of origin the example of dioceses where there is/are suffragan bishop(s). He or she would not have jurisdiction but would be part of the process on appointments, episcopal visits, confirmations, pastoral care of clergy, advice on potential ordinands and participate in ordinations. This model would honour the process of appointment that each diocese currently follows. The diocese would insure that wide ranges of theological perspectives were represented on the committee dealing with postulants for ordination.
11. In the event that the parish seeking Shared Episcopal Ministry is in the diocese of the Metropolitan the senior bishop by date of consecration would fulfill the role given to the Metropolitan.

Conclusion

Shared Episcopal Ministry provided under either circumstance is based on a spirit of reconciliation, co-operation and goodwill. In order not to institutionalize schism it is always to be understood as a temporary arrangement directed toward reconciliation between the parties. . Changes in parish or diocesan leadership are appropriate times for renewed efforts towards the ultimate goal of full restoration of the relationship between the parish and its bishop.

Endnote

The document says that

“The Duties of the bishop involved in Shared Episcopal Ministry takes as its point of origin the example of dioceses where there is/are suffragan bishop(s). He or she would not have jurisdiction but would be part of the process on appointments, episcopal visits, confirmations, pastoral care of clergy, advice on potential ordinands and participate in ordinations. This model would honour the process of appointment that each diocese currently follows”.

In reference to Suffragan bishops and appointments there are a variety of models that are followed across the Canadian Church

- In **Huron** the suffragan appoints and the diocesan signs the license
- In **Nova Scotia and PEI** the diocesan appoints and signs the license
- In **Toronto** the Area (or suffragan) signs the appointment letter and co-signs the license with the diocesan.

We would recommend that the diocesan bishop and the bishop involved with Shared Episcopal Ministry clarify the process they will use prior to the bishop beginning his/her ministry in a parish.

[\[1\]](#)Whenever the term parish meeting is used in this document it refers to the full members of the parish that have the right to be present and to vote at its annual meeting as defined by the canons of the diocese

[\[2\]](#)Whenever the term parish meeting is used in this document it refers to the full members of the parish that have the right to be present and to vote at its annual meeting as defined by the canons of the diocese

**A response by the Anglican – Lutheran International Commission (ALIC)
to the draft proposed Anglican Covenant**

I We note with grave concern that in the Draft Covenant the power of the Primates appears to be greatly increased without any corresponding enhancing of the role of the laity in the decision-making processes of the Anglican Communion.

No clear case is made for why such a pronounced emphasis on the authority of the Primates should be considered either an authentic representation of Anglican ecclesiology or an accurate means of discerning the will of the whole Church. Measured against the BEM paradigm, that ordained ministry is always to be exercised personally, collegially, and communally, the Draft Covenant's emphasis on the role of the Primates is inconsistent with two of those three rubrics: the collegial, because it raises the Primates over and above their colleagues in the episcopate in consideration of the Lambeth Conference; and the communal, for it does not directly relate the role of the Primates to the synodical structures of either the Communion or their Provinces.

It is not clear why this responsibility should be accorded to the Primates, rather than to the ACC, or some other body incorporating lay, ordained, and non-primatial episcopal representation. The proposed concentration of authority in the Primates' Meeting has raised considerable concern in the context of ALIC III's ecclesiological discussions regarding the nature of ministry and the episcopacy. The order in which the four Instruments of Communion are listed in section 5.2 further suggests the devaluation of the whole People of God. A reordering of the list as 1. ACC; 2. Lambeth Conference; 3. Primates Meeting; 4. Archbishop of Canterbury would go some way into taking this concern into account.

II We note further the need to be mindful that the underlying ethical and hermeneutical issues are not lost in the procedural discussion.

May 2007

A Response by the Inter-Anglican Standing Commission on Ecumenical Relations (IASCER) to ‘An Anglican Covenant: a Draft for Discussion’, December 2007

The Inter-Anglican Standing Commission on Ecumenical Relations (IASCER) welcomes the opportunity to comment on the work of the Covenant Design Group, *An Anglican Covenant: A Draft for Discussion*. As a body charged with co-ordinating the ecumenical work of the Anglican Communion, we see three perspectives on the covenant process that derive from our mandate and experience:

- (1) the possible implications of an Anglican covenant in view of the perceptions of our ecumenical partners,
- (2) the contribution which the language of our ecumenical agreements can make to the development of a covenant, and
- (3) the experience of our ecumenical partners in their own self-definition and governance as churches.

(1) Implications of an Anglican covenant in view of the perceptions of our ecumenical partners

Credibility

IASCER suggests that ecumenical consultation in the covenant process would greatly enhance our own Anglican self-understanding. We believe that all of our ecumenical partners would welcome the development of an Anglican covenant that articulates who we are: our identity, faith and ecclesiology. Some partners have either said or implied that they no longer know who Anglicans are, and so are encouraging us in the covenant process. IASCER suggests that an Anglican covenant could lend greater coherence and credibility both to our life as a communion and to our ecumenical engagement.

How covenant language might be heard

IASCER suggests that the term ‘covenant’ may resonate differently among our ecumenical partners. There is a ‘covenanting’ tradition among Reformed churches and people from this family may conclude that Anglicans are engaged in a similar process. Churches which define themselves by ‘confessional’ statements may conclude erroneously that an Anglican covenant will function in a similar way. There has been extensive writing on the subject of ‘covenant’ in connection with the Vatican II use of the term ‘people of God’. These and other church families are likely to read an Anglican covenant through their own history and experience. This would suggest that the text should be very explicit in what it means by the language and concept of ‘covenant’.

Episcopacy, synodality and the role of the Primates’ Meeting

IASCER observes that the prominence given to the role of the Primates’ Meeting in the draft covenant has raised questions about the role of the Primates in relation both to episcopal governance and to the synodical role of clergy and laity in decision-making. IASCER notes that the Anglican Lutheran International Commission, for example, has

expressed concern about the emphasis given to the role of bishops in the proposed draft covenant, specifically that it ‘appears to greatly increase the authority of the Primates without any corresponding enhancement of the role of the laity in the decision-making processes of the Anglican Communion.’ ALIC observes that ‘it is not clear why this responsibility should be accorded to the Primates, rather than to the ACC, or some other body incorporating lay, ordained, and non-primatial episcopal representation’. (Response to the Draft Covenant, adopted by resolution of the Anglican Lutheran International Commission, White Point Nova Scotia, May, 2007). However, IASCER notes that any proposals of the Primates’ Meeting relating to the covenant would still need to be received by the duly constituted synodical structures of the Provinces.

(2) Contributions from our Ecumenical Agreements

Shape and language

The concept and language of ‘covenant’ have proved fruitful in an ecumenical context because they have provided a way of articulating a new quality of relationship between churches. When formally adopted, a covenant gives shape and stability to the relationship and provides an impetus for it to develop and deepen.

We discern two poles in ecumenical covenants: (1) the recognition and affirmation of ecclesial reality of each other’s churches based on a common confession of the apostolic faith and an apostolic ministry of word, sacrament and pastoral oversight, and (2) commitment to act together on the basis of this mutual recognition towards a common life and mission. Ecumenical covenants identify the existing common ground for the relationship and also make a commitment to work together to overcome remaining or new obstacles that prevent an even deeper life together.

Covenants are made between churches that have significant differences between them; it is not necessary for churches to agree with each other on all matters, but it is vital that they make a commitment to consider those differences together within their covenant relationship.

IASCER believes that the covenant design process in the Anglican Communion would benefit from following the shape of ecumenical covenants in making affirmations about the life of the churches and in making mutual commitment to work together both in mission and to resolve differences.

Biblical language

Pp. 6-35 of *In the Spirit of the Covenant*, a report of the Joint Implementation Commission of the Anglican – Methodist Covenant (Church of England and the Methodist Church of Great Britain) offer a biblical spirituality of a covenant relationship (Peterborough, England: Methodist Publishing House, 2005; <http://www.anglican-methodist.org.uk/JICreport.>)

Expressions of our self-understanding and identity

The articulation of our ecumenical agreements and covenants play an important role in our self-understanding and identity. In recent years, Anglicans have been part of many ecumenical agreed texts, both multilateral and bilateral. Some of these have been endorsed by Provinces and/or by the Lambeth Conference, and some of them, although not formally received, have nevertheless been influential in the development of Anglican thinking about ecclesiology. IASCER believes it important for the Covenant Design Group to ensure that its work is consonant with these ecumenical agreements.

Exercise of authority

The *Virginia Report* and the *Windsor Report* both recommend strengthening the Instruments of Communion as a means of sustaining the bonds of communion between the Anglican provinces. Three of these instruments of communion, however, are exclusively episcopal structures. This raises the question of how episcopal authority ought to be exercised in the church. As Anglicans we have been guided in this area by the notion of “dispersed authority” (Lambeth Conference 1948) rather than a notion of centralized authority. In the language of our ecumenical agreements, this means that episcopal authority needs to be exercised in personal, collegial, and communal ways (BEM 26-27). In Anglican ecclesiology the principles of both episcopal and primatial authority are accepted. The question, therefore, is how a right balance is to be achieved between the personal, collegial, and communal dimensions in the exercise of these ministries.

Both ARCIC and the *Cyprus Agreed Statement* of the Anglican-Orthodox Theological Dialogue stress the inseparable relationship between primacy and conciliarity.

“Primacy fulfils its purpose by helping the churches to listen to one another, to grow in love and unity, and to strive together towards the fullness of Christian life and witness; it respects and promotes Christian freedom and spontaneity; it does not seek uniformity where diversity is legitimate Although primacy and conciliarity are complementary elements of episcopate it has often happened that one has been emphasized at the expense of the other, even to the point of serious imbalance The *koinonia* of the churches requires that a proper balance be preserved between the two with the responsible participation of the whole people of God.” (ARCIC *Final Report*, 21-22).

The recent *Cyprus Agreed Statement* grounds primacy firmly in the local churches (dioceses). Primate represent their local churches and are accountable to them. Primacy and conciliarity are inseparable:

“The theological argument for primacy begins with local and moves on to regional and global leadership This ensures a proper balance between primacy and conciliarity Anglicans and Orthodox agree that bishops do not form an apostolic college apart from and above the local churches. Bishops are an integral part of their respective churches. Such an understanding precludes any form of centralised universal episcopal jurisdiction

standing apart from the local churches. [Furthermore] if conciliarity is one important complement of primacy, reception is another. Decisions of councils and primates need to be referred back to the local churches for their acceptance . . . Such decisions must be received by the community in order to become authoritative. This fact reinforces the truth that bishops, including primates, are not independent of their local churches.” (*The Church of the Triune God: The Cyprus Agreed Statement of the International Commission for Anglican-Orthodox Theological Dialogue* 2006. V. 21-23).

IASCER finds Section VIII (pp. 91-96) of *The Church of the Triune God* a useful contribution to the discussion of how a covenant might provide a way to discern and define together what matters might be regarded as communion-breaking, and what matters might not be so regarded.

The work of ARCIC on authority, and particularly the responses of the Provinces to *The Gift of Authority*, could be useful background for the Covenant Design Group

(3) Experience of Ecumenical Partners in their own Self-Definition and Governance

Common Principles of Canon Law

IASCER notes that our ecumenical partners, who also face the need to work and hold together as families of churches, have different means of doing so; in some of them canon law plays a major role and in some a confessional document shapes their identity. The Anglican Communion Legal Advisers Network has almost completed a project of articulating a significant body of ecclesiological principles that are already held in common by the churches of the Anglican Communion and IASCER believes that the covenant proposal needs to be undergirded by the work of this project. IASCER is, therefore, of the view that this material, which simply describes and collates the ecclesiological principles that the churches of the Communion already share, should be made public as a matter of urgency, so that the Communion-wide discussion of the Covenant can take it into account.

Conclusions

1. IASCER believes that an Anglican Covenant could lend greater coherence and credibility both to our life as a communion and to our ecumenical engagement.
2. IASCER urges the Covenant Design Group to use as a resource the agreed statements between Anglicans and their ecumenical partners.
3. IASCER urges that the Covenant Design Group invite ecumenical partners, especially those with whom churches of the Anglican Communion are in dialogue or in relationships of communion, to engage in the covenant process as soon as possible. This would most likely take the form of them being asked to comment on the next draft text when it is published. The Covenant Design Group may want to consider developing specific questions that would encourage other churches to address the issues identified in this paper.
4. IASCER believes that the covenant proposal needs to be undergirded by the work on ecclesiological principles project of the Anglican Communion Legal Advisers Network.

The Rt Revd Dr Stephen Pickard
Assistant Bishop of Adelaide

26 King William Road, North Adelaide, South Australia 5006, Australia
emails spickard@adelaide.anglican.com.au

The Revd Canon Gregory Cameron
Deputy Secretary General
Anglican Communion Office
St Andrew's House
16 Tavistock Crescent
London W11 1AP
United Kingdom

18 September 2007

Dear Gregory

In your letter to me of 4 September you raised the question of whether, if the Commission had time, it might be able to make a submission to the Covenant Design group about the draft covenant. You will appreciate that the Commission was hard pressed to complete its report and this left little time to attend to other matters. However we did respond to the IASCER paper on 'Bishops and Communion' and finalised our text of that document. Could you please pass on to IASCER our appreciation for their comments.

Some of us also had an opportunity to reflect upon the Draft Covenant. As a result of this I indicated to the Commission that I would convey to you some brief responses to the document. The discussion raised the following points, more as questions for the Covenant Design Group:

1. If the bible passages are to be used, can they be deployed in a manner which links them more closely to the text of the Covenant?
2. There may be value in revisiting main and sub headings along the lines suggested by Dr Bruce Kaye in his submission to the Covenant Design Group.
3. How does the Covenant Design Group understand the relationship in the Draft between what may be termed a 'baptismal ecclesiology' and a stronger institutional juridical ecclesiology?
4. Specifically in relation to 6.6 which protocols and procedures for following through with this proposal are envisaged?

The above points were as far as the Commission felt it could usefully respond at this stage of proceedings and in the light of the central task before the Commission.

Regarding the inclusions in our Report the Commission feel it is essential to include two appendices; one including the questions and propositions of the Commission and another in respect to the Bishops and Communion document. This latter will be especially useful as an inclusion with Lambeth and future study in mind.

17 September 2007

Thank you for your pre-meeting assistance. It was really appreciated. The Commission feel the way forward is for the final draft to be circulated to all members of the Commission with an invitation for comments to Philip Thomas. He and I will confer, and perhaps also consult with one or two other members of the Commission. I will ask Bishop Stephen Sykes if he would be able to write a foreword for our report. I will then take responsibility for a final edit of the report which will be circulated to members of the Commission. As regards the 'signing off' of the document we will follow the suggestion you made in your letter, namely to make a list either at the beginning or end of the report of all members of the Commission past and present, giving the dates of the Commission meetings which they attended. I envisage that this process will be complete by the end of October. I understand that I would then arrange for the report to be sent to the Archbishop of Canterbury.

The Commission would be very keen for the report including the Bishops and Communion paper to be the subject of workshops at Lambeth. Indeed the report is structured for an educational setting as well as more familiar academic reading. I would be very happy to receive advice from you as to how I or other members of the Commission may assist in this process.

With every good wish

Yours sincerely

A handwritten signature in black ink that reads "Stephen Pickard". The signature is written in a cursive style with a small cross-like mark at the beginning.

Stephen Pickard
Acting Chair IATDC
Kuala Lumpur 2007

THE CHURCH OF IRELAND RESPONSE TO THE DRAFT ANGLICAN COVENANT

PART ONE

INTRODUCTION

This Church of Ireland response to the Anglican Draft Covenant was prepared by a small drafting group comprised of those who were, or had been, elected members of ACC and those who had been much involved in ecumenical affairs on behalf of the Church of Ireland. The preliminary discussion centred on whether the idea of a Covenant was to be supported, or whether something much simpler was required, such as a common statement. Two previous Church of Ireland responses within the Windsor process had shown somewhat different emphases in relation to this issue. However it soon emerged that there was within the drafting group, a general willingness to support the Covenant concept.

The drafting group decided that rather than make a line by line response to the Draft Covenant, it would use it as a basis for the construction of what it was felt would be an acceptable form of Covenant. A new drafting for a Covenant was then discussed at a full meeting of the drafting group and the Bishops of the Church of Ireland. It received a very positive response with a few minor suggestions which were easily incorporated. The Standing Committee of the General Synod, representative of the clergy and laity of every diocese then passed the response.

The thinking behind the Church of Ireland re-drafting could be listed as threefold:

1. A Covenant should express very clearly the themes of Mutual Responsibility and Interdependence within the Body of Christ;
2. A Covenant should aim, insofar as possible, to be inclusive;
3. Whilst perhaps not solving the present crisis a Covenant should, by emphasising what is implied by mutual responsibility, go some way to prevent similar crises in the future.

The methodology of the redrafting included the following:

- To reduce discursive material;
- To remove elements of legislative structure;
- To recognise that the present Instruments of Communion should not be “set in stone”; in a Covenant, as these have evolved in the past and will do so in the future;
- To sharpen a sense of common identity and inter-dependence;
- To retain an emphasis on provincial autonomy;
- To emphasize responsibility to consult and listen in the context of mutual commitment.

In discussion it became clear that, though procedures were felt to be inappropriate within the context of a Covenant, the Anglican Communion would have to put in place procedures, in keeping with the Covenant, to deal with crises which might develop.

The redrafting of the Covenant as attached here is offered in the sincere conviction that the Church of Ireland has a real contribution to make. This response is representative of work undertaken together by those of a wide variety of views in relation to both churchmanship and issues of human sexuality. It reflects a determination to stay together in the face of the current difficulties. This redrafting is offered as a suggestion as to a possible Covenant which might be agreed on the one hand by those who emphasized the need for a greater sense of communion and all that this implied, and on the other by those who stressed the need for the recognition that provincial autonomy must remain paramount.

PART TWO

PROPOSED RE-DRAFT OF THE DRAFT ANGLICAN COVENANT

1 Preamble

We, the Churches of the Anglican Communion, under the Lordship of Jesus Christ, solemnly covenant together in these articles, in order to proclaim more effectively through our communion in our different contexts the grace of God revealed in the Gospel, to offer God's love in responding to the needs of the world, to maintain the unity of the Spirit in the bond of peace, and to grow together in our commitment to communion in the full stature of Christ.

2 Each member Church affirms

- 2.1 that it is part of the one, holy, catholic, and apostolic Church, worshipping the one God, Father, Son, and Holy Spirit;
- 2.2 that it professes the faith which is uniquely revealed in the Holy Scriptures as containing all things necessary for salvation and as being the rule and ultimate standard of faith, and which is set forth in the catholic creeds;
- 2.3 that it holds and duly administers the two sacraments ordained by Christ himself – Baptism and the Supper of the Lord – ministered with the unfailing use of Christ's Words of Institution, and of the elements ordained by Him;
- 2.4 that it participates in the apostolic mission of the whole people of God;
- 2.5 that its mission is shared with other Churches and traditions not party to this covenant;
- 2.6 that, led by the Holy Spirit, it has borne witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons;
- 2.7 the historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of his Church and the central role of bishops as custodians of the faith, leaders in mission, and as a visible sign of unity.

3 Each Church commits itself

- 3.1 To answering God's call to share in his healing and reconciling mission for our blessed but broken, hurting and fallen world, and, with mutual accountability, to share its God-given spiritual and material resources in this task.
- 3.2 In matters of common concern, to have regard to the common good of the Communion in the exercise of its autonomy, and to support the work of the Communion with the spiritual and material resources available to it.
- 3.3 To spend time with openness and patience in matters of theological debate and enquiry, listening to and studying with one another, in order to discern the will of God.
- 3.4 To ensure that biblical texts are handled faithfully, believing that scriptural revelation must continue to illuminate, challenge and transform all cultures, structures and ways of thinking.
- 3.5 To seek with other members, through the shared councils of the Communion, a common mind about matters of concern, consistent with the Scriptures, common standards of faith and the canon law of the Churches.
- 3.6 To acknowledge a moral authority in the current Instruments of Communion, while recognizing that they have no juridical, legislative or executive authority in the respective provinces.
- 3.7 To seek guidance from the Instruments of Communion where there are matters in serious dispute among Churches that cannot be resolved by mutual admonition and counsel.
- 3.8 To take heed of the Instruments of Communion in matters which may threaten the unity of the Communion and the effectiveness of our mission.
- 3.9 To acknowledge that in the most extreme circumstances, where member churches choose not to fulfill the substance of the covenant, such churches will have relinquished for themselves the force and meaning of the covenant's purpose.

4 Declaration

With joy and with firm resolve, we declare our Churches to be partners in this Anglican Covenant, releasing ourselves for fruitful service and binding ourselves more closely in the truth and love of Christ, to whom with the Father and the Holy Spirit be glory for ever. Amen.

November 2007

EPISCOPAL NEWS SERVICE

A presentation to the House of Bishops on the Proposed Anglican Covenant
Steps towards the Covenant

Episcopal News Service

Issue:

Section:

By: Ephraim Radner

Posted: Monday, March 19, 2007

I want briefly to say something about the Covenant's origins in a practical sense, and then move on to its rationale and content. As most of us know, the proposal for an Anglican Covenant derives almost exclusively from the Windsor Report itself (see e.g. par. 118-120). The proposal came in the context of the Report's recommendations to enhance the unity of the Anglican Communion: "This Commission recommends, therefore, and urges the primates to consider, the adoption by the churches of the Communion of a common Anglican Covenant which would make explicit and forceful the loyalty and bonds of affection which govern the relationships between the churches of the Communion" (118). Several things about such a covenant were noted in the Report, and the "draft" of a possible covenant was included in the Report as an appendix and, in a sense, a "discussion-starter".

When the primates met later at Dromantine (2005) and received the Windsor Report, they affirmed the general idea of an Anglican Covenant (as did Gen. Convention in June, in Resolution A166). In the course of the next year, some initial work, in an ad hoc way, was done by gathering some local people in Britain to think about general aspects one might have to deal with if this idea were to go forward ("Towards an Anglican Covenant", paper presented to and commended by the Joint Standing Committees of ACC and Primates, March, 2006).

The big push for the Covenant came in June '06 with the appearance of Abp. Rowan Williams' piece "Challenge and Hope of Being and Anglican Today". In this essay, disseminated as a general letter to the "faithful" of the Communion, Williams lifted up the idea of a common Anglican Covenant as "the best way forward" for the Communion's restored integrity and future. He suggested, furthermore, that the Covenant could act as the main element by which the Communion would be ecclesially reordered through a mechanism by which churches, in way yet undefined, could freely choose to adopt the Covenant or not.

A good number of responses to the idea now came in from around Communion (indeed, they had already begun to appear after the Windsor Report's initial publication). Some were critical of the idea altogether, others were cautiously encouraging of it, others offered general suggestions, and finally some provided fully-tailored proposals. In the Fall of '06 a Covenant Design Group of 10 persons was chosen by Abp. Williams, with nominees having been solicited from all the provinces. The members of this group included Primates, clergy, and laypersons, men and women, from around the Communion (although three were not able to attend for personal reasons). They were charged with meeting, reviewing the entire question of the Covenant idea in any way they chose, and reporting to the Primates' Tanzania meeting in February.

The Design Group met over four days in January of '07, and from this meeting proceeded a surprising outcome: after one day of intense discussion and prayer, common agreement about a way forward was reached. We agreed, in fact, that an Anglican Covenant was desirable on a certain basis, and that it was doable in terms of its articulation, again, on a certain basis. After another three days of actual drafting, the Design Group wrote a report and a complete draft Covenant that they presented to the Primates. This report and draft together was commended by Primates, and it is this document that they have offered to the Communion for discussion and response. My understanding is that the Executive Council, through an appropriate committee, will soon be putting out a study guide, as it were, to the

Covenant, for church-wide dissemination during the summer, and will then issue a final response, ratified by the Executive Council, in October.

On the basis of comments received through the course of this year from around the Communion, the Covenant Design Group will prepare a revised draft to be presented to Lambeth '08, where it may be considered – and probably amended – for dissemination to the Provinces of the Communion. This process and timetable is important, among other things, for the way that it provides the markers for the "interim" recommendations offered by the Primates in their Communiqué.

Do we have precedents for an Anglican Covenant?

Theological rationale for a Covenant among churches is broad, and stretches back to the earliest days of the Church, when James, Peter, John, and Paul formally agree – in "communion" – to their respective "trusts" and mutual responsibilities, including care for the saints in Jerusalem (Gal. 2:7-10). Obviously, there are a host Scriptural realities regarding covenant – God's own with creation, with individuals, with Israel, and in Christ – that bear on this question essentially. And human relations, such as marriage, are more than marginal to the discussion.

The kind of covenant we are talking about, however, has more practical precedents. One part lies in ecumenical life – i.e. covenant agreements between separated churches, such as among some Anglicans and Lutherans. It is important to see that these covenants have been fueled explicitly by the deeper desire to restore broken Christian communion. And it is "communion" which, theologically, the Design Group has asserted lies at the theological basis of any covenant, as we state in the Draft's introduction. And even though we call agreements as, for example, the one we have made with the Lutherans "full communion", they really are not yet that. For these agreements still lack many ingredients we have assumed and indeed practiced within the Anglican Communion as in fact embodying communion: not only mutually recognized ministries, and shared sacraments, but common and accountable counsel, the accountable (and in this sense "binding") sharing of resources including financial resources, and finally, the ultimate act of communion, martyrdom in the service of the other. The last of these, obviously, represents the lived missionary and diaconal heritage of the Communion's churches, and distinguishes these churches in their common life from all other ecclesial relations. It was precisely from this vision of communion that the great 1963 Anglican Congress in Toronto formulated its principles of "Mutual Responsibility and Interdependence", adopted by the 1968 Lambeth Conference (Res. 67) and the Episcopal Church (most recently in A166 this past June).

Within the Communion, covenants articulated on this general basis already exist between individual churches, and in a way that is meant to reflect a deeper pre-existing reality. I am referring especially to those Covenant Agreements in effect between TEC and various "autonomous" churches once a part of the Episcopal Church's missionary structures, e.g. Liberia, Mexico, Philippines, and so on. These covenants, some with time-frames of several decades, commit the Episcopal Church and their particular partners to specific actions and attitudes with regard to money and ministerial cooperation, but also with regard to common counsel (allowing, in some cases, bishops of foreign churches to take their place "collegially" within the HoB). They involve, as in the case of the Covenant with the church in the Philippines, a "mutual reaffirmation" of a "common tradition and heritage" that, very precisely, derives from an intertwined history of life and death in the service of Christ. Finally, they place concrete demands upon covenanting partners, as in the case with the Anglican Church in Central America, binding agreements regarding financial accountability and forms of behavior. In one case (e.g. the Philippines), the covenant in question is explicitly stated as deriving from the reality of the Anglican Communion's life itself.

It is this sense of "communion" – a word specifically used by William White to locate the Anglican character of the new Episcopal Church's life in America in the late 18th century -- that lies behind the American church's willingness, indeed positive desire, to tie the parameters of our "doctrine, discipline, and worship" in essential matters to the Church of England (BCP Preface). She it was who guarded – indeed, by threatened sanction – our confession of the Apostles' Creed, demanding that we replace the article on Christ's "descent into hell" which the proposed Prayer Book had excised, and exercised constraint on a number of other topics as well.

That TEC has entered into covenants with other Anglican churches is, therefore, beyond doubt, and on mutually restraining and binding bases on a number of levels. That TEC could enter into a covenant

with all the members of Anglican Communion is obviously possible, either through her General Convention (the usual way) or through Executive Council. But should TEC want to do so?

The reasons for Covenanting

Let me turn back to the theological reality of communion. Clearly communion goes beyond the character and details of polity – who tells whom what to do, or who gets to decide what and on what terms, and how it all gets organized. It is my view that communion, understood ecclesially, derives from the particular reality of God's trustworthiness, of God's making and keeping and enacting promises within the world of time and space. Indeed, this is what a "covenant" is from God's side: promise-making and promise-keeping in the world. And this is not just my own view. The casualty of the present turmoil in the Anglican Communion, the element whose suffering has caused the demise of communion most clearly, is that of trust, according to the Windsor Report, Rowan Williams, and the Primates themselves. Trust has suffered in our communion because we have made promises and have not kept them; because we are called to make promises and refuse to do so; because we demand promises from others that we know they will never accept because we ourselves would never do the same. The "illness" of our communion is the loss of trust among us, as both WR and Communiqué (9) tell us, because trust is communion's foundation.

For God's promises have in mind our own communion with God, and the tearing down of promises one to another represents a rejection of that which makes promising even possible. The fundamental promise of God is that of "communion", as the Introduction to the Proposed Covenant states, communion with the Father and His Son, Jesus Christ (1 Jn. 1:3); it is a communion that is based on God's "faithful calling" of each of us, and all of us together (1 Cor. 1:9). This communion or fellowship is the promise – the calling – and it is trustworthy, because God is "faithful", faithful enough to give His own Son, His own self, into the hands of sinful people, out of love. And in this, trustworthy promise of communion is at the foundation of all of God's purposes, for God's good will and pleasure is to "gather all things in heaven and on earth" together in this self-giving Christ (Eph. 1:9f.).

To get a sense of where this takes us, practically, I recommend Rowan Williams' short newspaper piece on "Why the AC matters" (The Daily Telegraph, Feb. 23, 2007). He explains why "trust has suffered badly", as he puts it, and he describes "what happened in Tanzania" as "represent[ing] an effort to define what could restore trust – all round...The leaders of the Communion thought it worth trying – not because enforced unanimity matters more than anything but because the relations and common work of the Communion, especially in the developing world, matter massively. And also because the idea that there might be a worldwide Christian Church that could balance unity and consent seems worth holding on to, for the sake of the whole Christian family and even for the sake of human society itself". And, "for the sake" of all the world only because this is God's way of calling us into the trustworthy love that God has promised – that is, that God has in fact enacted – in Christ death and resurrection, whereby we recognize that "none of us has ultimate interests and concerns that are exclusively local or personal". A much earlier discussion of this very perspective can be found in Abp. Michael Ramsey's introduction to the 1963 Anglican Congress Report.

Kathy is going to argue that the meaning of the Covenant, whatever we thought it might have been at one time, has been essentially altered by the Primates' recent Communiqué – and that "covenant", read in the light of their requests, is clearly meant in their minds to be a basis for discipline and exclusion, particularly over matters like ways of reading the Bible, teaching and discipline over sexual behavior, and so on.

You need to hear her argument and consider it; but I, for one, could not disagree more strongly: in the first place, those primates present on the Design Group made it clear that the Covenant process and final substance is about a positive commitment, not a disciplinary reaction – that was their word, and if we choose to distrust it, well, that says a lot right there; second, the Primates themselves, as I assume Bp. Katharine will attest, did not really spend much time on the Covenant Report, assuming its shape and purpose to lie outside the particular matters literally at hand; thirdly, the Covenant proposal is about living in trust, trustworthiness. The recommendations from the Primates in their Communiqué are quite specifically directed at a situation in which we are now living where trust has been broken, and we are attempting to hold pieces together – and people together in some fashion – in such a way that trust will find a home once again. And we are not talking simply about broken trust among different churches, but here in our own midst, within a church – as the recent events in South Carolina demonstrate. It is not enough to say "let's take a break from the Communion to let things settle down",

but it is, in a sense, our having broken the Communion that has caused the unrest in the first place. This mistrust must be dealt with now, in this church and elsewhere, with all of its hard choices; why? So that there will be a place where trust, as the Covenant would have us do, can bear fruit. In this sense, the Communiqué's content is quite subordinate, in a very limited and pragmatic way, to the Covenant's larger purpose.

If covenant is about making promises and keeping them, in such a way as to embody God's own act of trustworthy communion in Christ's sacrificial death and new life, then we would indeed wish and fervently desire to make covenant with one another, for the sake of the whole world, "so that the world may believe that you have sent me", as Jesus says to his Father (Jn. 17:21), in praying for Christian unity.

What kind of Covenant?

Any embracing covenant, such as is being considered for the entire Anglican Church, must therefore be the expression of something that "already is", of God's promises embodied in our communion as it in fact exists, however much engaged in struggle. It is not a "new" communion that we are after, but the articulation of something already at work through God's grace. The last paragraph of the Report's prologue describes the fundamental working orientation of the group: it states firmly that the Covenant proposal we would offer would not be an "invention", but a "restatement" and "assertion" of something already "received", and a "commitment" to an "interdependent life" already ("in theory") and always "recognized", that is, a commitment to a kind of life "already lived". Likewise, the Primates themselves, in the Communiqué (29), speak of the Covenant as a "making explicit" of something already "meant", and an "articulating" of something already lived.

And therefore, the Design Group adopted (informally and often implicitly) two principles to govern our deliberations and drafting: first, that nothing should be formalized that was not already at work – either doctrinally, missionally, or structurally – in our common life as a whole; and second, that the very formulations of these articulated realities should be drawn from existing documents within the public realm of the Anglican Communion, either in a longstanding fashion, or more recently. These adopted principles are the major reason why it was possible to formulate something in what surprised many people as being a remarkably, and in some minds unadvisedly, quick fashion. It is important to understand this, practically and in terms of the theological basis for it, as I have explained it, so as not to misjudge the meaning of the Design Group's expeditious labors.

The way this worked concretely can be categorized as follows:

- a. The general template for the draft was an existing proposal, carefully composed over the previous year by representatives of the Global South. It had been circulated publicly for some months, and to this we added elements of the Windsor Report's Appendix and the Province of Australia's publicly disseminated Covenant proposal.
- b. The actual content of the proposal – its specific elements and their formulation -- made use of a range of material, including the Chicago-Lambeth Quadrilateral, constitutions of various provincial churches, Lambeth Conference resolutions, Communion commissions (cf. the section on Mission), Primates' statements, etc..
- c. As for the ecclesial structures and order proposed for discernment and decision-making, we made an attempt to articulate what has, in an ad hoc way, already emerged in our common life over the past few years. This is key, especially in Section 6 of the proposal which deals with an ordered process of conciliar life that gives the Primates a particular role. This proposed structure and order is not an invention at all, as some have claimed, but an attempt to lay out how in fact (and with responsible deliberation, to be sure) affairs have been sorting themselves out. One can read Section 6 as a "history" of the last decade of the Anglican Communion's life in counsel. This history, and its encompassing larger history, of the Anglican Communion as a whole, is, we believe, "providential", in that it marks the articulation in time of God's promising act. If one cannot accept this, then of course one will have a problem with the thrust of this aspect of the document as a whole. But we believe it is consistent with the very reality of what covenant is all about: God proves faithful, and our attempts, marked by repeated conversionary movements of our councils, at responding in faith embody the shape of our own growing faithfulness.

It is possible, from this vantage finally, to touch on the particulars of the Proposed covenant now only briefly, in large measure because, as I have been arguing, they are not controversial precisely in their status as "already" given and passed on. They represent a remarkable convergence of Global South ways of articulating their commitments and more Western ones, for they articulate the common spring.

There are three main topics (somewhat obscured by a faulty enumeration in the text): which could be denoted in terms of teaching, mission, and order. Each of these topics is subdivided in terms of "affirmation" and "commitment".

i. Thus, Section 2, "the life we share", follows an affirmation of the Quadrilateral, elaborated by the addition of an affirmation of common mission and of the foundational and guiding place of the classical "Anglican formularies (the latter of which is a part of the constitutions of a large number of provinces in the Anglican Communion). These are not listed here so as to establish a renewed Protestant confessionalism so much as they are forthrightly acknowledged as a historically accepted standard for common discernment and order, particularly with respect to the Scriptures.

On the "commitment" side of this topic, several elements are listed that range from engagement with Scripture and its authority, moral teaching, Eucharistic fellowship, leadership formation, and common life. These phrases derive from Lambeth conferences, ecumenical dialogue statements (cf. that on morals), the Windsor Report, and other sources. In many ways, this is a crucial section that cannot afford to be overlooked, for, with its earlier set of affirmations, it actually provides a framework within which the discernment of truth is to take place with the Communion, and provides a set of touchstones by which that discernment is to be measured. It is not as if the presenting quarrel over sexuality could be immediately settled within such a framework; but it would, I believe, have altered the way such a quarrel was approached some time ago had the framework been explicitly embraced. One will note, for instance, that the oft-appealed to (and only locally embraced anyway) triad of "Scripture, Tradition, and Reason", so confusing to so many in practice, does not appear here, not because its elements are not in fact in play, but because they are ordered within a more focused trajectory of discernment and authority.

ii. The next section (4) on shared life and vocation, contains within it both the affirmation and commitment aspects of the church's missionary existence. Here, a providential understanding of the growth of the Anglican Communion as a communion is affirmed – obviously a central claim for a notion of an Anglican Covenant to make any sense at all; and through it, the historical characteristics of the previous teaching framework are filled out on a large canvass: primitive undivided church, British origins, Reformation, and global growth through mission. This providential history was carefully noted, and its markers listed here are meant to inform the previous sections' "confessional" affirmations and commitments.

Much of the rest of the section, along with the list of commitments, derives from existing work by e.g. the Inter-Anglican Study Commission on Mission and Evangelism, and other groups. The ecumenical context for the Communion's mission is also straightforwardly affirmed, a fact that deserves attention. In some sense, this is the Covenant's most important section: it tells us Anglicanism is at root a missionary tradition; and that the struggles of the present are the results of that tradition, in a sense, but that our resolution of these struggles will be leaven of that missionary tradition's future life. There can be no effective mission without communion, lived and loved.

iv. The last set of affirmations and commitments – on Unity and Common life – have already proved the most controversial. The first section basically lays out the Four Instruments of Communion (the Archbishop of Canterbury having been restored to this position!), all under a guiding affirmation of our Communion's episcopal leadership (something coherent with our own Prayer Book's ordination liturgy, not to mention the Quadrilateral). By and large, the descriptions of the Instruments of Unity derive from existing proposals, especially Australia's (which, in turn, derives from other sources). The attempt here is to render somewhat more coherent the particular roles of each Instrument as they function together. There has already been some concern expressed that the ACC's role has somehow been slighted; however, we believe that the descriptions given are accurate, fair, and finally helpfully integrated.

The real place of challenge for many, it appears, lies in Section 6 on the practical elements that a commitment to unity would demand. In some sense, this was the one section where the Design Group

was required to write "from scratch". But, as I have emphasized earlier, that would finally be a misleading characterization of what we did; for our goal was to articulate "explicitly", as the Primates themselves said, what has in fact taken place in practice already over the past few years as the Anglican Communion has grown and faced challenges to its common witness. Our task was one of apprehending this reality, not constructing it. If one looks carefully at the order of discernment, counsel, and decision, one will see a process that matches fairly closely with actual workings of the Communion over the past decade, say, with the dispute over sexuality – from Lambeth '98 (and before, of course), through to the Primates response to General Convention '03, the Lambeth Commission, Primates, Canterbury and ACC responses, General Convention '06 and now Dar es Salaam.

While this process has been challenged by some as to its integrity, one of the major sources of anxiety over the past few years has less been the actual incoherence of decision-making as has the fact that this ad hoc process was, as it were, unknown in advance, and hence in itself difficult to "trust", to find "trustworthy". What covenanting does to this is to resolve that need, and thereby provide a common "Yes" to a way of discerning that will indeed make "time" and patience less a threat to stability – as it appears now to be for many -- but a gift for seeking the truth in love. "We know what we have committed ourselves to, of the path it must follow, and we will be faithful in following it together."

We are well aware, of course, that just this ordering of discernment is disputed as being somehow providential. Why, some are already asking, should the Primates be given the role of the party of appeal and the final gateway of decision-making? There are at least three answers one might give to this perfectly valid question. First, there is a practical response: someone must do this, and of all the Instruments of Unity, the Primates most effectively (in logistical terms) combine world-wide representation and coherence of council. Second, there is the response of deliberate precedence: Lambeth '98 (building on '88) requested that the Primates take on this role quite explicitly (Res. III.6), by "intervening in cases of exceptional emergency which are incapable of internal resolution within provinces"; and this request derives from actual attempts in other cases where the Instruments of Unity did in fact intervene (e.g. the first Lambeth Conference, and, more recently, Canterbury's intervention – upheld by the ACC – in Rwanda in the mid-'90's). Finally, there is the simple ecclesiological response: given the episcopal ordering and leading of the Anglican Church – and, despite claims to American exceptionalism here, it is enshrined in our own Prayer Book (cf. pp. 517f.) – the Primates represent, in themselves, the unity affirmed and upheld – the "yes" of the Communion – to which the Covenant itself witnesses.

This does not mean that the Primates should or would constitute some super-decision-making power, a "curia" for the Communion as some of claimed. Far from it. A careful examination of the process of discernment proposed in the Covenant makes clear the conciliar character within which the Primates would operate in a special manner in limited and exceptional circumstances. And it is this conciliar context and character, as well as their representative and episcopal roles, that distinguishes the Primates' exceptional calling from curial models of decision-making and authority. Not only in the Covenant, but even in the Communique, the Primates are given no juridical authority beyond what they presently have. Their authority is to "ask"; perhaps even beg; and then leave each church to make its own decisions.

Although there have been fears and indeed accusations that the Primates have been "maneuvered" and "manipulated" over the past few years, I believe that an even-handed examination of the actual history of our struggles will show that, despite the real passion and heat in these struggles (some of it coming from the Primates themselves), there has been a remarkable restraint and subtlety to the Primates' own decision-making – one that actually reflects, rather than imposes upon, the diversity and discernment of the larger Communion. The Proposed Covenant merely seeks to give speech to this deeper reality.

It is the task of the Communion, through its varied processes of discussion, to comment not only on this larger shape to the Proposed Covenant, but also to the particulars that provide its content. My hope here is to have shown how both this larger shape finds its contours within a specific theological vision; and that this vision is what should inform the particulars as they are articulated.

I do not see my brief here as offering you advice, or engaging in political persuasion, although God knows I have my own convictions here. But nonetheless, I would end with a small plea. And I offer it in the shadow of all the high-strung assertions being passed around as to TEC's special vocation and special polity and special illuminations. In fact, however, Americans – and we, American

Episcopalians – are no different than anybody else, despite our claims to exceptionalism; we are no better and no worse, no smarter and no more stupid; we are not more spiritually mature, nor are we (in aggregate anyway) probably any less so. We are not Jesus to the other's Pharisee, Jerusalem to the other's Babylon. Not at all. We all bleed, we all hope. Having lived and worked and suffered in Africa over several years, I was tended and healed in body and soul by Africans; and conversely, there are several African families – women, children, and men – who escaped slaughter and are alive today because of what a few small American Episcopal congregations of which I was a part did. This is the "already" of our communion. It happened by a lot of giving away, of giving way, of receiving, standing aside, and standing in the breach. And it would be a tragedy of, yes, biblical proportions, if we let this "already" become something "already long gone". It is in our hands to prevent that. That is the "juridical" reality before us. And if someone says, "yes, but it is in all of our hands", I would say, "precisely because of the 'all', it is ours, and first of all, ours". That is what the "all" means when it comes to Christ Jesus.

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Anglican Communion News Service

[Church of England Synod: Anglican Communion Covenant Process](#)

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Full text of Archbishop Drexel Gomez' speech to the Church of England Synod

Archbishop Gomez is chair of the Anglican Communion Covenant Design Group

I speak to you as the Primate of a separate and autonomous Province of the Anglican Communion; it is one which takes great pride in its distinctiveness, and yet also in being part of the Catholic Church, finding its particular expression through the Anglican inheritance which it received from the Church of England. So I speak to you as someone who both sees and upholds a proper independence for my Province, but one which is rooted also in connectedness; which could not survive in isolation, and which would never wish to do so.

There can be little doubt that I am speaking to you at a time of great tension within the Anglican Communion. The "bonds of affection" which once held our fellowship together are strained; indeed some would say broken. A state which has been described as "broken or impaired" already is declared between some of our Provinces. Suspicion is rife, as well as accusations of heresy, bad faith and of theological and ecclesiological innovation. Rumours abound that there are plots to carry forward in some provinces a bold agenda on gay marriage, and to require toleration of it across the Communion. Other rumours inform us that the primates are plotting to impose a "collective papacy" on the Anglican Communion. Bishops and archbishops are taking over the care of churches outside their own provinces; new jurisdictions are being erected and bishops are being consecrated and set up in a spirit of competition. People are taking up more and more extreme positions and then defending them; no matter how well founded or sincere the objections.

In the three years since the Windsor Report was published, positions across the Communion have, if anything, polarised and there is less trust now between different parties and between different provinces than there has been for a long time. Everyone claims to be the defender of the true spirit of Anglicanism, and to describe that spirit as orthodox, mainstream, comprehensive or inclusive. The language has become more strident, and quite frankly, scaremongering is commonplace.

In a situation which is becoming increasingly overheated, we need to hear a voice of calm. We need to identify the fundamentals that we share in common, and to state the common basis on which our mutual trust can be rebuilt.

This is essentially all that the covenant proposal is – no more and no less. It is not intended to define some sort of new Anglicanism, or to invent some new model of authority, nor to peddle a narrow or exclusive view of what Anglicanism is. It is intended to state concisely and clearly the faith that we have all inherited together, so that there can be a new confidence that we are about the same mission.

The initial draft covenant text which has been prepared by the Design Group which I chair represents a first attempt to describe Anglicanism in a way which we intend to be true to the best and highest of all the Church of England and the other 37 provinces of the Anglican Communion, wish, under God, to be. But this first draft is the beginning of a process, and not its end: the text which exists now is only at the beginning of a long period of analysis and testing.

The draft which has been developed by the Covenant Design Group looks like this. In spite of some idiosyncratic numbering the draft falls into three main sections: first, a description of the common Anglican inheritance (numbered section 2); second, a description of our common Anglican Mission (numbered section 4); and third, a description of our Communion life (numbered section 5). In each of these three sections the Design Group has sought to draft an affirmation of what is already inherited and agreed in the life of our Communion.

So Section 2 states the historic basis of Anglicanism, and draws largely for its words on either the Lambeth Quadrilateral or the Declaration of Assent used here in the Church of England.

Section 4 describes our Anglican vocation, using the Five Marks of Mission developed in the Communion by an Anglican commission on evangelism and mission building on the work of the Anglican Consultative Council and widely recognised across all Provinces.

Section 5 offers a description of the instruments of Communion which have developed over time in our common life, and sets out straightforwardly the way in which they function to support the life of the Communion.

In the Design Group, we hoped that we had done this task of description accurately and clearly. We believe that all Anglicans reading these affirmations should be able to recognise a statement in these sections of the Anglicanism which they have already been practising and living out in our 38 provinces.

From the basis of these affirmations, however, the text goes on to articulate three sets of commitments, which flow from the affirmations. These say basically:

- If this is the faith we have inherited, then we as Anglican churches commit ourselves to living out this faith together in a particular context of mutual respect and shared exploration (Section 3)
- If this is the mission with which we are charged, then this is the way we will engage in mission together (Section 4b)
- If these are the instruments of our common life, then this is the way we will use them in developing the Anglican Communion, and for each church to live up to its commitment of interdependence with the others.

I personally stand by the draft we have developed. But I already know from discussions at Dar-Es-Salaam in the Joint Standing Committee and amongst the primates themselves that there are points where we will be asked to look at our work again. Reservations centre largely on section 6 of the current draft, where the Design Group seeks to articulate the sort of commitments which arise out of an affirmation of the instruments of Communion.

The feeling amongst the primates for example, was that the role of the primates in this draft has been overemphasised and the voice of the laity under-represented. The Joint Standing Committee of the Anglican Consultative Council and of the Primates felt similarly. It is a section that will clearly have to be revisited in detail.

And the intention is to take a very critical look at the draft in the light of comments received from the process of reflection and debate going on around the Communion. The task of the Design Group shall be to produce at least two more drafts in a process which is designed to listen to all the points made and which will finally meet the criteria that I set out earlier: that is to describe the Anglicanism that we already hold in common, as a basis for greater trust and less suspicion in the future. It is fundamentally based upon a vision where all 38 provinces of the Anglican Communion can meet as autonomous but independent equals, offering mutual accountability to our Anglican sisters and brothers on the clearly articulated basis of common expectations.

The need for such a common basis is pressing. I have no doubt that it would be lovely to go back to a day when we relied on no more than the affection generated by our mutual inheritance and care. But I'm afraid that those days have gone: at present, Anglican leaders are seriously wondering whether they can recognise in each other the faithfulness to Christ that is the cornerstone of our common life and co-operation. While some feel that there will be inevitable separation, others are trying to deny that there is a crisis at all. This is hardly a meeting of minds. Unless we can make a fresh statement clearly and basically of what holds us together, we are destined to grow apart. Do we Anglicans have a clear and shared identity? It is a question that our ecumenical partners are increasingly asking of us?

For decades, Anglicans have been wondering whether increasing diversity might force the Provinces apart, and asked what holds us together. The days of undefined affection are sadly over, yet this is also not a time when proposals which are brand new would win a broad consensus across the Communion. I believe that the Covenant can only succeed if it can accurately describe a sufficient basis to hold us together, and for us to want to stay together, based upon what we already hold and believe. This stresses the importance of getting the text of the covenant right.

I dismiss the idea that this represents somehow an attempt to chain any Province into submission before a powerful centralisation as a chimera: every Province I know, every Primate I know, values autonomy. But there is a real question as articulated by Archbishop Rowan: Can we recognise sufficient of our Anglican inheritance in each other to lead us to want to renew our commitment to live as a world communion?

Now I have also heard the opinion expressed that the idea of a covenant is alien to Anglicanism. I would not accept that charge.

First of all, we are a Covenant people. In his first letter to the Corinthians in chapter 11, Paul wrote: "For I received from the Lord what I also handed on to you, that the Lord Jesus on the night when he was betrayed took bread, and when he had given thanks, he broke it and said, This is my body that is for you. Do this in remembrance of me. In the same way he took the cup also, after supper, saying, This cup is the new covenant in my blood. Do this, as often as you drink it in remembrance of me." In so many ways, these words at the centre of our faith not only speak to us of the sacrifice of our Lord, and the celebration of the Eucharist which stands at the heart of every Christian community, but they also speak to us of God's covenant with us.

That covenant is an unbreakable covenant, founded in God's gracious attitude towards us. It is God who has called us to him: it is God who has made us his people. As it is written in the first epistle of Saint Peter: "Once you were no people, but now you are God's people; once you had not received mercy, but now you have received mercy." When we talk about covenant in the Anglican Communion today, some people speak of it as if the concept is strange to our life. But I have to say that if we are Christians, Christian life is born in covenant, is nurtured in covenant, and finds its destiny in God's covenant that he will bring us to eternal life. We are a covenant people.

We celebrate covenants in many contexts of our Christian life already – in Holy Communion, in the baptismal covenant, and the covenant whenever two persons are joined in Holy Matrimony. We live and breathe as Christians in the context of covenant. In all these cases, covenant is the joyful embracing of a common life – as members of the Church, as man and wife, as participants in the Body of Christ. Are we as Anglicans not able to be joyful any more about our interdependence in Christ?

Many Anglican churches have already covenanted with their ecumenical partners. The Church of England- Methodist covenant will be the subject of debate at this synod. If we can covenant with our ecumenical partners, and find enough in common to recognise a shared faith with them, it seems to me to be a pretty pass indeed if we Anglicans decide we cannot covenant with each other. (It may be said here that a clear statement of our Anglican identity would reassure our ecumenical partners that we know ourselves what our identity is!)

And if truth be told, there is some sense that we have been living by an implicit covenant together already; loosely based upon the Lambeth Quadilateral. But these limits have never been quite so agreed and recognised. Even so, it was said in the 1920 Lambeth Conference:

"The Churches represented (in the Communion) are indeed independent, but independent within the Christian freedom which recognises the restraints of truth and love. They are not free to deny the truth. They are not free to ignore the fellowship."

Today we are not being asked to commit the Church of England to any specific clauses of a covenant, nor to mortgage yourselves to any particular aspects that may appear in the current draft. We are still a long way from a definitive text, in a process which will need the sustained wisdom and feedback of all the Provinces and all the Instruments of Communion before it is mature. What I understand you are on this occasion to consider is this: Are you willing to engage in principle with a process which seeks to find a common basis for the Provinces of the Anglican Communion to move forward together?

I said at the beginning of this address that in the West Indies we are proud of our autonomy lived in communion. This is as it should be. It is true of every Province of the Anglican Communion, even if some of those Provinces struggle with poverty, illness and injustice. But we also value our relationship with you, our first Province, the Church of England. I very much hope that you will be able to express your care for us, and your valuing of us by saying that we have a future together; by affirming "Yes, let us explore what holds us together. Yes – let us covenant to walk in a shared faith and shared hope – in Communion, as surely God intends us to be." After all, did not the Apostle Paul write that no-one can say of another member of the body: "I have no need of you"? (cf 1 Corinthians 12.21-23).

A PROPOSAL FOR AN ANGLICAN COVENANT

Response to an invitation to comment on the Draft Covenant dated February
2007

The Revd Dr Bruce Kaye

EXECUTIVE SUMMARY

There are three parts to this response: some introductory matters which set the scene, five key questions are addressed to the draft Covenant text and a revised text is offered.

Introductory matters

The process has been very accelerated and seems to be gathering pace at each step. The process has been caught up in the politics of the present crisis in ways which have not been helpful to the orderly development of the strategy.

There remains a very significant question as to whether this covenant strategy is the right way forward. I suggest that it is not and that it will widen the issues in contention and deepen the divisions. Nonetheless the response tries to work with the framework of the current strategy with suggestions that might make it work.

Five key questions are addressed to the text

1. Does the document provide a reasonable statement of the fundamental outline of what a covenant might look like? This is one of the tests in the CDG report.

In general terms yes it does, but it could be re-structured to avoid some current inconsistencies of presentation to make it a more coherent statement.

2. How far does the actual text of the document hold together as a coherent statement?

There are some problems with the text from this point of view, but given changes suggested under the previous point they can be successfully dealt with.

3. How far does the text of the covenant document measure up as an expression of current Anglican faith? This is one of the tests in the CDG report.

The first four sections come very close to satisfying this question. Some detailed changes are suggested. Sections 5 and 6 are however highly contentious and should be trimmed down in order to make a more generally accepted statement. The actions of the Primates meeting in February 2007 have not helped the process of presenting a generally acceptable text.

4. How does this document measure up in relation to any discernible ecclesiology drawn from the history of the Anglican tradition?

The document does not seriously address the provincial character of Anglican ecclesiology, nor of the strong conciliar element in the tradition. The novelty in the Anglican theological tradition of a supra provincial ecclesial structure is underlined.

5. How far does this covenant document make it easier to see that a covenant is a useful way forward in the present circumstances? This had been the frame of reference in the Windsor Report.

Without significant changes, especially in sections 5 and 6 it does not advance the likely success of the Windsor strategy.

A PROPOSAL FOR AN ANGLICAN COVENANT

**Response to an invitation to comment on the Draft Covenant dated February
2007**

The Revd Dr Bruce Kaye

INTRODUCTORY MATTERS

Given the constraints of time and opportunity and the framework within which they were working the Covenant Design Group have done outstanding work in producing this text. It is a remarkable achievement.

In order reasonably to understand the text of the draft covenant now before the Anglican Communion it is important to see it in the context of the process which has produced it. That process began in October 2004 with the Windsor Report of the Lambeth Commission and the draft covenant now being considered is dated February 2007. In a matter of merely two years and four months we have gone from a proposal in a report to a text being proposed and in some degree being assumed as the established framework in the Anglican Communion in the action of the meeting of the Primates in February 2007. It is also now said in some quarters as a matter of settled course to be the way in which the Anglican Communion will develop in the future.

This is an extremely short time line in the normal run of history for the Anglican Communion, and indeed for similar cooperative international community groups. Generally speaking the principal decision making bodies in the various provinces have met only once in this period. The general Convention of The Episcopal Church has met once and the General Synod of the Anglican Church of Australia having met just prior to the publication of the Windsor Report will meet in October this year for the first time since the publication of the Windsor Report. These bodies are not simply the decision making bodies for constitutional matters in the provinces, they are the bodies which are charged with making the significant decisions of the provinces in

inter provincial relations. Clearly the institutional arrangements in the Anglican Communion fall into this category. The expulsion of one long standing member would also fall into this category.

The Process has been very accelerated

The first thing to be said about the Covenant process is that it has been more like an express train rushing through the international cyber space rather than any sustained listening process, let alone anything that could be called a process of reception, even though there was a structure established under that name for a short period of time. The timetable for the covenant process was initially set out in The Windsor Report in very general terms. It envisaged the adoption of a simple and short domestic 'communion law' in each province to implement the covenant. The five stages were; approval of a draft by the primates, submission to the churches and ACC for consultation and reception, final approval by primates, legal authorisation by each church and solemn signing by the primates. The Windsor Report timetable did not mention a role for the Lambeth conference, but the Primates in 2005 commended the covenant proposal 'as a project that should be given further consideration in the Provinces of the Communion between now and the Lambeth Conference 2008. In addition, we ask the Archbishop of Canterbury to explore ways of implementing this.'¹ That consultation has taken place to some degree and informed the work of the Covenant Design Group. But the decision making listed in the Windsor Report would inevitably take something like six to nine years, depending on when the decision making bodies of the provinces actually met.

The March 2006 consultation report for the Joint Standing Committee sets out a more precise phased development; an initial drafting period (1 year), a period of further testing (3-5 years) and an implementation period of 2-3 years. This would be six years at a minimum (ie by 2012) and nine years at the upper end (ie by 2015). The timetable in the Primates meeting communiqué envisages further consultation after Lambeth and a final text for ACC-14. On the current pattern of ACC meetings that would mean 2008, earlier than the earliest date envisaged by the consultation

¹ Primates' meeting communiqué February 2005, para 9.

document for the Joint Standing Committee. Clearly the timetable is developing and apparently accelerating. But not enough for the Primates meeting since they felt constrained to anticipate the covenant with some compliance action of their own.

The Covenant Design Group envisages a dual track approach. The text of a covenant should be developed which in the appropriate way should go to the Provinces for consideration leading to adoption of a final text through the relevant processes of the Provincial decision making bodies. In the meantime the CDG suggest there should be some general agreement to the outline shape of a covenant. The Primates are asked to agree that this is the fundamental shape to be developed and from that point there should be more consultation with the provinces and other groups in the Anglican Communion. This is an important point when it comes to considering the text of a covenant prepared by the CDG. It is the shape of a covenant which is to be further refined. That may have been what the CDG wanted, but was not what happened at the Primates meeting in February 2007.

The CDG have also set out the principles which influenced their work in developing this text. They have tried to give expression to ‘what may be considered authentic Anglicanism.’ Furthermore the text is ‘meant to be robust enough to express clear commitment in those areas of Anglican faith about which there has been most underlying concern in recent events’ while being faithful to what has been received. Nothing in the covenant can be said to be “new”. Three times the report underlines that the covenant text brings nothing new but rather represents the faith Anglicans have received and expresses a commitment to inter-dependent life.

The Process has been caught up in the politics of the present crisis

The second thing to be said is that the process of covenant formation has itself been enrolled in the political aspects of the conflict over homosexuality in the public life of the church. This became apparent at the meeting of Covenant Design Group when it met in Nassau in January 2007. There was pressure at the meeting for a very rapid adoption of a covenant in order to prevent further “innovations” and that the Primates

were to be the principal interpreters and enforcers of the covenant.² In the Communiqué of the Primates' meeting in February 2007 the way forward is said to be the recommendations of the Windsor Report as interpreted by the Primates' Statement at Dromantine.

At the February 2007 meeting of the primates the Covenant proposal had become the basis upon which some extraordinary proposals were made. It appears that the matter is seen to be so urgent that the Primates cannot wait for the covenant to come and so they offer a foretaste of the kind of interpretation and enforcement of any covenant might look like. The establishment of a Pastoral Council and a Primatial Vicar in the life of The Episcopal Church is effectively an attempt to establish within a Province a joint operation of the Primates which would have some decision making powers in relation to the recognition of pastoral care for churches within The Episcopal Church. The Pastoral Council is thus a clear incursion into the life of a province and it carries no real guarantees that the international interventions in the ordered life of The Episcopal Church by some Primates and bishops will cease. It is simply hoped that they will. It looks very like a one way bargain and it was delivered with some clear threats, described as realities.

The point for understanding the covenant, however, is that these arrangements are seen as temporary until the coming of a covenant when other arrangements may become necessary. In other words the interim is justified on the basis that the covenant is coming, one way or another. If it comes and the Episcopal Church does not accept it then presumably that church will be excluded from the Anglican Communion and interventions will be multiplied.

The Primates also demanded assurances from the House of Bishops of The Episcopal Church which under the constitution of that church the house does not have the authority to provide. Furthermore they set a deadline of September 2007 for compliance. This was not related to the covenant, but it implies a role for the Primates meeting which is not supported by any decision of any body which might be imagined to have any authority to make such a decision. One can at least say that it

² See the account in A Katherine Grieb, *Interpreting the Proposed Anglican Covenant through the*

was a very distinct initiative. How far it expresses respect for the polity of The Episcopal Church, or has some reasonable connection with traditional Anglican provincial ecclesiology is very hard to see.

The Primates meeting clearly did not regard this covenant document as setting out the broad outline to be refined later. They took a specific clause in the draft text and used it to give some kind of legitimation for their actions. The Primates communiqué treats the covenant document as a foretaste in fairly precise terms of the covenant which will, on their assumption, come into being and in the process they provide a foretaste of how they might interpret such a covenant.

Is a Covenant the right way forward?

The proposal for a covenant came from the Windsor Report as a way of dealing with the conflict between some provinces over the place to be accorded to homosexuality in the public life of the church. One can understand that those involved should think that holding the ring and defining the parameters would be an appropriate way of dealing with such a conflict. The text of the draft covenant itself suggests a different first step which has in fact not been taken at the Communion level in the present instance, namely to spend time listening to one another and to study with one another. If one were to view recent events as a case of institutional conflict and applied some sensible conflict resolution principles to it, then a very different path would have been taken. Not only so a different result would have been opened up, namely a higher degree of mutual understanding between the provinces and of respect for the way in which they have approached the task of living and witnessing faithfully in their context.

The difficulty with the current procedure is that it will widen the range of differences on the table beyond the actual presenting issue. Furthermore it is likely to include, and the draft covenant does include, material which itself will be the basis of division between the provinces. Thus the path of covenant, far from settling the issue, will likely expand and deepen the conflict and diminish the possibility of serious

engagement, mutual understanding and respect. Instead we will have decision making and judgement primarily in political terms and too quickly reached on the basis of numbers. It is possible that these will not be the outcome of pursuing the covenant strategy and that a text could be formulated which will avoid these untoward consequences. That is most unlikely and the present text will need significant surgery if it is to be so.

This response is written in the spirit of trying to be as helpful as possible in relation to this process while believing that this is the wrong track and that we are going to create more difficulties than we expect and that in any case the spirit of our Anglican tradition points, insofar as it points at all, in another direction. One is tempted to resort to the words of the large signs on motorway slip roads – wrong way, go back! Or one might recall the story in the ancient Acts of Peter. The church had encouraged Peter to leave the city of Rome because of the persecution breaking out there so that ‘thou mayest yet be able to serve the Lord. And he obeyed the brethren’s voice and went forth alone’... ‘And as he went out of the gate he saw the Lord entering into Rome; and when he saw him, he said, “Lord, whither (goest thou) here?” And the Lord said unto him, “I am coming to Rome to be crucified.” And Peter said to him, “Lord, art thou being crucified again?” He said to him, “Yes, Peter, I am being crucified again.” And Peter came to himself’

HOW TO INTERPRET THE COVENANT DOCUMENT

There are a number of other interpretative questions that might be considered relevant.

6. Does the document provide a reasonable statement of the fundamental outline of what a covenant might look like? This is one of the tests in the CDG report.
7. How far does the actual text of the document hold together as a coherent statement?
8. How far does the text of the covenant document measure up as an expression of current Anglican faith? This is one of the tests in the CDG report.
9. How does this document measure up in relation to any discernible ecclesiology drawn from the history of the Anglican tradition?

10. How far does this covenant document make it easier to see that a covenant is a useful way forward in the present circumstances? This had been the frame of reference in the Windsor Report.

FIVE PRESENTING QUESTIONS

1. Does the document provide a reasonable statement of the fundamental outline of what a covenant might look like? This is one of the tests in the CDG report.

Any answer to this question must to some extent beg the question of what a covenant should look like. This one looks like a mixture of the elements one would find in a contract or in some articles of an association. In general terms they are probably reasonable enough in that they contain recitals and commitments. There is a preamble which says what the document is and sets the scene for what follows. The recitals and commitments seem to address three issues; the faith we hold and live by (sections 2 and 3), mission and relations with other churches (section 4), our unity and common life (sections 4 and 5). The first and last of these seem to me to be clear enough. Section 3 seems to be trying to address mission and relations with other churches in that mission. It presumably is the latter consideration that prompts the reference to the historical tradition of Anglicanism. I think it would be better to capture the affirmations in this section in section 2 and the commitments in the present section 3. This re-ordering would make the mission character of the church part of the material on confessing the faith. As it stand it looks as if mission is something separate from the business of living the christian life. The separation also seems to suggest that there is truth, or the truth of the gospel, and then there is a separate thing called action or mission. I think that is an unfortunate and misleading separation.

I also think that the document as a whole should have its main divisions in relation to the issues it addresses. In the present text section 2 is recital and section 3 is commitments. Section 4 is both recitals and commitments, Section 5 is recitals and section 6 commitments. It would make a more coherent and accessible document if it

had simply a preamble and two sections each with recitals and commitments. This would produce a document something like:

Preamble

The faith we receive and confess

Recitals: Section 2 with some of section 4 incorporated

Commitments: Section 3 with some of section 4 incorporated

Our Common Life

Recitals: Section 5

Commitments: Section 6

This structure to the document would be a better outline for a covenant in that it would be more accessible and have a clear balanced structure of recitals and commitments.

2. How far does the actual text of the document hold together as a coherent statement?

The comments on the previous question show in which direction a re-shaping of the text would make it more coherent.

3. How far does the text of the covenant document measure up as an expression of current Anglican faith? That is one of the tests in the CDG report.

There is a certain difficulty in trying to be clear about what exactly is current Anglican faith. At one important level this is what is at issue in the present conflicts. I have some views about what ought to be regarded as current Anglican faith, even on some of the issues in current dispute. A covenant document of this kind must however restrict itself to those things which the churches in the Anglican Communion have institutionally committed themselves to in their basic constitutions of polity. Most churches have clear public constitutions, even though they exist on different legal bases in different places. That is in large measure due to the local legal and social context. The Church of England is somewhat different in that it probably does not have a constitution in this sense. That is part of its hang over from a history of

establishment entanglement with the English nation. Where there are constitutions what the church is fundamentally committed to is reasonably identifiable. Even a preliminary review of those constitutions reveals some differences of emphasis on what would generally be called key issues. For example the definition of the role and authority of bishops in the constitution of the Anglican Church of Nigeria is significantly different from that in The Episcopal Church or The Anglican Church of Australia or a number of others. However these differences are not so great that they could not be regarded as reasonable “local adaptations” of episcopacy.

This situation means that the identification of current Anglican faith must be approached with considerable circumspection and care.

Having said that section 2 seems to me to be remarkably on target. I offer some detailed comments below to qualify this, but in general this is a very fair set of statements. Furthermore it would not be difficult to incorporate the affirmations in section 4 into this section of the document. Paras 2(5) and (6) would need some adjustment to encompass para 4(1) but that would not be too difficult a piece of re-drafting.

In Section 3 contains material which is most unlikely to gain wide acceptance as a statement of current Anglican faith, not least because it enters into more precise statements than is generally done in the constitutions or the traditional formularies.

3(1) speaks of moral values as ‘biblically derived’. This may not intend to point to a particular method of doing theology or approaching the articulation of christian guidance for faithful living by Anglicans, but it appears to do so. Moral values are not simply derived as some direct application of biblical material. That method does not work with many of the moral challenges facing Anglicans today. Furthermore to act in ‘continuity and consistency... with the vision of humanity received by and developed in the communion of member churches’ simply asked too much of any faithful Anglican seeking to live out their life in the situation in which God has placed them. Desmond Tutu pointed out on a number of occasions that the African vision of the human condition was societal first and then individual, whereas the western vision was individual first and then societal. Whether or not he is correct in that precise

formulation it remains the case that in different cultural context the human condition is differently experienced in ways which influence the precise way in which faithfulness to the gospel and to the scriptures is to be worked out. A particular meaning of continuity might appropriately be asked of Anglicans, but not consistency as to the precise forms of the vision of humanity. Consistency as to values may be defensible, but there would certainly be some differences as to the level of particularity that could be expressed in such consistency.

Not surprisingly it is the affirmations in section 5 on Our Common Life that are most likely to be contentious. They refer to relatively speaking quite recent institutional innovations and they more manifestly affect the operation of the institutions of the church. This section contains two key matters, episcopacy and the four so called 'Instruments of unity', though one, the Archbishop of Canterbury, has now been named a focus of unity. It is strange to find a re-affirmation of episcopacy at this point. If this is about our common life where is the reference to the conciliar elements in Anglican polity. Even if this section is regarded as referring only to the institutions of the Anglican Communion, the question remains. The language of 5(1) however points to the provincial level of church life. The three orders of ministry have been affirmed in 2(5) as part of the heritage of Anglican faith. Why repeat the point here?

The extra details given in 5(1) are reasonably contentious and could not be regarded as a simple statement of Anglican faith.

Episcopacy is locally adapted in all sorts of ways, not just in the methods of its administration. Those adaptations are not just to the nations. The text seems to imply that nations are called into the church.

Bishops as leaders of mission has been part of the approach in some provinces. Missionary bishops were appointed by the General convention of ECUSA for work in the expanding west of the USA and they have recently been appointed in significant numbers in Nigeria by the Synod of bishops of that church for work in evangelistic contexts. Some of the Tractarians in the nineteenth century were attracted to the idea of missionary bishops, perhaps under the influence of the American practice and the writings of Bishop Doane. But beyond that the tradition of episcopacy has been much

more intra ecclesial in character. One may wish it to be otherwise, but the current practice in general is not that bishops are leaders in mission.

The claim here that the episcopate is a visible sign of unity has, especially in the present context, become more manifestly an aspirational claim rather than a universal and visible reality. It also confuses the history of the meaning of that description of episcopacy. The bishop holds a representative position for the local church, the dioceses of which he or she is the bishop. In that role the bishop is the interconnecting point with other dioceses and also an instrument of connection within the diocese between the disparate parishes which make up the diocese. The bishop is thus an instrument of catholicity within the life of the church. The world has got smaller since the form of this understanding was developed and accepted within the christian tradition, but the point remains, that the bishop is a focus of unity in the practice and tradition of catholicity in the church and it presupposes the notion of a territorial diocese. It is this notion of the bishop as focus of unity in the church that makes episcopal “interventions” such an affront.

It would be better to elaborate modestly the statement in section 2 and drop this section 5(1) altogether. If we want to include an affirmation of the ordered ministry at this point then it would need to include all the orders of ministry, not just bishops. Not matter what formulation of the theological significance of episcopacy was preferred there hardly seems to be a case for including only episcopacy in such an affirmation. The theology of the episcopate has been notoriously controverted and Anglicans have lived with a wide spectrum of views. The less said the better if one is looking to gain widespread support for the text.

This section of the covenant is really about the new organisational arrangements which have recently emerged in the Anglican Communion. It would be much clearer if the recitals dealt with them, rather than confusing the text with extraneous material that does not advance the subject matter of the section.

Section 5(2) and its elaborations in 5(3-6) and the commitments that are attached to them are really the critical point of this document from the point of the view of the present disputes between Anglicans. This section seeks to affirm the developments

that have taken place in recent years in the organisational arrangements in the Anglican Communion.

The office of archbishop of Canterbury has of course been around for a very long time, but the role of the office in a world wide communion of Anglican churches is a much more recent development. It has been quite natural that the office should have developed in some way as Anglicans spread around the world from England. For centuries the Archbishop had been the Primate of the Church of England and churches which emerged from that church naturally turned to the Archbishop of Canterbury for residual connections and reference. That is how the Lambeth Conference first occurred and it is reflected in the actions the Archbishop was asked to perform by churches around the world during the nineteenth and twentieth centuries. There is no reason to think that that development has come to an end. As ever, the question is what direction any future developments might appropriately take and on what grounds might they be considered appropriate. What really are the grounds on which the Archbishop of Canterbury should have the prerogative of deciding who is invited to the Lambeth Conference, or that he should be the president of the ACC, or chair the Primates meeting? Are they hallowed tradition and respect, or just nostalgia. Do they serve some significant set of values embedded in the tradition? Are they to be justified on the ground of effectiveness, something along the lines of a constitutional monarchy? While the actions of incumbents remain reasonably uncontroversial these questions will probably not arise. But when those actions do become controversial to a sufficient degree then these questions will most certainly arise. In the meantime it would be a mistake to think that they do not lie just below the surface in contemporary Anglicanism. From this point of view the change of name from instrument of unity to focus of unity was a good idea, whether or not it was prompted by such considerations.

The Lambeth Conference began life in 1867. From time to time, and more often in recent decades it has functioned as a ten yearly public forum for Anglicanism. It has not always had that role. The Primates meeting is of even more recent innovation and has changed its stated purpose and activity. Leisurely counsel and advice might have been the note early, but in more recent times it has taken to arbitrating on some very important issues. Whether it will prove to be successful or acceptable in taking this

sort of role is yet to be seen. The Anglican Consultative Council is the only one in this group which has a constitution approved by the provinces in any kind of constitutional or conciliar way.

A tradition like Anglicanism inevitably develops institutions to deal with issues raised by the passing of time, for continuity, and for confronting responsibilities in the present in decision making. Anglicans generally have created various forms of conciliar institutions for this purpose. Synods and councils of various kinds and with varying points of emphasis, and balances of power between different groups within the church. In general, however, they have been pre-eminently conciliar in character and that has reflected the responsibility of the whole people of God for the life of the church.

These conciliar institutions are not the only institutions that Anglicans have created to sustain the life of the church. There are a multitude of such institutions; religious orders, societies of every kind of description, publishing companies, educational institutions. The list could go on endlessly. Many if not most of these institutions are independent of the conciliar structures. This pattern is similar to what we find in most modern nations. The government exists to provide internal law and order and external security shaped by notions of justice, and public infrastructure that will enable social life to flourish. Alongside government structures are a myriad of other institutions which enable that social life to flourish. No one would pretend for an instance that government was the whole story in a modern nation. No one should pretend that the conciliar structures in the church are the whole story. Quite properly there are questions as to the role and purpose of the conciliar structures. Those questions are not always clearly articulated until there is some crisis or challenge.

The development of institutional arrangements amongst the Anglican provinces around the world is part of this process. Because the idea of supra provincial organisations is a novelty in Anglicanism that process is in its very nature a series of experiments. There have been past experiments which have not been proceeded with. A communion wide theological seminary, regional officers of the Communion, an international archive of resources on Anglican identity are just some that come to mind. The current “instruments” are experiments in the same sequence. They are a

little different in that they are predominantly episcopal and not conciliar. They appear as if they are conciliar or have conciliar credentials, but in reality they have been episcopally led experiments. That in itself is not necessarily a bad thing. On the contrary one might reasonably expect the bishops in the church to be active in seeing the wider issues of relationships. However, if such experiments are to become part of the fixed structure of the judicature, they will need to win conciliar support. But they remain experiments and they may prove to require significant re-arrangements.

The covenant is also an experiment. This section of the covenant has the effect of instantiating the present institutional experiments in more or less their present form. This section of the covenant undertakes to give more precise and different roles, however discreetly and indirectly, to these arrangements, especially to the Primates meeting. This seems to me to be a very significant mistake. It would be much better to leave the process of experimentation more open and to facilitate the continuing testing of the current experiments and the emergence of others. For these reason I think sections 5 (3)-(6) should be deleted from the text.

This would leave 5(2) as the affirmation of this section of the covenant. Within that section I would urge some changes in the text set out below in a separate edited version of the text in order to clarify the meaning and at one point slightly modify it.

In many respects the commitments in Section 6 of the draft covenant are the crux of the proposal to have a covenant at all. The present crisis has been dealt with on the basis of seeking to sustain the general life of the Communion within some boundaries. In order to do that some degree of constraint has been regarded as necessary. Here in this section is where the constraint is located. The essential elements of this constraint are that the Primates should operate as a kind of executive group on disputes and disagreement and in consultation with the ACC, the Lambeth Conference and the Archbishop of Canterbury they will seek to identify a common mind. This will occur when there are matters of “serious dispute among churches that cannot be resolved by mutual admonition”. Where a church does not comply with the conclusion reached in this way they shall be expelled or suspended. The language in this section is clearly softened and phrased in ways which suggest that there is no great change to the current autonomy and fellowship pattern at the present time. So a church which does not

respond positively to “the substance of the covenant as understood by the councils of the Instruments of Communion” will be regarded by the signed up members of the covenant to have “relinquished for themselves the force and meaning of the covenant”.

It is difficult to know how to respond to these words without some kind of rue smile. It is language worthy of the Orwellian world of 1984. It is at best disingenuous and to any ordinary reader looks plainly deceptive if not deceitful. The plain truth is that these sections mean that a persistently dissident church on an issue decided upon by the Primates in consultation will be expelled from the covenant. One can understand why the plain words might not be used for they draw attention directly to the extraordinary step which is being proposed here. The actions of the Primates in February 2007 only serve to confirm that this is the sort of thing that they at least have in mind.

The document moves from the moral authority of the present instruments in 6(4) to a juridical move in 6(6) for which the Primates meeting is the agent, an agent which is given no more guidelines or framework than what might emerge from consultation with the ACC, the Lambeth Conference and the Archbishop of Canterbury.

Sections (1) – (4) might just be acceptable, with some qualifications for what passes as Anglicanism today. Sections 6(5) and (6) a clear innovations and are cast in terms which are quite beyond the range of where institution creation in Anglicanism has reached.

4. How does this document measure up in relation to any discernible ecclesiology drawn from the history of the Anglican tradition?

The real problem facing world wide Anglicanism is that it is now encountering an unprecedented challenge to its life and character. It has been shaped within a tradition which from very earliest times saw itself as part of the wider christian community, but in its institutionality regarded the province as the extent of the jurisdictional order of a church. In doing so Anglicans have regularly claimed that this was in line with the

pattern of the early church. The provincial conception set the framework of catholicity and order. It provided for the ordination of bishops and their discipline. It thus provided for the provision of word and sacraments through an ordered and disciplined ministry of bishops priest and deacons. Perhaps that is the core role of the conciliar judicature of the church. That arrangement might have worked while the tradition operated in a more limited location. As Anglicans spread around the world they formed naturally into provinces. This consolidation of the provincial element in the tradition has created an unprecedented challenge in Anglican ecclesiology: how to give a reasoned account from the tradition for particular proposals for supra provincial institutions. It may be that there is no justification for such developments. It may be that the modes of operation for catholicity in inter provincial relation will be different from what is found within the provinces. All that may be so. What is certainly true is the goal of such supra provincial experiments is not the “highest degree of communion possible” but rather the appropriate form of communion for this particular set of circumstances.

This theological problem has been bubbling away for a hundred years and has become more intense in the last forty years. Anglicans have made attempts to experiment with new institutional arrangements, but it has been exceptionally difficult to deploy resources out of the tradition to shape or legitimate these experiments. That is not to say that such a task cannot be done. It is rather to say that it has not yet been done with any generally recognised success. The report of the first Inter Anglican Theological and Doctrinal Commission, *For the Sake of the Kingdom*, pointed clearly to the issues, but subsequent reports have not taken the argument seriously enough and in any case have not been asked to do so. Rather they have been asked to deal with issues which appeared to be relevant to solving the immediate problem of sustaining relations over disputes to do with the ordination of women.

The problem with this section of the covenant is that it is trying to deal with a problem by means for which there is little theological rationale within the tradition.

5. How far does this covenant document make it easier to see that a covenant is a useful way forward in the present circumstances?

The Windsor Report recommended ‘consideration of how to make the principles of inter-Anglican relations more effective at the local ecclesial level. This has been a persistent problem in Anglicanism contributing directly to the current crisis’ (117). They suggest a communion law in each province to enable the implementation of the covenant proposal which they think ‘would make explicit and forceful the loyalty and bonds of affection which govern the relationships between the churches of the Communion. Such a covenant they suggest could deal with common identity, relationships of communion, commitments of communion, exercise of autonomy in communion and the management of communion affairs, including disputes.(118) Most of the covenant would be ‘largely descriptive of existing principles’ and thus should be readily acceptable.

The present draft covenant in section 1 – 4 seem to do well in relation to this ambition of the Windsor Report. Section 5 extends the range somewhat but could be modified to come within the parameters set out by the Windsor Report. Section 6 however is far more than descriptive and in sections 6(5) and (6) clearly goes far beyond anything at present in place.

If one were pursuing a covenant strategy then the Windsor ambition of keeping it simple and restricted to a statement of what is already accepted is moving in the right direction and the present text could be made more in tune with that ambition by some editorial changes. In that spirit I would suggest the following particular changes:

1. Preamble

Last line. Add after Communion ‘of churches’. The sentence as it stands seems to suggest some kind of world body that could exist apart from the churches which constitute it.

2. The Life we share...

The title is ambiguous. What is the Communion as a whole, if it is not the member churches? This is a covenant for the member churches. Delete the phrase 'and the Communion as a whole'.

(4) It is hard to know what this sentence refers to. Is it a reference to the commitment of all the members of the church to the mission of God, or is it a reference to relations with the wider catholic church of the creeds.

(5) The documents referred to here are historically located. Some parts are more relevant than others today. The phrasing seems to imply more than is the sort of claim found in provincial constitutions. Would it be better to say something like, 'we retain and approve of as central to our heritage the following documents...'

3. title. Better to use a participle indicating action, ie 'Our Commitment to Confessing the Faith'. This form would also avoid the suggestion of a confession in the tradition of continental protestant churches.

4 (5), 4. Structures of society is very limited. 'Patterns of behaviour' would capture structures and other things which corrode social life.

I have attached to this document a revision of the draft covenant document which tries to incorporate the material discussed in this response. With this document is a document with the 'Track changes tool' active so that changes to the original can be seen.

Bruce Kaye

The feast of Barnabas, son of consolation

June 11 2007

Watsons Bay, NSW

AUSTRALIA

AN EDITED VERSION OF

An Anglican Covenant

**Draft prepared by the Covenant Design Group, January
2007**

1 Preamble

We, the Churches of the Anglican Communion, under the Lordship of Jesus Christ, solemnly covenant together in these articles, in order to proclaim more effectively in our different contexts the Grace of God revealed in the Gospel, to offer God's love in responding to the needs of the world, to maintain the unity in the Spirit in the bond of peace, and to grow up together as a worldwide Communion of churches to the full stature of Christ.

2 The Faith we Receive and Confess

Each member Church affirms:

- (1) that it is part of the one, holy, catholic, and apostolic Church, worshipping the one true God, Father, Son, and Holy Spirit;
- (2) that it professes the faith which is uniquely revealed in the Holy Scriptures as containing all things necessary for salvation and as being the rule and ultimate standard of faith, and which is set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation;
- (3) that it holds and duly administers the two sacraments ordained by Christ himself – Baptism and the Supper of the Lord – ministered with the unfailing use of Christ's words of institution, and of the elements ordained by him;
- (4) the apostolic mission of the whole people of God;
- (5) that, **we retain and approve as central to our heritage the** historic formularies, the Thirty-nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons 1;
- (6) the retention of the three orders of ministry, bishops, priests and deacons and the office of bishop as a focus of unity and catholicity in the church.

(7) our loyalty to this inheritance of faith as our inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making Him known to our societies and nations.

(8) that communion is a gift of God: that His people from east and west, north and south, may together declare his glory and be a sign of God's Kingdom. We gratefully acknowledge God's gracious providence extended to us down the ages, our origins in the undivided Church, the rich history of the Church in the British Isles shaped particularly by the Reformation, and our growth into a global communion through the various mission initiatives.

(9) As the Communion continues to develop into a worldwide family of interdependent churches, we also face challenges and opportunities for mission at local, regional, and international levels. We cherish our faith and mission heritage as offering us unique opportunities for mission collaboration, for discovery of the life of the whole gospel and for reconciliation and shared mission with the Church throughout the world.

(10)The member Churches acknowledge that their common mission is a mission shared with other churches and traditions not party to this covenant. It is with all the saints that we will comprehend the fuller dimensions of Christ's redemptive and immeasurable love.

¹ This is not meant to exclude other Books of Common Prayer and Ordinals duly authorised for use throughout the Anglican Communion, but acknowledges the foundational nature of the Book of Common Prayer 1662 in the life of the Communion.

In seeking to be faithful to God in their various contexts, each Church commits itself to:

(1) uphold and act in continuity and consistency with the catholic and apostolic faith, order and tradition, biblically derived moral values and the vision of humanity received by and developed in the communion of member Churches;

(2) seek in all things to uphold the solemn obligation to sustain Eucharistic communion, welcoming members of all other member churches to join in its own celebration, and encouraging its members to participate in the Eucharist in a member church in accordance with the canonical discipline of that host church;

(3) To live faithfully according to the teaching of the scriptures in the context in which God has placed us.

(4) nurture and respond to prophetic and faithful ministry to assist our Churches as courageous witnesses to the transformative power of the Gospel in the world.

(5) pursue a common pilgrimage with other members of the Communion to discern truth, that peoples from all nations may truly be free and receive the new and abundant life in the Lord Jesus Christ.

(6) to answering God's call to share in his healing and reconciling mission for our blessed but broken and hurting world, and, with mutual accountability, to share our God-given spiritual and material resources in this task.

(7) In this mission, which is the Mission of Christ, **we commit ourselves**

1. to proclaim the Good News of the Kingdom of God
2. to teach, baptize and nurture new believers;
3. to respond to human need by loving service;
4. to seek to transform unjust patterns of behaviour in society and
5. to strive to safeguard the integrity of creation and to sustain and renew the life of the earth.

3 Our Common Life

(1) **We affirm** the role of four Instruments of Communion in serving to discern our common mind in communion issues, and to foster our interdependence and mutual accountability in Christ. While each member Church orders and regulates its own affairs through its own system of government and law and is therefore described as autonomous, each church recognises that the member churches of the Anglican Communion are bound together, not juridically by a central legislative or executive authority, but by the Holy Spirit who calls and enables us to live in mutual loyalty and service.

Each Church commits itself

(1) in essential matters of common concern, to have regard to the common good of the Communion in the exercise of its autonomy, and to support the work of the Communion with the spiritual and material resources available to it.

(2) to spend time with openness and patience in matters of theological debate and discernment to listen and to study with one another in order to comprehend the will of God. Such study and debate is an essential feature of the life of the Church as it seeks to be led by the Spirit into all truth and to proclaim the Gospel afresh in each generation. Some issues, which are perceived as controversial or new when they arise, may well evoke a deeper understanding of the implications of God's revelation to us; others may

prove to be distractions or even obstacles to the faith: all therefore need to be tested by shared discernment in the life of the Churches.

(3) to seek with other members, through the Church's shared councils, a common mind about matters of essential concern, consistent with the Scriptures, common standards of faith, and the canon law of our churches.

(4) to heed the counsel of the 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.

4 Our Declaration

With joy and with firm resolve, we declare our Churches to be partners in this Anglican Covenant, releasing ourselves for fruitful service and binding ourselves more closely in the truth and love of Christ, to whom with the Father and the Holy Spirit be glory for ever. Amen.

AN EVANGELICAL COMMENTARY ON THE DRAFT COVENANT

A Petition to the Covenant Design Group

We are grateful to the Covenant Design Group for taking up the work of preparing a Draft Anglican Communion Covenant. The events of the past decade in the Communion have made clear, in a way not seen since the 16th century, the need of a strong statement of doctrine and discipline among Christians in our tradition.

We submit the comments below as articulating our Evangelical convictions. We believe that the great debates and events of the Reformation remain foundational for our Christian heritage. In a world where Evangelical Christians are spreading rapidly, including those in many Anglican Provinces, we think it important that our convictions be represented in an all-Communion document.

The Draft Covenant is, in our opinion, an orthodox statement of the Christian faith; it is less characteristically Evangelical. We propose that with relatively minor amendment, this document can express more fully the Anglican Evangelical position.

All church statements emerge from particular contexts, indeed particular controversies. Likewise, this Covenant should address forthrightly the theological errors that have torn of the fabric of the Communion.

In our view the emendations suggested below (in *bold italics*) will strengthen the Covenant document and better represent the Evangelical understanding of the faith.

Sec. 1 Preamble

Proposed Amendment

... in order to proclaim more effectively in our different contexts *the saving love of God for a fallen world accomplished through the death and resurrection of His Son Jesus Christ*, to maintain the unity of the Spirit etc.

Explanation: The theme of salvation is a silver chord through all the Scriptures and of particular importance in the proclamation that “Christ Jesus came into the world to save sinners” (1 Tim 1:15). In our view, emphasis on God’s responding to the needs of the world is a corollary of God’s saving act in Christ and is addressed adequately under Section 4.

Sec. 2: The Life We Share: Common Catholicity, Apostolicity and Confession of Faith

Proposed Amendment

Each member church and the Communion as a whole, affirms:

... (5) that, led by the Holy Spirit, it *bears* witness to Christian truth in its historic formularies, etc....

Explanation: As each of the first four subsections is stated in the present tense, so also the classic formularies listed in subsection (5) should be regarded in that tense, as having normative force. The Thirty-Nine Articles, Prayer Book and Ordinal remain the only

universally recognized statement of Anglican doctrine, and they are enshrined in the Constitutions and Prayer Books of many Provinces. They represent the key Reformation insights into the faith, complementing the catholic creeds on the one hand and the Lambeth Quadrilateral on the other.

Sec. 3 Our Commitment to Confession of Faith

Proposed Amendment

In seeking to *maintain the faith given once for all to the saints*, each Church commits itself to...

(1) uphold and act in continuity and consistency with the catholic and apostolic faith, order and tradition, *and the historic Anglican formularies*;

(2) *uphold the Holy Scriptures of the Old and New Testament as God's Word written* and to ensure that biblical texts *are interpreted in their plain and canonical sense, through the preaching and teaching of pastors, the regular reading of the people, and the oversight* of bishops and synods, building on our best scholarship, believing that scriptural revelation must continue to illuminate, challenge and transform cultures, structures and ways of thinking;

(3) place former subsection (2) here;

(4) uphold the biblical vision of God's image in humanity *as male and female and our Lord's teaching on the unchangeable standard of marriage of one man and one woman (or abstinence)*;

(5) and (6) renumbered from (4) and (5)

Explanation

We amend the introductory phrase with a reference to the "once for all" character of the Christian faith, as contended for by St. Jude.

We affirm the catholic and apostolic nature of the Church and give it its due in subsection 1, along with the Reformation insights mentioned above.

We believe the authority of Scripture should receive a separate subsection (2) and be given priority in the order of "Word" and "Sacrament."

The use of the phrase "God's Word written" from Article XX is of great importance in the present controversy of authority. We propose interpretation in the "plain and canonical sense" as a somewhat stronger wording to stress the Reformation emphasis on the clarity and unity of Scripture, and we note the joint responsibility of upholding Scripture by people, pastors, scholars and bishops as a classic application of biblical authority.

Finally, we think that the Covenant should openly confront the presenting error of our day: the substitution of personal sexual fulfillment for obedience to God's order of marriage and procreation. We refer to the "unchangeable standard" of marriage in the words of Resolution 66 (Lambeth 1920).

Sec. 4. Our Call to Mission

Proposed Amendment

(see section title)

We affirm that Communion is a gift of God *in Mission*. *In response to the Risen Christ's command*, we commit ourselves:

- (1) *To present Jesus Christ in the power of the Holy Spirit so that men and women come to put their faith in God through him, to accept him as their Saviour and to serve him as their King in the fellowship of his Church;*
- (2) *To reach with the Gospel message every tribe and language and people and nation;*
- (3) To teach, baptize and nurture new believers;
- (4) To respond to human need by loving service;
- (5) To seek to transform unjust structures of society and *safeguard the integrity of creation*.

We gratefully acknowledge... etc. (from para. 1 through 3)

Explanation

As Evangelicals, we believe that Christ's Great Commission to the nations should be highlighted in the Covenant. The changes in title and opening sentence attempt to do this. We think the missional priorities as listed represent a proper balance of the Church's preaching, teaching, serving and prophetic call. By using William Temple's classic formulation of Evangelism, adopted by the Lambeth Conference, we wish to make clear the need for call to response as well as proclamation.

Sec. 6: The Unity of the Communion

Proposed Amendment

(6) 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 Instruments of the Communion, we will consider that such churches have relinquished *membership in the Anglican Communion*.

Explanation

Throughout history, the Good News has caused division, and the church has faced the twin dangers of heresy and schism. Scripture warns against attacks from without and within. The Covenant should make clear that a member church's "walking apart" is not simply a matter of taste but of substance and carries with it a final exclusion. We assume the "extreme circumstances" will include a due process such as that proposed in "To Mend the Net" and The Windsor Report, and that further reconciliation would involve re-incorporation in a replacement entity that does uphold the Covenant.

*Stephen Noll
11 April 2007*

An Anglican Covenant Draft prepared by the Covenant Design Group, January 2007

1 Preamble

(Psalm 127.1-2, Ezekiel 37.1-14, Mark 1.1, John 10.10; Romans 5.1-5, Ephesians 4:1-16, Revelation 2-3)

We, the Churches of the Anglican Communion, under the Lordship of Jesus Christ, solemnly covenant together in these articles, in order to proclaim more effectively in our different contexts the saving love of God for a fallen world accomplished through the death and resurrection of His Son Jesus Christ, the Grace of God revealed in the Gospel, to offer God's love in responding to the needs of the world, to maintain the unity in the Spirit in the bond of peace, and to grow up together as a worldwide Communion to the full stature of Christ.

2 The Life We Share: Common Catholicity, Apostolicity and Confession of Faith

(Deuteronomy 6.4-7, Leviticus 19.9-10, Amos 5.14-15, 24; Matthew 25, 28.16-20, 1 Corinthians 15.3-11, Philippians 2.1-11, 1 Timothy 3:15-16, Hebrews 13.1-17)

Each member Church, and the Communion as a whole, affirms:

1. that it is part of the one, holy, catholic, and apostolic Church, worshipping the one true God, Father, Son, and Holy Spirit;
2. that it professes the faith which is uniquely revealed in the Holy Scriptures as containing all things necessary for salvation and as being the rule and ultimate standard of faith, and which is set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation;
3. that it holds and duly administers the two sacraments ordained by Christ himself – Baptism and the Supper of the Lord – ministered with the unfailing use of Christ's words of institution, and of the elements ordained by him;
4. that it participates in the apostolic mission of the whole people of God;
5. that, led by the Holy Spirit, it bears ~~has borne~~ witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons **[1]**;
6. our loyalty to this inheritance of faith as our inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making Him known to our societies and nations.

3 Our Commitment to Confession of the Faith

(Deuteronomy 30.11-14, Psalm 126, Mark 10.26-27, Luke 1.37, 46-55, John 8: 32, 14:15-17, 1 Corinthians 11.23-26, 2 Timothy 3:10-4:5;)

In seeking to maintain the faith given once for all to the saints, ~~be faithful to God in their various contexts,~~ each Church commits itself to:

1. uphold and act in continuity and consistency with the catholic and apostolic faith, order and tradition, and the historic Anglican formularies;
2. uphold the Holy Scriptures of the Old and New Testament as God's Word written and to ensure that biblical texts are interpreted in their plain and canonical sense, through the preaching and teaching of pastors, the regular reading of the people, and the oversight of bishops and synods, building on our best scholarship, believing that scriptural revelation must continue to illuminate, challenge and transform cultures, structures and ways of thinking; biblically derived moral values and the vision of humanity received by and developed in the communion of member Churches;
- ~~2.3.~~ seek in all things to uphold the solemn obligation to sustain Eucharistic communion, welcoming members of all other member churches to join in its own celebration, and encouraging its members to participate in the Eucharist in a member church in accordance with the canonical discipline of that host church;
- ~~3.4.~~ uphold the vision of humanity as male and female and our Lord's teaching on the unchangeable standard of marriage of one man and one woman (or abstinence); ensure that biblical texts are handled faithfully, respectfully, comprehensively and coherently, primarily through the teaching and initiative of bishops and synods, and building on our best scholarship, believing that scriptural revelation must continue to illuminate, challenge and transform cultures, structures and ways of thinking;
- ~~4.5.~~ nurture and respond to prophetic and faithful leadership and ministry to assist our Churches as courageous witnesses to the transformative power of the Gospel in the world.
- ~~5.6.~~ pursue a common pilgrimage with other members of the Communion to discern truth, that peoples from all nations may truly be free and receive the new and abundant life in the Lord Jesus Christ.

~~4 The Life We Share with Others: Our~~ Call to Mission Anglican Vocation

(Jeremiah 31.31-34, Ezekiel. 36.22-28, Matthew 28.16-20, John 17.20-24, 2 Corinthians 8-9, Ephesians 2:11-3:21, James 1.22-27)

We affirm that Communion is a gift of God in Mission. In response to the Risen Christ's command, we commit ourselves:

1. To present Jesus Christ in the power of the Holy Spirit so that men and women come to put their faith in God through him, to accept him as their Saviour and to serve him as their King in the fellowship of his Church to proclaim the Good News of the Kingdom of God
2. to reach with the Gospel message every tribe and language and people and nation;
3. to teach, baptize and nurture new believers;
4. to respond to human need by loving service;; and
5. to seek to transform unjust structures of society and safeguard the integrity of creation.

~~that His people from east and west, north and south, may together declare his glory and be a sign of God's Kingdom.~~—We gratefully acknowledge God's gracious providence extended to us down the ages, our origins in the undivided Church, the rich history of the Church in the British Isles shaped particularly by the Reformation, and our growth into a global communion through the various mission initiatives.

As the Communion continues to develop into a worldwide family of interdependent churches, we also face challenges and opportunities for mission at local, regional, and international levels. We cherish our faith and mission heritage as offering us unique opportunities for mission collaboration, for discovery of the life of the whole gospel and for reconciliation and shared mission with the Church throughout the world.

The member Churches acknowledge that their common mission is a mission shared with other churches and traditions not party to this covenant. It is with all the saints that we will comprehend the fuller dimensions of Christ's redemptive and immeasurable love.

We commit ourselves to answering God's call to share in his healing and reconciling mission for our blessed but broken and hurting world, and, with mutual accountability, to share our God-given spiritual and material resources in this task.

~~In this mission, which is the Mission of Christ, we commit ourselves~~

- ~~1. to proclaim the Good News of the Kingdom of God~~
- ~~2. to teach, baptize and nurture new believers;~~
- ~~3. to respond to human need by loving service;~~
- ~~4. to seek to transform unjust structures of society; and~~
- ~~5. to strive to safeguard the integrity of creation and to sustain and renew the life of the earth.~~

5 Our Unity and Common Life

(Numbers 11.16-20, Luke 22.14-27, Acts 2.43-47, 4.32-35, 1 Corinthians 11.23-26, 1 Peter 4:7-11, 5:1-11)

We affirm the historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of his Church and the central role of bishops as custodians of faith, leaders in mission, and as visible sign of unity.

We affirm the place of four Instruments of Communion which serve to discern our common mind in communion issues, and to foster our interdependence and mutual accountability in Christ. While each member Church orders and regulates its own affairs through its own system of government and law and is therefore described as autonomous, each church recognises that the member churches of the Anglican Communion are bound together, not juridically by a central legislative or executive authority, but by the Holy Spirit who calls and enables us to live in mutual loyalty and service.

Of these four Instruments of Communion, the Archbishop of Canterbury, with whose See Anglicans have historically been in communion, is accorded a primacy of honour and respect as first amongst equals (*primus inter pares*). He calls the Lambeth Conference, and Primates' Meeting, and is President of the Anglican Consultative Council.

The Lambeth Conference, under the presidency of the Archbishop of Canterbury, expressing episcopal collegiality worldwide, gathers the bishops for common counsel, consultation and encouragement and serves as an instrument in guarding the faith and unity of the Communion.

The Primates' Meeting, presided over by the Archbishop of Canterbury, assembles for mutual support and counsel, monitors global developments and works in full collaboration in doctrinal, moral and pastoral matters that have Communion-wide implications.

The Anglican Consultative Council is a body representative of bishops, clergy and laity of the churches, which co-ordinates aspects of international Anglican ecumenical and mission work.

6 Unity of the Communion

(Nehemiah 2.17,18, Mt. 18.15-18, 1 Corinthians 12, 2 Corinthians 4.1-18, 13: 5-10, Galatians 6.1-10)

Each Church commits itself

1. in essential matters of common concern, to have regard to the common good of the Communion in the exercise of its autonomy, and to support the work of the Instruments of Communion with the spiritual and material resources available to it.
2. to spend time with openness and patience in matters of theological debate and discernment to listen and to study with one another in order to comprehend the will of God. Such study and debate is an essential feature of the life of the Church as it seeks to be led by the Spirit into all truth and to proclaim the Gospel afresh in each generation. Some issues, which are perceived as controversial or new when they arise, may well evoke a deeper understanding of the implications of God's revelation to us; others may prove to be distractions or even obstacles to the faith: all therefore need to be tested by shared discernment in the life of the Church.
3. to seek with other members, through the Church's shared councils, a common mind about matters of essential concern, consistent with the Scriptures, common standards of faith, and the canon law of our churches.
4. 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.
5. to seek the guidance of the Instruments of Communion, where there are matters in serious dispute among churches that cannot be resolved by mutual admonition and counsel:
6. by submitting the matter to the Primates Meeting
7. if the Primates believe that the matter is not one for which a common mind has been articulated, they will seek it with the other instruments and their councils
8. finally, on this basis, the Primates will offer guidance and direction.
9. 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 membership in the Anglican Communion. 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.

7 Our Declaration

(Psalms 46, 72.18,19, 150, Acts 10.34-44, 2 Corinthians 13.13, Jude 24-25)

With joy and with firm resolve, we declare our Churches to be partners in this Anglican Covenant, releasing ourselves for fruitful service and binding ourselves more closely in the truth and love of Christ, to whom with the Father and the Holy Spirit be glory for ever.
Amen.

Notes:

[1] This is not meant to exclude other Books of Common Prayer and Ordinals duly authorised for use throughout the Anglican Communion, but acknowledges the foundational nature of the Book of Common Prayer 1662 in the life of the Communion.

Thoughts on the Prospects of an Anglican Covenant: To Hold and Lead

Clyde Glandon, DMin, AOJN

The emergence of the idea of an Anglican Covenant has come in the past few years as the Communion seeks to address the question of mutuality between the various provinces around the world.

I am writing as I continue to hear expressions of misgivings among fellow Episcopalians here in the Diocese of Oklahoma about an Anglican covenant. Some of these expressions are rather more negative-sounding than the word “misgivings” seems to imply.

Some are arguing that the concept of a covenant is not really true to the spirit and tradition of Anglican Christianity. I want to raise a point for us to consider. The point may not be entirely welcome, but I think we need to ponder and perhaps struggle with it.

In this Diocese we have made the baptismal covenant part of our mission statement. We cite this commitment as a basis in many of our dialogues about inclusiveness, the spirituality beneath our commitments and actions, as well as an important basis for our polity. I make this argument myself. That the baptismal covenant is grounded in the baptismal reality of our union with God, which is in turn grounded in the unity of the Trinity itself which places community at the ontological core of reality.

At the same time we are paying close attention to the question of the blessing of same sex marriages. Such blessings are in the context of the tradition of marriage vows and a covenantal relationship.

The point I am making is that I am puzzled about why the concept of a covenant, *per se*, is thought to be something which is not especially foundational to Anglican and Episcopal Christianity. Especially since we who advocate inclusiveness rely so heavily upon this concept in the baptismal covenant.

My sense is that the spirituality, the theology, and the polity of our Anglican tradition, as well as Christian tradition in general, is indeed deeply invested in covenantal ideas. *I think that it applies in every direction and at every level.* The entire tradition, as I see it, in the Hebrew experience and in the “New” covenant of the Jesus experience, as well as in the history of Christianity in successive centuries, seems to illustrate this dynamic.

There is the argument that a covenant at the international level of the Anglican Communion would impede or violate the autonomy of the various provinces. I don’t hear any one arguing that it is important not to restrict the autonomy of those who want to receive a blessing for their relationship, of marriage or a union. Indeed, if someone argued that “it is not part of our polity” to allow such a restriction on each participant’s autonomy by blessing a union covenant, I think that person would be accused of conservative dissimulation and pettifoggery.

We come again to the spirit and the letter of the law and the question of over-legalization of the covenant idea.

I assume we are seeking to honor the spirit of the baptismal covenant when we make strong social commitments to inclusiveness. That we are seeking a social realization of what we believe is the community of the Divine, so that it flows into our social relationships, in this case with gay and lesbian persons. That is, both as it applies in our church life, and in the covenantal relationships which any couple seeks to have blessed in the Church.

There may be a sense that there is some important difference between the idea of covenant at the blessings-of-unions level, as well as at the Baptismal level, and the idea of covenant at the Provincial level. I am not clear what the difference is. That is, am I not just as bound to the Anglicans in Nigeria—with whom I have a great deal of difficulty maintaining the bond of peace, or even civility—as I am to gay and lesbian people with whom I am in communion?

Yes, we may understandably adopt a hermeneutic of suspicion in regard to motives for seeking to craft an Anglican covenant. But I don’t think such a hermeneutic is one of our better angels. Speaking of “better Angels” of our nature, Abraham Lincoln’s famous reference, where does this covenant idea take us as it relates to the United States? Emphasis *United*. In the antebellum South, “States rights” seemed to be the argument against restricting the autonomy of the states, in this case in regard to slavery. The political unity of the nation, as well as the moral commitments in regard to slavery, ended up carrying the day as a result of the Civil War.

Elizabeth imposed the Elizabethan Settlement. Lincoln imposed the union. We are asked to adopt a voluntary “Elizabethan Settlement” now.

What is the “bond of peace”? Is it a form of “bondage”? How is the bond of peace different than an Anglican covenant which seeks to express it? We successfully placed the Baptismal covenant in our Diocesan mission statement. Was this over-legalizing it? Committing us to restrictions on our autonomy? Yes, and No. “I bind unto myself today the strong name of the Trinity, the powers of nature, the power of God to hold and lead.” The aspiration in this song is a freely-chosen, fierce desire to bind oneself.

Vows and covenants are indeed restricting of our autonomy. Yet we enter into them, apparently, because we think they are extremely important. What covenants are we prepared to bless?

I repeat that the spirit of the baptismal covenant applies in every direction and at all levels. I am not sure there is a significant difference between local mission and world-wide provincial polity. This is very difficult, like a cross. Julian of Norwich uses the term “even Christians.” The cross and our baptism make us even Christians. I think this

is the difference between a Church and a sect. A Church, yes a broken Church to use Michael Ramsey's words, in which all are "even" because all have died in Baptism.

I close by musing out loud about the icon the Oklahoma William White Intercessory Community is planning to give Katherine Jefferts Schori when she is here on September 14-16. It is an image of Hilda of Whitby, vested as a bishop, carrying a crosier in one hand and the Church in the other. It is a deeply ambivalent witness from the Christian past. On the one hand the Celtic Christian tradition of perhaps the best gender culture in Christian history: full political, spiritual, and social authority of women sharing power with men, based in part in the Brehon laws of pre-Christian Ireland. On the other, Hilda chose to turn a corner toward the Romanization and Latinizing of the Church, making for ecclesiastical peace. A costly peace, as any one knows who has come to find the ancient friend of Celtic Christianity lying patiently as a hidden stream beneath Roman and later English culture of the succeeding centuries. Even this generation of Episcopal clergy is only rediscovering—often one person at a time-- this rich, but hidden thread of "native," indeed aboriginal Christianity, perhaps in her own blood and in the "basement" of her psyche.

Suzanne Schleck, the artist who wrote this icon, has placed, as she does on others of her icons, a text running round the perimeter of the image. In this case the icon of Hilda holds the following scriptural words: *I beg you to make every effort to hold the spirit of unity in the bond of peace.*

When I ordered the icon, I could not make out the words, but felt the image of Hilda as bishop, holding the church, was excellently apt as a gift for Bishop Schori. The words are, of course, momentarily relevant at this time, and ironic in their meanings both in the 7th century and now. Anglicanism itself made a different choice, away from Rome, in the 16th and 17th Centuries. It has still sought, in F. D. Maurice, William Temple, Michael Ramsey, and Rowan Williams to pursue a vocation between the institutional fundamentalism of Rome and the scriptural fundamentalism of large portions of Evangelicalism. The *via media* is not a curiosity of character for local Episcopalians to rediscover in dusty books; it is a huge historical vocation, rooted in Chalcedon, rooted in the incarnation.

Julian taught us that the Lord is the foundation of our prayer. Just as, mentioned above, the foundation of such unity as is manifest, lies not only in Baptism, but in the One who holds all things, the Community within all things. In this sense I say what I have been saying for some years now: the history of the Church makes mystics of us all. That is, how else to believe in peace when it is not visible? We become involuntarily apophatic. And in another sense, that it is perhaps only in prayer, in meditation, in intercession, in Eucharist, that we can "hold"—by being held-- the existing and possible further disunity of the Church.

An assessment

of the Response by the Drafting Group, Church in Wales,
to 'An Anglican Covenant', Covenant Design Group, February 2007

1. Context

- 1.1. The Church in Wales' Response to the Covenant Design Group's draft of 'An Anglican Covenant' (February 2007, henceforward *Response*) was drawn up by the Church in Wales Drafting Group (CWDG) and was received by the Church in Wales' Governing Body in September 2007. It informed discussion by the Governing Body on the Draft Covenant. In particular, it informed debate leading to a motion that the Governing Body should:

note the process taking place designed to produce a covenant for the Anglican Communion and that such a process will only be concluded when any definitive text has been duly considered through the synodical processes of the provinces of the Communion; and

invite the Bench of Bishops to finalise a response to the draft from the Covenant Design Group for submission to the Anglican Communion Office by the end of the year.

- 1.2. An amendment to 'welcome' rather than merely 'note' the Covenant design process was moved but was defeated substantially. This paper seeks to explain why a welcome for the Covenant design process is appropriate for the Church in Wales, and why such a welcome would place the Province at the heart of Anglicanism, rather than on its more radical fringe.

2. The Purpose of the Covenant

- 2.1. Much of the Church in Wales *Response* to the Draft Covenant is based on a mismatch between the concerns of the CWDG and the aims of the draft Covenant. The opening sentences of the *Response* read:

Our primary concern for the Anglican Communion is reconciliation. Whether the proposed Covenant is a means towards reconciliation or an expression of reconciliation is presently unclear (*Response*, p.1)

- 2.2. But what if the Covenant is neither of these things? What if, for instance, the Covenant's primary concern is *clarification* rather than *reconciliation*? Because the *Response* makes the assumption that the Draft Covenant is essentially concerned with reconciliation, its entire discussion moves in a particular direction. That

direction is at odds with the Draft Covenant because it assumes the Draft Covenant is attempting to do something which it nowhere says it is trying to do.

- 2.3. It is noticeable that the Report of the Covenant Design group starts at a different point from the Church in Wales' *Response*. The Covenant Design Group speaks of the value of the Anglican Communion, not as an end in itself to be preserved for its own sake, but as

An instrument through which the Gospel could be proclaimed and God's mission carried forward.

- 2.4. It goes on to say that the Covenant would aim to strengthen the interdependent life of the Communion by: a) articulating common foundations and, b) setting out principles by which our common life of communion in Christ could be strengthened and nurtured. The Covenant Design Group seems more concerned to put the Anglican Communion to work in the service of God's Kingdom whereas the CWDG is principally concerned to reconcile the Communion's disparate parts.

- 2.5. It would have been better for the CWDG to ask whether the Covenant is intended as *descriptive*: is it a kind of umbrella which comfortably covers everything currently called 'Anglican' without excluding anyone who wants to be 'in'? Or is it intended to be *prescriptive*: is it meant to offer a kind of identification guide which enables the observer to tell whether a particular manifestation of faith or life can or cannot be called 'Anglican'?

- 2.6. The CWDG's assumption appears to have been that the Covenant needs to be descriptive and affirming of what *is* rather than prescriptive about what *should be*. In other words, the CWDG's view seems to conform closely to Archbishop Barry Morgan's vision of a Covenant which confines itself to setting out our mutual inter-dependence and would be:

totally different from the kind of covenant that some people want – a kind of prescriptive one, setting up an inter-provincial constitution that would set out theological boundaries and perimeters for individual provinces in both belief and behaviour, policed by a central curia of the primates or Archbishop of Canterbury . . . It would cut at the root of the Anglican Communion as it has been traditionally understood with to my mind, disastrous consequences (Speech to GB, Sept 2006).

- 2.7. The CWDG appears to be content that the remarkable diversity within Anglicanism today is a good thing and is to be affirmed:

It is valuable to recognise the diversity that is a reality in the Anglican Church (*Response*, p.3).

- 2.8. But this is the very thing which needs to be decided. Is the *actual* diversity within Anglicanism today – not an ideal diversity, but the specific diversity which currently exists – valuable or worthless, to be embraced or to be reformed?
- 2.9. In the past century and a half Anglicanism has become diverse to a degree which invites the adjective ‘amorphous’. This bewildering and sometimes contradictory diversity of belief and practice is claimed by some apologists as Anglicanism’s greatest asset. It has not always been so. The foundation stone of the Elizabethan Settlement was laid in an Act (not of Diversity but) of Uniformity (1559). The issuing of Royal Injunctions (1559), the production of Articles of Religion (1563), and the publication of the *Book of Homilies* (1571) all testify to the concern of the Elizabethan church precisely to set out ‘theological boundaries and perimeters in both belief and behaviour’.
- 2.10. The Anglican Communion has become a hospitable umbrella organisation, sheltering a wide variety of beliefs, practices and liturgies. Should we then claim our necessity as a virtue, and maintain that this contradictory and disparate body is a good example of what the church ought to be? The Covenant process is obliging us to consider whether that attitude is adequate or right. The Covenant process forces us to ask: a) is the church as it currently exists essentially right and good because it has been guided by God to become what it is (diverse, in our Anglican case)? Or, b) is there a classical form for the church, given in its origins, to which we should, in some measure at least, conform (the historic formularies, in our Anglican case)? The *Response* implies a positive answer to a), and the Draft Covenant implies a positive answer to b). The positive answer to b) entails a negative attitude to some forms of diversity currently existing with Anglicanism.
- 2.11. There seems little scope for bringing together people who want diametrically opposed outcomes from any future Covenant. The Covenant *could be* a descriptive and inclusive affirmation of the current diversity within the Communion, or it *could be* a guide to identifying some forms of belief and activity as unacceptable within Anglicanism. But it *cannot be* both.

3. The Foundations of the Covenant

- 3.1. The CWDG *Response* expresses very evident concerns about a move towards confessionalism which the group perceives in the Draft Covenant. By ‘confessionalism’ the CWDG means a fixed form of doctrine which excludes wider insights, stifles ‘creative dissent’ (p.3) and ignores the generous-hearted spirit of pilgrimage which is the essence of Anglicanism.

We have here [§3 of the Draft Covenant] the elements of a Confessional church. The present tensions indicate the difficulty of defining what we mean by core doctrine. To what extent do we allow space for development? (p.2).

It is clear that we do want to be definite about revelation in Scripture and in Christ and not fall into relativism, but to do this without becoming *Confessio Anglicana* (p.3).

- 3.2. This same concern surfaced in some of the discussion to do with the Covenant during the Governing Body meeting in September 2007, both in the debate on the Draft Covenant and during the informal evening workshop on the Anglican Communion. During the latter meeting, for instance, the Bishop of Bangor recalled the questions of Lutheran partners in the Porvoo relationship about what, for Anglicans, has *status confessionis*. There is an implied insistence in the CWDG *Response* as well as in the Bishop’s remarks that Anglicanism has never had a formal Confession of Faith (as Lutherans or Reformed might understand such) and that any move in that direction now should be vigorously resisted.
- 3.3. The CWDG *Response* objects in particular to the reference in §2 of the Draft Covenant (‘The Life we Share’) to ‘the Thirty-Nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons’ as means by which the Anglican Communion has ‘borne witness to Christian truth’ (*Response* p.2). The *Response* critiques these historic formularies because they are not currently authoritative documents for every member of the Anglican Communion. In their place the *Response* would put the Chicago-Lambeth Quadrilateral. The *Response* returns to this topic in its ‘Concluding Remarks’:

We prefer to see unity in terms of the Chicago-Lambeth Quadrilateral, without the reference to the Ordinal and the 39 Articles, in the section *The Life We Share* (p.6).

- 3.4. This aspect of the *Response* raises again the issue mentioned above in §2.10. Granted that the historic formularies of the Church of England (in Wales including the *Llyfr Gweddî Gyffredin* of 1664) have been accorded less and less authority over the past century and a half, how do we evaluate that decrease in esteem? It might

be a very proper development as the Communion moves away from the Reformation controversies which generated the formularies. Or it might be a distortion of the authentic nature of Anglicanism.

- 3.5. It could indeed be argued that the lack of doctrinal clarity within Anglicanism is precisely what has allowed determined groups, from the Oxford Movement onwards, to place 'facts on the ground', and then oblige the church as a whole to redraw its boundaries to include the group's liturgical novelties, doctrinal innovations or ethical shifts – or risk excluding numbers of energetic adherents. And it might be asked whether the bewildering diversity within Anglicanism which has resulted from this ecclesial shape-shifting is the sign of strength which it is often claimed to be. It might rather be the symptom of a fatal weakness in a church whose ill-defined doctrinal centre and almost non-existent system of discipline leaves it vulnerable to manipulation by those willing to defy the boundaries and dare the church to say them nay.
- 3.6. Further, the substitution of the Chicago-Lambeth Quadrilateral *in place of* the historic formularies is not adequate as a defining centre. The Quadrilateral, after all, was drawn up as a basis for ecumenical dialogue, not for the internal ordering of the Communion. The Prayer Book, Articles and Ordinal were, however, precisely intended as the guidelines to shape and nurture this church as a distinctive expression of Christian life, committed to the faith once for all delivered to the saints (Jude 3).
- 3.7. Does the Draft Covenant raise the spectre of becoming a confessional church? And would it be so terrible if that were the case? The ordination to the episcopate of a man in a non-celibate relationship with another man, and the authorisation of same-sex blessings in the diocese of New Westminster (to say nothing of the widespread 'blind eye' treatment of same-sex blessings in many US dioceses) - these actions have precipitated a crisis in the Anglican Communion. These actions are the latest in a long series of innovations pushed forward by means of 'facts-on-the-ground' followed by acquiescence, then by acceptance and finally by acclaim. This time, though, the process has failed to proceed smoothly because the acquiescence has not been forthcoming. A Covenant, well-drafted and firmly based on agreed principles, should make the Communion less vulnerable to manipulation

of this type, because some boundaries would be clearly marked and agreed upon. It would certainly establish some common ground on which ideas can be debated.

- 3.8. The agreed principles for such a Covenant should be drawn from the historic formularies of the Church of England: ‘the Thirty-Nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons’ to which the Draft Covenant §2 helpfully refers. This is scarcely a radical proposal. Even if we do not subscribe *verbatim* to every Article, we can and should as Anglicans accept that the historic formularies authentically bear witness to the faith uniquely revealed in the scriptures, as the Church in Wales requires those instituted to parochial ministry to affirm. Indeed the Draft Covenant is saying no more here than that to be Anglican is to affirm that the historic formularies bear witness to Christian truth. It has introduced no new yardstick and no novel or unexpected texts. If the Communion is not confessional now, before accepting such a Covenant, it will not become so merely by affirming with renewed clarity what it has always claimed to believe.

4. The Functioning of the Covenant

- 4.1. In the implementation of any Covenant lies the foundational difficulty for many observers. In part the reason for this is cultural: in a post-modern context, claims to exercise power in the cause of truth are automatically suspect. In part it is ecclesio-political: the Anglican Communion has developed a delicate balance of role between its Instruments of Communion, and according ‘curial’ power to any one of these to enforce a Covenant would betray the true spirit of Anglicanism. In part the reason is self-protective: nobody wants a powerful body which can unchurch provinces, dioceses or individuals, unless of course it can be guaranteed to affirm what they themselves already believe and do.
- 4.2. The issues raised by giving ‘teeth’ to any Covenant are enormously wide-ranging and complex. The ramifications reach to many currently unexamined areas of the Communion, among them (and this list is not exhaustive): the role of Canterbury; the relative roles of Primates and the Anglican Consultative Council (ACC); the meaning of provincial autonomy; the co-ordination of Canon Law in different provinces.

- 4.3. The *Response* of the CWDG makes, in this context, some helpful comments about the role of bishops: ‘We see the role of bishops as more that of providing an oversight which forms clergy and laity for the needs of the day, and for faithful and costly mission, rather than as being authoritative leaders and teachers who require obedience.’ (p.6). Following from that view of episcopal office, it wishes to accord the central role to the ACC, as ‘it is only the ACC that approaches a synodical status. We see the ACC as pivotal and the Anglican Communion as primatially-led but synodically-governed by the Primates within the ACC’ (p.5). The *Response* makes a very pertinent point concerning §6.6 in the Draft Covenant, which deals with the exercise of discipline. Where the Draft Covenant states that ‘In the most extreme circumstances . . . we will consider that such churches have relinquished for themselves the force and meaning of the covenant’s purpose’ the *Response* asks ‘Who are the ‘we’ in paragraph 6?’ (p.5). Resolving that particular ambiguity would be very significant in explaining just what the Draft Covenant is envisaging.
- 4.4. A Covenant such as the one envisaged in the Draft Text of February 2007 clearly requires some mechanism for ensuring compliance. What that mechanism should be is a matter of great importance. But it is a secondary issue which follows on from the question of whether there should be a Covenant at all. It has here been argued that a Covenant, rightly ordered, would benefit the health of the Anglican Communion. The application of that Covenant will necessarily raise many other issues. But it is worth persevering with those issues, perplexing though they are, because of the benefits which a Covenant for the Communion can ultimately bring.

5. Conclusion

- 5.1. The incoherence of Anglicanism worldwide, doctrinally and ethically, has reached a point at which the Anglican Communion is rapidly losing credibility as a Christian body.
- 5.2. Fragmentation is already a reality. The *status quo* in which the Communion is a family held together by bonds of affection has broken down, and no means appear to be to hand in the existing structures which can repair those bonds.
- 5.3. In this situation of fragmentation, some new means of expressing and affirming the old values of Anglicanism is needed if the Anglican Communion is to remain a

living and vital part of the one Holy, Catholic and Apostolic Church. The Draft Covenant offers a realistic path towards rediscovering a living and vital Anglicanism. It should be welcomed, now, before it is too late.

Redefining Anglicanism? An Evangelical Critique of the Proposed Anglican Covenant*

Everyone claims to be the defender of the true spirit of Anglicanism, and to describe that spirit as orthodox, mainstream, comprehensive or inclusive. The language has become more strident, and quite frankly, scaremongering is commonplace. In a situation which is becoming increasingly overheated, we need to hear a voice of calm. We need to identify the fundamentals that we share in common, and to state the common basis on which our mutual trust can be rebuilt. ... Unless we can make a fresh statement clearly and basically of what holds us together, we are destined to grow apart.¹

So declared Drexel Gomez, Archbishop of the West Indies, to the General Synod of the Church of England in July 2007 when opening the debate about the proposed Anglican covenant. The Anglican Communion has now been in existence for a couple of centuries or more,² but it still does not know what it stands for. There is no agreed definition of the Anglican Communion; no concord on Anglican fundamentals; no consensus on what it means to be a loyal Anglican. In fact, the communion as presently organised lacks any form of theological coherence.³ This has become painfully obvious during our recent troubles, as the communion rapidly disintegrates. Our traditional Anglican polity is neither rigorous enough nor flexible enough to cope with the realities of the twenty-first century.

One gaping lacuna is the lack of any written agreement on how Anglican provinces should relate to each another. Although each province has its own canon law to govern its internal life, there are no legal procedures in place between provinces. An aggressively heterodox province like The Episcopal Church (USA) has therefore been able to exploit this gap, choosing 'to act as *antinomians* abroad but as *legalists* at home'.⁴ Their unshakable emphasis upon provincial autonomy has brought chaos in its wake. Can a solution be found? Perhaps a written covenant for the worldwide Anglican Communion is the way forward? The Global South primates, in particular, have championed this remedy. A draft has already been sketched out and is on the table for discussion. What are we to make of it, from an evangelical perspective?

This paper will argue that although the stated aims for an Anglican covenant are important to pursue, the current proposal is not the best way to proceed. It will outline four significant theological and ecclesiological weaknesses in the draft covenant, which urgently need to be addressed.

* I am grateful to the generosity of my friends, Andrew Goddard and Peter Walker, for subjecting earlier versions of this paper to vigorous and incisive critique. The opinions expressed here remain, of course, only mine.

¹ General Synod, July 2007.

² The earliest known reference to the term 'Anglican Communion' dates from 1847; Colin Podmore, *Aspects of Anglican Identity* (London, 2005), p. 36.

³ See further, Andrew Atherstone, 'The Incoherence of the Anglican Communion', *Churchman* 118 (Autumn 2004), pp. 235-255.

⁴ *Repair the Tear: The Windsor Report: An Assessment and Call for Action* (New Malden, 2004), p. 45.

How did we get here and where are we going?

After an emergency meeting of the primates of the Anglican Communion at Lambeth Palace in October 2003, the Archbishop of Canterbury set up the Lambeth Commission on Communion. Its pressing task was to find a way to handle the crisis precipitated by officially-sanctioned sexual immorality amongst Anglicans in North America – the blessing of same-sex unions in the Canadian diocese of New Westminster (Vancouver), and the consecration of a bishop in a same-sex partnership for the diocese of New Hampshire in the United States. One of the main proposals of the subsequent *Windsor Report* (2004) was the adoption of an Anglican covenant to ‘make explicit and forceful the loyalty and bonds of affection which govern the relationships between the churches of the Communion’.⁵ It saw six key advantages to such a covenant:

- an agreed mechanism for handling future disputes within the communion
- a focal point or ‘visible foundation’ around which Anglicans can gather
- an explanation of what Anglicanism is, to help confused ecumenical partners
- a restraint on unilateral action by individual provinces
- an opportunity for worldwide witness
- a sign of solidarity for Anglicans facing political pressure from secular governments.

These goals have been reformulated in a brief consultation document, *Towards an Anglican Covenant* (2006), under three headings:

- **relational** – to promote reconciliation amongst Anglicans, ‘helping to heal and strengthen the bonds of affections that have been damaged in recent years’
- **educational** – to deepen understanding of Anglican belief and history
- **institutional** – to prevent and resolve conflict within an agreed framework.⁶

These aims are difficult to elucidate. It is hard to decipher exactly what they mean. Although open to a variety of conflicting interpretations, this paper will nevertheless give the covenant aims the benefit of the doubt. If what they seek is order out of chaos, clarity of Anglican identity, restraint of unbiblical teaching and practice, explicit reaffirmation of the Christian faith and reinvigoration in evangelism then these are praiseworthy goals. It is on the basis of this hopeful interpretation that we shall judge the success of the proposed draft.

One of the vocal advocates for an Anglican covenant has been the Archbishop of Canterbury himself. For example, in November 2004, shortly after the *Windsor Report* was published, he urged his fellow primates:

I hope we will see virtue in this. No one can or will impose this, but it may be a creative way of expressing a unity that is neither theoretical nor tyrannical. We have

⁵ The Lambeth Commission on Communion, *The Windsor Report 2004*, paragraphs 117-120. The report laid out a possible form of covenant in Appendix 2.

⁶ *Towards an Anglican Covenant: A Consultation Paper on the Covenant Proposal of the Windsor Report*, March 2006.

experience of making covenants with our ecumenical partners; why should there not be appropriate commitments which we can freely and honestly make with one another?⁷

In June 2006 he reiterated:

... what our Communion lacks is a set of adequately developed structures which is able to cope with the diversity of views that will inevitably arise in a world of rapid global communication and huge cultural variety. The tacit conventions between us need spelling out – not for the sake of some central mechanism of control but so that we have ways of being sure we're still talking the same language, aware of belonging to the one, holy, catholic and apostolic Church of Christ.⁸

The archbishop imagines a possible situation where some provinces sign up to the covenant as 'constituent' churches in the Anglican Communion, while other provinces become 'churches in association', bound by historic and personal links but not officially part of the communion.⁹ More recently, the Archbishops of Canterbury and York have encouraged the Church of England's General Synod to support the covenant proposals:

... we have to recognize that there are some limits to Anglican 'diversity'. It is simply a matter of fact that some questions – not only the debates over sexual ethics – are experienced as fundamentally Church-dividing questions. It could be that a well-structured Covenant would help us *not* to treat every divisive matter with the same seriousness and enable us to discern what was really – theologically and ecclesially – at stake when disagreements arose. It is not a tool for promoting schism or canonizing heightened intolerance, but an element in the continuing work of handling conflict without easy recourse to mutual condemnation. ... we can't just appeal to some imagined traditional Anglican way of handling things without fuss.¹⁰

The *Windsor Report* envisaged the development of an Anglican covenant as a 'long-term process',¹¹ though progress has been surprisingly rapid. There has been widespread support for the idea across the communion – even the 2006 General Convention of The Episcopal Church (USA) welcomed a covenant which 'underscores our unity in faith, order, and common life in the service of God's mission'.¹² In January 2007 a Covenant Design Group (CDG) was announced, with a dozen members of diverse theological views, led by Archbishop Gomez. They met at Nassau in the Bahamas and quickly produced a draft, which was well-received by the primates at their gathering at Dar-es-Salaam in Tanzania in February 2007. Each province has been urged to submit a response by the end of 2007, after which the CDG will revise their draft. Next the covenant will be submitted to the Lambeth Conference in July 2008, revised again, and a final version presented to the

⁷ Rowan Williams, Advent Pastoral Letter, November 2004.

⁸ Rowan Williams, 'The Challenge and Hope of Being an Anglican Today: A Reflection for the Bishops, Clergy and Faithful of the Anglican Communion', June 2006.

⁹ *Ibid.*

¹⁰ 'The Anglican Covenant Proposal' (briefing paper for General Synod), July 2007, annex 1.

¹¹ *Windsor Report*, paragraph 118.

¹² Resolution A166 of the 75th General Convention of The Episcopal Church at Columbus, Ohio, June 2006.

Anglican Consultative Council (ACC-14) in 2009 before being sent back to the provinces for ratification. If the process survives that far, the plan is for primates to sign the covenant when mandated to do so by their provincial synods. The Church of England's General Synod has agreed to 'engage positively' in the process, at least at this stage.¹³

Suddenly a theoretical possibility is on the verge of becoming a reality. The covenant process, in the words of Andrew Goddard, is now 'the only poker game in town'.¹⁴ Or to express it another way, the Anglican leadership (including the Global South primates) have put all their eggs in this one basket. There is no Plan B in the public domain. Yet it will be immediately apparent that if the Lambeth Conference collapses then the high-speed covenant train will also crash off the rails. At the time of writing, it seems that the orthodox African bishops and their friends will boycott Lambeth until the heterodox North American bishops are disinvented. Therefore discipline of the recalcitrant North Americans must precede the covenant discussions. If everyone claiming the name 'Anglican' is invited to the covenant-drafting table, then the likely future of the process will be painful wreckage.

Some liberal Anglicans have been vehement in their opposition to the whole covenant concept, for fear that Anglicanism would become confessional and that radical liberalism would be excluded. Yet Anglicanism, rightly understood, has always been confessional with explicit doctrinal boundaries. At the General Synod in July 2007, Bishop Tom Wright challenged

the idea that classical Anglicans were into this tolerance and inclusivity of our contemporary sort – just think of Hooker and Jewell, just think of Laud and Cosin – they hammered out articles of belief, and liturgies and insisted on adherence to them. Let's not indulge in romantic fantasy about our past.¹⁵

If an Anglican covenant is to have teeth, it must be willing to exclude as well as include, and to take the risk of putting certain views off limits. This is the real sticking point – not whether there should be a covenant, but what it should contain. What articles of belief should be 'hammered out' for the contemporary church and will they be effective? Some evangelicals see few signs of hope. Melvin Tinker, for example, has prophesied that the covenant will be no better than an 'unstable gentleman's agreement' which falsely promises 'peace in our time' like the Munich Agreement of 1938.¹⁶ Likewise Robert Tong warns that the church is being led into 'a cul de sac'.¹⁷ Bishop Michael Nazir-Ali is more sanguine, hoping that a written Anglican covenant may turn out to be 'the first step in recovering our

¹³ General Synod, July 2007.

¹⁴ Andrew Goddard, 'The Anglican Covenant' (a briefing paper for EGGSS, the Evangelical Group on General Synod), July 2007.

¹⁵ General Synod, July 2007.

¹⁶ Melvin Tinker, 'Anglican Communion in Crisis: The Windsor Report – Solution or Part of the Problem?', *Churchman* 119 (Spring 2005), p. 34.

¹⁷ Robert Tong, 'How Would the Anglican Church of Australia Commit Itself to an Anglican Covenant?', in Peter G. Bolt, Mark D. Thompson and Robert Tong (eds), *The Faith Once For All Delivered: An Australian Evangelical Response to the Windsor Report* (Sydney, 2005), p. 59.

integrity'.¹⁸ Others have resolved simply to wait and see. Will it be 'a life-saver or a dead duck'?, wonders the new Bishop of Oxford.¹⁹

The CDG, of course, is optimistic about the task set before it, suggesting that we have arrived at a 'moment of opportunity' for the Anglican Communion²⁰ – an opportunity to define Anglicanism for generations to come. For that very reason, the content of the covenant is of supreme importance. A wrong step at this juncture will be difficult to undo. This paper will suggest that the covenant process is a golden opportunity for a radical rethink of our assumptions about Anglican identity. Rather than enshrine the *status quo* of contemporary Anglicanism (thus endorsing a theological agenda driven by a century of Lambeth Conference resolutions), we need to wrestle again with some basic questions about the nature of the gospel and the church. And we must not be afraid of the unsettling practical implications. What sort of Anglicanism do we require in the twenty-first century? In a spirit of 'positive engagement', this paper will highlight four significant theological and ecclesiological weaknesses in the CDG's current proposal – it is vague about the gospel; it dodges the presenting issue; it forgets the local church; and it relies upon the Archbishop of Canterbury. These vital questions need to be thoroughly re-examined, though they strike at the root of some of our cherished preconceptions about Anglicanism. We appeal to the CDG to amend the covenant accordingly.

1) The draft covenant is vague about the gospel

Archbishop Gomez explains that the Anglican covenant

... is not intended to define some sort of new Anglicanism, or to invent some new model of authority, nor to peddle a narrow or exclusive view of what Anglicanism is. It is intended to state concisely and clearly the faith that we have all inherited together, so that there can be a new confidence that we are about the same mission.²¹

But if it is the revival and restatement of historic Anglicanism we are after, why does the covenant downplay the Reformation formularies of the church in favour of recent pronouncements? The answer is not far to seek – these recent pronouncements are vague about the gospel and about the content of Anglicanism, thus maintaining the current doctrinal *status quo* which amounts to an unprincipled 'comprehensiveness'.

For example, Section 2 of the Nassau draft on 'Common Catholicity, Apostolicity and Confession of Faith' explains:

Each member Church, and the Communion as a whole, affirms:

- that it is part of the one, holy, catholic, and apostolic Church, worshipping the one true God, Father, Son, and Holy Spirit
- that it professes the faith which is uniquely revealed in the Holy Scriptures as containing all things necessary for salvation and as being the rule and ultimate

¹⁸ General Synod, July 2007.

¹⁹ John Pritchard, *Ad Clerum*, July 2007.

²⁰ Report of the Covenant Design Group, January 2007.

²¹ General Synod, July 2007.

standard of faith, and which is set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation ...

- that, led by the Holy Spirit, it has borne witness [notice the past tense!] to Christian truth in its historic formularies, the Thirty-Nine Articles of Religion, the 1662 Book of Common Prayer, and the Ordering of Bishops, Priests, and Deacons
- our loyalty to this inheritance of faith as our inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making him known to our societies and nations.

This affirmation is copied almost *verbatim* from the Preface to the Church of England's Declaration of Assent (Canon C 15), which came into force in September 1975. Although it has grown over the last thirty years into 'a defining text for the Church of England's identity',²² its insufficiencies are obvious. The Declaration and its Preface were not drawn up to give clear theological definition to the Church of England, but to do precisely the opposite – to blur the boundaries and legitimise the doctrinal chaos which had taken grip during the twentieth century. It replaced centuries of clerical subscription to the Thirty-Nine Articles, after an aggressive liberal catholic campaign for their abolition. Admittedly the doctrine commission which drafted the Declaration and Preface included evangelical representatives, Jim Packer and Michael Green, but they settled for it as the best that was then politically possible, not as what evangelicals most desired.²³ What have the last thirty years taught us? Almost every clergyman, clergywoman and licensed lay minister in the Church of England has now made this Declaration at some point in their ministry, and yet theological and moral confusion abound. Despite some enthusiastic evangelical interpretations of the Preface and Declaration, empirical evidence suggests that it has merely enshrined lowest-common-denominator Anglicanism, where anything goes.

Why then import such a vague statement from the Church of England into a worldwide Anglican covenant? The Modern Churchpeople's Union would like to see the Preface and Declaration of Assent as the basis for relationship between Anglican provinces, because in their words, "Loyalty" is a commendably elastic term.'²⁴ But the Church of England's present-day theological latitude is a poor model, which the Anglican Communion would be wise to eschew rather than endorse. The covenant process provides an excellent opportunity to rethink and reaffirm the doctrinal content of historic Anglicanism. It is probably unrealistic to ask the CDG to lay out the Thirty-Nine Articles and require assent to them – after all, several provinces have never had the Articles as part of their constitutions.²⁵ But why should the architects of the covenant not draft a

²² Podmore, *Aspects of Anglican Identity*, p. 43.

²³ Michael Green, *Adventure of Faith: Reflections on Fifty Years of Christian Service* (Grand Rapids, 2001), pp. 295-298; J.I. Packer and R.T. Beckwith, *The Thirty-Nine Articles: Their Place and Use Today* (1984; second edition, London, 2006).

²⁴ Jonathan Clatworthy, Paul Bagshaw and John Saxbee, 'A Response to *The Draft Anglican Covenant ...* on behalf of the Modern Churchpeople's Union', May 2007. See also Jonathan Clatworthy and Paul Bagshaw, 'Towards an Anglican Covenant: A Consultation Paper on the Covenant Proposal of the Windsor Report', *Modern Believing* 48 (April 2007), pp. 4-25.

²⁵ Peter Toon, 'The Articles and Homilies', in Stephen Sykes, John Booty and Jonathan Knight (eds), *The Study of Anglicanism* (second edition, London, 1998), p. 152. For the important debate on the Articles at the 1968 Lambeth Conference, see James B. Simpson and Edward M. Story, *The Long Shadows of Lambeth X*

confessional statement for the modern church of equal theological rigour, catholic breadth and evangelical commitment? It can be done, if only the CDG will grasp this nettle.

While being vague about the Anglican Communion's commitment to the apostolic gospel, the draft covenant appears strangely doctrinaire about ritual. Inserted into the above 'confession of faith' is a statement about baptism and the Lord's Supper which follows the Chicago-Lambeth Quadrilateral of 1886-88 by insisting that in every Anglican church these sacraments will be 'ministered with the unfailing use of Christ's words of institution, and of the elements ordained by him'. At first sight this phrase appears innocuous, but it reveals the liturgical preoccupations of the nineteenth-century churchmen who drew up the Quadrilateral.²⁶ It has proved controversial, partly because its interpretation is uncertain. What do we mean when we subscribe to this phrase? On one reading, the insistence upon the *ipsissima verba* of Christ at the Lord's Supper points to a Tractarian doctrine of 'consecration' of the bread and wine through a precise formula. Likewise, the insistence upon 'the elements ordained by him' has often been interpreted as an obligatory use of fermented wine, in contrast to the grape juice used by many Nonconformist denominations.²⁷ The designers of the Quadrilateral considered these rules of key significance, but why repeat their Victorian minutiae in an Anglican covenant for the modern church? Is alcohol still to be considered a *sine qua non* of Anglicanism, even in these days of ecumenical rapprochement and liturgical inculturation?²⁸ Yes, the Quadrilateral is 120 years old. Yes, it has often been reaffirmed by Lambeth Conferences and has made a significant impact upon our Anglican identity. But it is not beyond challenge and should not be uncritically rehearsed in an Anglican covenant. One sure sign that a church has lost its sense of proportion, is vagueness about the content of the gospel and yet rigidity about liturgical canons.

Unfortunately, Section 4 of the Nassau draft, on 'Our Anglican Vocation', is equally nebulous about the gospel message. It declares:

We commit ourselves to answering God's call to share in his healing and reconciling mission for our blessed but broken and hurting world, and, with mutual accountability, to share our God-given spiritual and material resources in this task. In this mission, which is the Mission of Christ, we commit ourselves

1. to proclaim the Good News of the Kingdom of God
2. to teach, baptize and nurture new believers
3. to respond to human need by loving service
4. to seek to transform unjust structures of society

(New York, 1969), pp. 144-147; *The Lambeth Conference 1968: Resolutions and Reports* (London, 1968), pp. 40-41, 82-83.

²⁶ See further, J. Robert Wright (ed.), *Quadrilateral at One Hundred: Essays on the Centenary of the Chicago-Lambeth Quadrilateral* (Cincinnati, 1988); Jonathan Draper (ed.), *Communion and Episcopacy: Essays to Mark the Centenary of the Chicago-Lambeth Quadrilateral* (Cuddesdon, 1988).

²⁷ For this interpretation, see for example, Graham Leonard, *To Every Man's Conscience* (London, 1968), p. 20; Edwin Morris, *The Lambeth Quadrilateral and Reunion* (London, 1969), pp. 9-10.

²⁸ For existing Anglican diversity, see Phillip Tovey, *Inculturation of Christian Worship: Exploring the Eucharist* (Aldershot, 2004), pp. 44-47, 137-138; Phillip Tovey, 'Inculturation: The Bread and Wine at the Eucharist', *Colloquium: Music, Worship, Arts* 3 (2006), pp. 67-74.

5. to strive to safeguard the integrity of creation and to sustain and renew the life of the earth.

These so-called 'Five Marks of Mission' were developed by the Anglican Consultative Council between 1984 and 1990, and have been eagerly adopted by parishes and dioceses around the Anglican Communion as a handy 'checklist' for their mission activities.²⁹ One of the reasons for their popularity is that they are vague enough for Anglicans of every description to subscribe to them and pretend that they have a common mission. What is the 'kingdom of God'? What is the 'good news'? What is God's 'healing and reconciling mission'? The draft covenant refuses to tell us. No mention here of Jesus Christ and his power to save. No mention of his atoning death on the cross. No mention of our need to repent of sin and to accept Jesus as our only Saviour and King. No mention of the Holy Spirit's work in conviction and conversion and sanctification.

If we must look no further than recent Anglican pronouncements, Stephen Noll (vice-chancellor of Uganda Christian University)³⁰ suggests that the covenant be amplified by the classic definition of evangelism from the *Archbishops' Committee of Inquiry on the Evangelistic Work of the Church* (1918):

To evangelise is so to present Christ Jesus in the power of the Holy Spirit, that men shall come to put their trust in God through him, to accept him as their Saviour, and to serve him as their King in the fellowship of his church.³¹

This statement would be a step in the right direction, with its insistence that the good news demands a response. But it must be made explicit that Jesus Christ is the *only* Saviour. For an Anglican covenant to be of lasting value, it needs to make a clear and unequivocal affirmation of the apostolic gospel and the uniqueness of Christ.

2) The draft covenant dodges the presenting issue

Once again we must ask the question, what is the covenant aiming at? The *Windsor Report* explored the structures and inter-relationships of the communion, but left alone questions of sexual morality. Its stated goals for an Anglican covenant likewise avoid the issue. Therefore the Nassau draft is deliberately silent on this topic, following its terms of reference. But these terms are skewed.

How strange the silence sounds! It is clear to most observers that the cause of distress in the Anglican Communion today is not only disagreement over the juridical authority of the Lambeth Conference, or the value of provincial autonomy, or the role of the primates. One of the sharpest points of controversy is whether homosexual genital acts

²⁹ See further, *Bonds of Affection: Proceedings of ACC-6, Badagry, Nigeria, 1984* (London, 1985); *Mission in a Broken World: Report of ACC-8, Wales, 1990* (London, 1990); Eleanor Johnson and John Clarke (eds), *Anglicans in Mission: A Transforming Journey*, MISSIO Report to ACC-11, Dundee, Scotland, 1999 (London, 2000).

³⁰ Stephen Noll, 'An Evangelical Commentary on the Draft Covenant', 2007.

³¹ This definition was a starting point for the Church of England's more famous report on evangelism, *Towards the Conversion of England* (London, 1945). For a critique, see J.I. Packer, *Evangelism and the Sovereignty of God* (London, 1961), ch. 3.

are holy in God's sight, or whether the only proper context for sex is lifelong marriage between one man and one woman. This is the presenting issue of the day, around which the current crisis revolves. If the Anglican covenant is to promote the spiritual health of the churches, then it must explicitly address the moral chaos now so prevalent amongst Anglicans in the West. The closest the Nassau draft comes to a moral statement is Section 3 on 'Our Commitment to Confession of the Faith', which begins:

In seeking to be faithful to God in their various contexts, each Church commits itself to uphold and act in continuity and consistency with the catholic and apostolic faith, order and tradition, biblically derived moral values and the vision of humanity received by and developed in the communion of member Churches ...

The Episcopal Church (USA) and the Anglican Church in Canada would probably be delighted to subscribe to such a statement! They seem convinced that their moral values are 'biblically derived' and are deliberately pursuing a 'vision of humanity' which chimes with their local secular context. Yet for the Anglican covenant to hold the communion together it needs openly to confront the propagation of sexual immorality. Resolution 1.10 of the 1998 Lambeth Conference is, of course, a good place to start. Such a statement would not make the covenant quickly out of date, as some fear, but permanently relevant. Sexual purity and holy living will always be a key concern for the Christian church. Today's presenting issue must be faced – for the sake of this and succeeding generations.

3) The draft covenant forgets the local church

We move from the vital areas of doctrine and morality to another weakness of the draft Anglican covenant – its ecclesiology. The covenant's understanding of 'church' is inspired more by Laudian and Tractarian theology than by the biblical teaching of the early Anglican Reformers. Here again the covenant process provides an excellent opportunity for a serious rethink of the current Anglican *status quo*.

A classic Anglican definition of church is given by Article 19 of the Thirty-Nine Articles, written partly to rebut the popular medieval assertion that 'the church' was a worldwide organisation, linked by bishops and centred on Rome.³² The Reformers put their emphasis somewhere else entirely, and declared:

The visible Church of Christ is a congregation of faithful men, in the which the pure Word of God is preached, and the Sacraments be duly ministered according to Christ's ordinance in all those things that of necessity are requisite to the same.

The draft covenant affirms that the Scriptures must be faithfully preached (though it is too shy to call them the 'Word of God') and the sacraments be rightly administered. But it forgets that the visible church is a congregation of faithful Christians. The word *ekklesia* means, of course, 'an assembly' and in the New Testament almost always refers to a local

³² See further, Paul D.L. Avis, *The Church in the Theology of the Reformers* (London, 1981).

gathering of believers. It is not a diocese, nor a national institution, nor a denomination.³³ Yet the proposed covenant understands ‘church’ in a different way. Its focus is upon national and international structures, bishops and synods, not upon local congregations and local believers. For example, Section 3 of the Nassau draft explains that each member ‘church’ (for which read ‘province’) commits itself to ‘ensure that biblical texts are handled faithfully, respectfully, comprehensively and coherently, primarily through the teaching and initiative of bishops and synods ...’ What about the role of local believers in studying the Scriptures, or of local pastors in faithfully preaching them? Likewise Section 4 on ‘Our Unity and Common Life’ begins:

We affirm the historic episcopate, locally adapted in the methods of its administration to the varying needs of the nations and people called of God into the unity of his Church and the central role of bishops as custodians of faith, leaders in mission, and as a visible sign of unity.

This is orthodox teaching so far as it goes (at least given a patient interpretation), but it is not evangelical ecclesiology nor classic reformed Anglicanism. Once again the covenant quotes the Chicago-Lambeth Quadrilateral, which states that the ‘historic episcopate, locally adapted’ is one of the four key characteristics of Anglican identity. But the phrase ‘historic episcopate’ is notoriously slippery and it is far from certain what the designers of the Quadrilateral meant by it. To many commentators it means a doctrine of ‘episcopal exclusivity’ – that bishops descended from the apostles in tactile succession are a vital part of any Christian church. Predictably, the Quadrilateral’s insistence upon bishops, especially in the hands of Anglo-Catholic interpreters, was a barrier to ecumenical relations for much of the twentieth century. Despite some hopeful signs like the *Appeal to All Christian People* by the 1920 Lambeth Conference, Anglicans in practice chased unity with unreformed episcopal denominations (like Roman Catholics, Old Catholics and Eastern Orthodox) while giving a cold shoulder to reformed non-episcopal denominations.³⁴ Anglican evangelicals have for a long time acknowledged that bishops function (usually) for the *bene esse* of the church. Bishops are a good and ancient invention, designed to promote the church’s spiritual health. But in the final analysis they are neither necessary nor central – they are not part of the church’s *esse* nor its *plene esse*.³⁵ Anglican bishops exist *jure humano* not *jure divino*. Where does the Nassau covenant stand on these issues? It appears to be biased towards the High Churchism of 1662, when the novel doctrine of ‘episcopal exclusivity’ broke into the Anglican fold, and towards the

³³ See further, Alan M. Stibbs, *God’s Church: A Study in the Biblical Doctrine of the People of God* (London, 1959); Edmund P. Clowney, *The Church* (Leicester, 1995); ‘The Church, the Churches and the Denominations of the Churches’ in *D. Broughton Knox: Selected Works*, volume 2, *Church and Ministry*, edited by Kirsten Birkett (Sydney, 2003), ch. 10.

³⁴ See, for example, Andrew Atherstone, ‘Anglican Evangelicals, Old Catholics and the Bonn Agreement’, *Internationale Kirchliche Zeitschrift* 97 (March 2007), pp. 23-47.

³⁵ The classic texts defending the *esse* and *plene esse* theories of episcopacy are Kenneth E. Kirk (ed.), *The Apostolic Ministry: Essays on the History and the Doctrine of Episcopacy* (London, 1946) and K.M. Carey (ed.), *The Historic Episcopate in the Fullness of the Church* (London, 1954). Both have long since been debunked.

ecclesiology of the Oxford Movement.³⁶ Likewise we wonder in what sense bishops are ‘a visible sign of unity’? This may be Cyprian of Carthage or Laud of Lambeth, but it is not the teaching of Scripture.

Here we concur with the protest of the Modern Churchpeople’s Union that if the draft covenant were to be ratified as it stands then ‘the voice of the laity would be utterly peripheral and rendered inaudible. ... To marginalise the laity in decision making would be to hobble the body of Christ, to undermine the faithful work of the people of God, and to diminish the quality of ecclesial life.’³⁷ The answer, however, is not to take authority away from the primates and give it to the Anglican Consultative Council, which is an unrepresentative international grouping weighted towards Western liberals. A better answer is to acknowledge the authority of local congregations to govern their own life – to give congregations permission to opt in or out of the Anglican covenant. Covenanting bishops would then provide pastoral oversight and accountability to covenanting congregations, for their *bene esse*. This would lead to radical realignment of congregations around the world – orthodox with orthodox, and heterodox with heterodox, rather than the current farcical situation of orthodox and heterodox congregations ‘united’ under one bishop. Perhaps what will emerge is two or more Anglican covenants, for two or more parallel Anglican Communion. Indeed this unsettling process has, *de facto*, begun. The monarchical episcopate is increasingly a thing of the past, and the covenant debate is an ideal time to ask hard questions about the sort of bishops Anglicans want in the twenty-first century. Let us not shy away from root and branch reform merely because the *status quo* seems safer or more predictable.

Once again we query whether the CDG has been given the right terms of reference. Why should the Anglican covenant be signed by primates on behalf of their provinces, and not by ministers on behalf of their congregations? The visible unity of the true church is seen not by a province gathered around its primate, or a diocese gathered around its bishop, but by congregations of Christian believers gathered around the Word of God. A communion of churches is a relationship between congregations, not between bishops or synods.

The practical problem is seen no more acutely than within the Church of England itself. Let us suppose, as seems likely, that the Global South primates and the North American primates officially part company, perhaps signing two rival covenants, and establishing two separate communions. Which way will the Church of England jump? Whatever decision our primate makes, half the congregations in the country will think he has made the wrong choice, and seek to transfer to the rival communion. If bishops sign on behalf of their dioceses, the same problem will present itself, because most dioceses in the Church of England are deeply divided theologically. Therefore, the best solution is for local ministers to sign the covenant on behalf of their congregations. This would be perfectly in keeping with the Reformation strand of traditional Anglican ecclesiology. An alternative solution, effecting the same realignment, would be for only primates or bishops to sign, but for congregations to be given the explicit freedom to choose the diocese or province to which they want to be attached. Either way, our assumptions about the need to preserve

³⁶ For a survey of Tractarian views on episcopacy, see Peter Toon, *Evangelical Theology 1833-1856: A Response to Tractarianism* (London, 1979), pp. 184-188; Peter Nockles, *The Oxford Movement in Context: Anglican High Churchmanship, 1760-1857* (Cambridge, 1994), pp. 146-152.

³⁷ Clatworthy, Bagshaw and Saxbee, ‘A Response to *The Draft Anglican Covenant*’.

monolithic 'national churches' and geographical dioceses with impervious territorial borders must be exploded.

4) The draft covenant relies upon the Archbishop of Canterbury

In September 2005 the Anglican Church of Nigeria revised its constitution, deleting all references to 'communion with the see of Canterbury' and instead affirming that it is

in full communion with all Anglican churches, dioceses and provinces that hold and maintain the historic faith, doctrine, sacrament and discipline of the one holy, catholic, and apostolic church as the Lord has commanded in his holy word and as the same are received as taught in the Book of Common Prayer and the Ordinal of 1662 and in the Thirty-Nine Articles of Religion.

Now, however, Nigeria and all other provinces will be asked to sign up to a covenant which enshrines the central role of the Archbishop of Canterbury in setting the limits of the Anglican Communion. This is a step backwards. He gives definition to the communion not through any teaching authority, but in his own person – at the most basic level, the only way to be part of the Anglican Communion is to be in communion with the archbishop. Here it seems, according to the draft covenant, we reach the irreducible core of what it means to be Anglican. But once again this institutional approach needs to be challenged. How much more important it is to submit to the gospel message before submitting to any particular bishop.

The Nassau draft emphasizes the key place of the four so-called 'Instruments of Communion' which 'serve to discern our common mind in communion issues, and to foster our interdependence and mutual accountability in Christ'. It explains:

Of these four Instruments of Communion, the Archbishop of Canterbury, with whose see Anglicans have historically been in communion, is accorded a primacy of honour and respect as first amongst equals (*primus inter pares*). He calls the Lambeth Conference, and Primates' Meeting, and is President of the Anglican Consultative Council. The Lambeth Conference, under the presidency of the Archbishop of Canterbury ... The Primates' Meeting, presided over by the Archbishop of Canterbury ...

For a covenant to bind the Anglican Communion to the see of Canterbury is to lay up problems for the future. How will Anglicanism escape from its anachronistic Anglo-centrism if Canterbury is the key? Again the covenant debate gives us an opportunity to wrestle with some deeper questions. Why should Canterbury be always *primus inter pares*? Yes, he always has been so for centuries, but why should he be so still in the twenty-first century? Why should he be the one to preside over Lambeth Conferences, primates and ACC? What is the rationale? Canterbury as *primus* is the traditional arrangement, but it is not an inviolable Anglican essential. Why not, for example, ask the most senior primate to convene and chair these meetings? If this convention seems too precious to be abandoned immediately, then maintain it for the time being but do not write it into the covenant.

The practical problem with enshrining this *status quo* (however ancient) in an Anglican covenant is simply this – one day, the Archbishop of Canterbury himself or the province he represents may require censure. After all, if Jerusalem, Alexandria, Antioch and Rome have erred (Article 19), so may Canterbury. Then what will become of the covenant? What if the Church of England succumbs to heterodoxy and has to be banished from the communion? This scenario is not beyond the realms of realistic possibility, yet the Nassau draft protects the English Church forever from the reach of communion discipline because Canterbury is its primate. If the Anglican covenant, and therefore the Anglican Communion, is dependent upon one man (and his province) it is more likely to come crashing down.

Conclusion

In conclusion, is the concept of a written Anglican covenant a good one? Yes it is, and it may prove helpful in the long term. Are its aims achievable (as interpreted throughout this paper to include clarity of Anglican identity and a mechanism for restraining heterodoxy)? Yes they are, though the legal hurdles will be tortuous. Is a covenant necessary before action can be taken? No, it isn't. Gospel proclamation and communion discipline can take place immediately (under our present constitution, the ball is in the Archbishop of Canterbury's court, with his power to exclude the heterodox from the Lambeth Conference and primates meetings). Is the current Nassau draft the right way to proceed? Unfortunately, as this paper has attempted to show, it leaves much to be desired as it stands at present and major revision is necessary. We look for a covenant which gives clear definition to the content of the apostolic gospel; which tackles the presenting issue of sexual immorality; which pays heed to local congregations; and which does not rely upon the Archbishop of Canterbury.

If Anglicanism is to be defined for generations to come, let us be sure to get the definition right – which means a confident reaffirmation of biblical theology and morality, and a radical rethink of Anglican ecclesiology. The covenant process offers a once-in-a-lifetime opportunity to revitalize the Anglican vision, but it will miss the mark if it merely enshrines the existing *status quo*. Our basic assumptions about what it means to be Anglican need to be vigorously challenged. In particular, popular preconceptions about doctrinal comprehensiveness and the nature of episcopal government need to be scrutinized and overhauled.

So let us continue to pray for and engage with the primates, ecclesiastical politicians and covenant drafters as they look for an international and organisational solution to the communion's woes. And meanwhile let us persevere with fresh enthusiasm in praying, preaching and working for a spiritual reformation at the grassroots of Anglican life, which is where true revival begins.

Andrew Atherstone is tutor in history and doctrine, and Latimer research fellow, at Wycliffe Hall, Oxford

Response to the Draft Covenant
January 20, 2008

Thank you for the invitation to respond to the initial work of the Covenant Design Group. As you will read, my comments are more general than specific. They reflect the evolution of my thinking after my first reading of the Windsor Report and the outline of a suggested covenant that was included as an appendix. As a bishop, I am all too well aware of the challenges facing our communion and the efforts of the Covenant Design Group to try to find a way forward. I continue to be deeply saddened that the unity of our church, God's gift to us in Jesus Christ, is threatened by those who would abandon our Anglican tradition of holding middle ground and choose to walk apart.

My concerns focus on three areas. The first is the adopted use of the Instruments of Unity/Communion that were first included in the Virginia Report and then used again in the Windsor report. The second, is the continuing decay of the role of the laity in the life and governance of our church at the international/communion level. My third and final concern lies in the area of trying to legislate a unity that is a gift which is celebrated and lived out, despite our differences, from one corner of the earth to the other. Let me elaborate.

Although the Virginia Report and the Windsor Report have been read extensively and responded to by member churches around the world, neither Virginia nor Windsor have been 'received' in our jurisdiction here in Canada, and I suspect in others. Despite that reality, the use of the term 'Instruments of Unity/Communion' seem to have become *franca lingua*. At one level, I recognize the role that the Archbishop of Canterbury, the Lambeth Conference, the Primates' meetings, and the Anglican Consultative Council play in supporting, nurturing, and in no small way embodying our worldwide family. The Archbishop of Canterbury has been understood for centuries to be the first among equals and a symbol of our unity as Anglicans. On the other hand, to suggest that these alone are first of all accepted universally by all member churches as 'the' instruments of unity/communion or that they alone are the only instruments of unity/communion within our church is a reality that I cannot accept.

As the draft Covenant acknowledges, member churches are autonomous, "bound together, not juridically by a central legislative or executive authority, but by the Holy Spirit who calls and enables us to live in mutual loyalty and service." (Sec. 5.2) The Draft Covenant's call to elevate the instruments of communion, especially the Primates' meetings, to be the arbitrator in matters of dispute is a direction I would not support. The increasing sphere of influence exercised by the Primate's meeting is very new in our tradition. From a gathering I understood was originally intended to offer mutual support to one another and a forum to share the ups and downs of Episcopal leadership, this body has somehow become the voice of the communion and an ecclesiastical 'big brother'.

The Canadian Ordinal, as do others, calls a bishop to “guard the faith, unity, and discipline of the church.” (BAS p. 636) However, the history of our Canadian Church reminds me that as an Apostle, my Church has lived into the experience of being episcopally lead, yet synodically governed. The first Bishop of Toronto, John Strachan, dared to invite laymen to share in the Diocesan Synod. Since that time ordained deacons, priests, and bishops have shared equally in the councils of diocese with their sisters and brothers of the laity, all of whom have been called in their baptism to follow Jesus Christ as their Lord and Savior. Similar governance is reflected both in our General Synod, a tri-cameral body, and our Provincial Synods.

It is with great concern I write to express my objection to both the inclusion of the Primates as members of the Anglican Consultative Council and the Primates’ Meeting, at which no lay persons are present as equal members of the group, being given the authority as described in Section 6.5. I realize that in many provinces of our communion the polity we enjoy in Canada does not exist. In this day and age, it is high time that we acknowledge, world-wide, the gifts of the laity who comprise by far the majority of the membership of our church. In saying that, I am not suggesting that I, or any other bishop, step aside from the responsibilities given to us in our call from God and from the church to exercise my Episcopal authority and leadership. What I would hope to see in a Covenant for our Communion is a strengthening of the role in laity in order that we may all be true partners in witnessing to our Lord and Savior Jesus Christ and sharing in the councils of the church. If I have learned anything in my seven years as a bishop and twenty eight years in ordained ministry, it is amazing scope and depth of charisms in the men and women with whom I share ministry. If a body is called to the role of arbitrator in our communion it needs to be a body like the Anglican Consultative Council where laity sit as equal partners with deacons, priests, and bishops.

Finally, for over two millennium the church, God’s people, have sought, with God’s grace, to proclaim the good news of Jesus Christ. The crucified, risen, and ascended Lord Jesus opened the door for God’s Holy Spirit to descend upon the people of God and make them one. It was Jesus prayer on the night of his betrayal as he sat with his disciples and broke bread with them in their Passover celebration. Our unity is a gift from God. We celebrate that unity in our baptism and every time we too gather at the Lord’s table and break bread in God’s name.

It may be that a Covenant will evolve. If it does, in whatever form, please remember that it will not be what holds us together as a communion. Our divisions, whether it be within our communion or beyond in all that divides we Christians along our denominational lines, are a reflection of our sin and brokenness. All too often we have stopped listening to one another and to God, readying ourselves to abandon the unity for which Christ himself laid down his life on the cross.

I do not pretend to have the answer. As a person of the western world I understand that my worldview, my life experience is very different from my sisters and brothers in other parts of the world. One of the privileges I have enjoyed as a bishop is

sitting down in fellowship with bishops from Nigeria, Uganda, Ireland, the United States, and the West Indies to listen to their journeys of faith and share with them mine. We have opened scripture together, have shared in Eucharist, have enjoyed a meal together all of which have opened for me a window into their lives and their faith. I discovered that we share the same hopes and dreams and struggle with many of the same challenges in our dioceses. Is it ever thus! I look forward to continuing those discussions with all who will gather at the Lambeth Conference this summer. I hope and pray that God will give me the grace to listen in love, to speak in love, and to act in love as together, in the unity given to us by our God, we seek to live into the promises God offers to us and to all of humankind in the name of Jesus Christ.

Please know you will be in my thoughts and prayers as you meet in February to consider all the responses and to seek God's guidance in moving ahead.

+George Elliott
Suffragan Bishop of the Diocese of Toronto,
Area Bishop of York-Simcoe
ysimcoe@toronto.anglican.ca

Anglican Society President's Message

THE PROPOSED ANGLICAN COVENANT: QUESTIONS AND REFLECTIONS

It is sometimes said that of the three foci of the English Reformation, doctrine, discipline, and worship, the least developed was that of discipline, whereas the other two terms were quite visible in such writings as the Book of Common Prayer and the Books of Homilies. Archbishop Cranmer had sponsored a publication known as "The Reformation of Ecclesiastical Laws" which was designed to provide a system of order and discipline in place of the medieval canon law, but it was never implemented. In the pre-1979 tradition of the American Prayer Book, the Office of Institution of a new incumbent provided that such a person be presented ceremonially with a Bible, a Prayer Book, and a copy of the Canons of the General and Diocesan Conventions, but that symbolism has now been lost with the 1979 Book. The Church of England decided to "walk alone" apart from the canonical discipline of the great church of the western world at the time of the Reformation. Hence it is that Anglicans have understandably shied away from the massive Code of Canon Law in the Roman Church, which in its latest revision contains some 1752 canons. In more recent times, however, and in the light of more recent events, many Anglicans have come to feel that this was perhaps an over-reaction and that it is now time to redress the balance.

For these reasons, therefore, it is not surprising that the idea of an "Anglican Covenant" has begun to find favor in some quarters, and especially at least since the time of the Windsor Report a couple of years ago. This concept appeared again in a more developed version as commended by the meeting of the Anglican primates this past February, although it is still a work in progress, "on the way," so to speak. Thus far, very few persons seem to be opposed to the concept itself, especially if it is merely a codification of what Anglicans already believe and practice, but before it can be reasonably proposed and debated and ultimately voted, there do seem to be some questions to be asked and clarifications needed concerning its name, content, and method of implementation. One preliminary text has been proposed, but is it really a mere statement of what we already believe and do as Anglicans or does it go beyond?

And so questions need to be asked. Are we agreed as to why we would call it a "covenant"? Is this to give it a biblical sanction in order to satisfy certain third-world Anglican primates of a more biblicistic inclination, or is there to be a deeper agreed theological rationale based on particular passages of Holy Scripture? Biblical scholars disagree about the biblical meaning of the term, but its use in the Bible does seem to imply that God is always one of the two parties involved, whereas the parties now would be the several Anglican provinces with each other. Biblical use also seems to point to an historical foundation in time past, whereas the usage now under consideration seems more akin to the modern meaning of "contract law" and thus of something that can be broken by mutual consent or even unilateral action. American Episcopalians will also be

familiar with the term “covenant” in connection with our modern liturgical rites for marriage and for Baptism, although the majority of the Anglican Communion who follow the 1662 English Prayer Book will not have these usages readily to hand. Historians of American religion will know the term from its use in Puritan New England. More recently, the term is also widely used for ecumenical agreements between parishes and dioceses in the U.S.A., as well as in contexts like marriage itself, that often promise more permanence than they can deliver. Or is “covenant” thought to be a softer and more acceptable word than “law,” or would the word “agreement” be better? If a given church can enter a covenant at will, and leave it at will, the process does begin to sound more and more like a “contract.”

I suggest that we would not want to enter such a contract without some open discussion of what it means, and without some written theological agreement as to how we understand it, and, at least for the Episcopal Church in the USA, without some widespread ecumenical input or consultation. Given Anglicanism’s long record of ecumenical commitment, at least within the Episcopal Church, one would think that an early step along this road would be to seek the advice of our ecumenical partners before jumping in. Surely, advice should be sought from the Lutherans, with whom we are already in full communion; from the great Church of Rome which is perhaps our closest ecumenical friend in the USA; and from the Old Catholics under the Archbishopric of Utrecht, the one catholic communion that seems the most similar to us and is much more friendly to us than Canterbury has become in recent years. Even if such a recent international Anglican document as the Windsor Report seems remarkably lacking in ecumenical consultation, certainly our own ecumenical sensibility would tend to warn us not to make such major changes to our polity without first getting the opinion of our ecumenical partners concerning the demands for covenant that are being made by far-away Anglican primates.

Persons with such concerns will no doubt wonder how the proposed covenant sets with traditional Anglican ecclesiology, and they will be reassured by its incorporation of the four points of the Chicago-Lambeth Quadrilateral, but they may be left wondering why this covenant incorporates no mention of the classical Anglican triad of Scripture, Tradition, Reason. Is it possible, that this triad would be less popular in the biblically-oriented world of the global south, since, after giving first place to the Bible, this triad then goes on to emphasize the need for an historical interpretation of Scripture under the light of Reason? For whatever reasons, the rapidly growing global south of Anglicanism has become suspicious of the Episcopal Church and of North Americans generally, and it does seem obvious that if we want to stay together as a worldwide communion of churches, linked together in faith and mission, then we are probably all going to need to be bound together by some sort of written agreement about who we are and how we understand the Bible and why we are Anglicans, whereby we can trust one another and produce a more credible Christian witness. To ask the hard questions about this proposal,

I submit, is not at all the same as to dismiss it.

Next within the covenant's text, is the affirmation of four "Instruments of Communion" (formerly called Instruments of Unity), this formula itself being quite a neologism in Anglican ecclesiology and its name rather a mixed metaphor from the world of liturgy. The covenant stipulates that all churches of the Anglican Communion would have to submit to these instruments, agreeing that they carry a "moral authority which commands respect" and that they are authorized to judge the "common mind" of the Anglican Communion. The "common mind" of Anglicanism is itself a neologism for Anglicans, used here emphatically with reference to the Lambeth 1998 resolution 1.10 about human sexuality, but hardly at all with reference to all the many other resolutions of all the other Lambeth Conferences about all manner and sort of other topics. Archbishop Rowan Williams, much earlier, has already pre-judged the issue by declaring unilaterally that 1998 Lambeth 1.10 (voted only by bishops) represents the "common mind" of the Anglican Communion, but such a declaration does leave us wondering which other Lambeth resolutions would next be singled out as representing the "common mind" of Anglicanism? Would acceptance of the covenant carry with it an agreement that the primates, or perhaps only the Primate of All England, has the authority to specify which Lambeth resolutions represent our common mind? Do we have evidence of any widespread acceptance or even use of this phrase under the previous archbishops?

In the new (1983) Code of Canon Law of the Roman Catholic Church it is noteworthy that there is frequent reference to someone called "the lawgiver," and when I was invited to write an Anglican critique of that new code for the periodical called "The Jurist," I wondered who that "lawgiver" might be? God, the Holy Spirit, Moses?¹ Once I studied the text carefully I realized that "the lawgiver" is none other than the Pope, and I can only conclude that, for the Anglican Communion under the proposed Anglican Covenant, it certainly looks like OUR lawgiver will become the Archbishop of Canterbury.

Of these four Instruments of Communion, of course the first, the Archbishop of Canterbury, is the one "instrument" that goes back, if not to the time of the Bible, at least to the Anglo-Saxon period of British history, and thus has some venerable antiquity about it, but in a very real sense it seems like he would now become the primary giver of our laws, much like the Pope is defined in the new Roman Code. The other three instruments are much more recent: the Lambeth Conference, originating in 1867; the Anglican Consultative Council, which originated in 1969, and the meetings of primates, which originated only in 1979. Our General Convention has never endorsed these last

¹J. Robert Wright. "The 1983 Code of Canon Law: An Anglican Evaluation." *The Jurist* 46 (1986) 394-418.

two bodies, but rather it seems they have been slowly imposed upon us. Yet now with the covenant we would have to agree, not merely to their existence but to their authority over us, and thus a rather different kind of Anglicanism would be created. Maybe all this would be a good development, but surely it ought to be named for what it is, and openly debated, before we merely accede to it.

The covenant draft says that these Instruments of Communion would have “no juridical or executive authority” in any Anglican province, and yet clearly the covenant considers them as authorized to direct the common life and doctrine of the Anglican Communion, and it even states that “where member churches choose not to fulfil the substance of the covenant as understood by the Instruments of Comunion, such churches will have relinquished for themselves the force and meaning of the covenant’s purpose” and thus they will have broken the covenant. It is further stipulated that if our own House of Bishops can not see its way clear to “make an unequivocal common covenant by September 30, 2007 [not to authorize] any rites of blessing for same sex couples in their dioceses or by General Convention,” then “the relationship between the Episcopal Church and the Anglican Communion as a whole will at best be damaged, and this will have consequences for the full participation of the Episcopal Church in the life of the Communion.” In retrospect, we should recall that the Lambeth Conference of 1998 (resolution 3.6) stipulated that the collective responsibilities of the primates should *not* be such as to interfere with the juridical authority of the several provinces. It looks, however, like that is exactly what would happen, and is already happening, with the proposed covenant that has been presented to us from the primates themselves. Is it really desirable that global Anglican decisions, and appointments, should now be made from the top down, from the archbishop and a staff called the “Anglican Communion Office” shaped more or less on the model of the Pope, the curia, and the College of Cardinals, rather than upon some democratic principle of representation by those duly chosen from the rank and file?

Sidebar Query about a possible loophole, as to whether it was intentionally left or unintentionally overlooked: Is this prohibition also intended to apply to House Blessings, as in the Orthodox Church (blessing the home rather than the couple who live within it), or to priests on their own, as is allowed in the Roman Church and within catholic tradition, where the office of a *priest* is to bless? This permission was classically expressed in Catholic ordination rites for centuries where one reads “The office of the priest is to offer sacrifice, to bless, to govern, to preach, and to baptize,.” and even now under “Sacramentals” in the new Roman Code of Canon Law one finds, at Canon 1169.2, that “Blessings may be imparted by any priest....” So is the proposed covenant saying that priests may give such blessings, but that bishops may not authorize them?

Another Sidebar Query about the meaning of the common English language that is used on both sides of the Atlantic but at times with different meanings: Does the demand that our bishops not “authorize” the blessing of same sex couples mean what most

Americans would think the word “authorize” means, in the direct or positive sense, or is the word also intended to convey, in a sense in which I have heard it used in England, the implication that our bishops would be expected, in a negative sense, to actively prosecute or discipline anyone who proceeds in spite of such a prohibition? I suspect the latter meaning is also intended, but not specified as such in the text that has been released.

Major Query: Is this demand upon our bishops really a backhanded threat to use, or misuse, the authority of the archbishop to decide whom he may invite to the next Lambeth Conference, which is itself a novelty in Anglicanism existing only since 1867? It may be true that many Anglican bishops from far away places long to be invited to take tea with the Queen in Buckingham Palace gardens, but it does seem that the planning as well as the outcome of the Lambeth Conferences is largely controlled by the English anyway and therefore one wonders whether the American and “colonial” bishops are really needed—or wanted at such a gathering. Have not Archbishop Akinola and others already described it as largely “a social event of great expense”? Over the longer run of history, though, back for hundreds of years, one doesn’t find the Anglican Communion organized by Lambeth Conferences, and so it is natural for us to ask: how did all this come about and who proposed it in the first place? More to the point, how exactly does a church become a member of the Anglican Communion, or get out of it, or at least sit more lightly to it? Does Archbishop Williams really want the membership determined by some legal process or checklist, and will there be any other test-question for entry other than 1998 Lambeth 1.10? Why not require subscription to all the other resolutions of all the other Lambeth Conferences, or, even more importantly, to the Nicene Creed and the Chalcedonian definition, and even conduct seminars for would-be primates and new bishops from all over the world to learn the history and meaning of these basic documents of the Church Catholic? Otherwise, does the Episcopal Church really want to stay inside such a “communion,” where the Lambeth resolution on sex is the primary test of membership? Historical perspectives are important and to the fore as the question is pondered.

Clearly there were Anglicans before 1867,² but when did there become an “Anglican Communion” and when and how did we acknowledge membership within it? The latter two of these questions were easily answered by our decision to incorporate a statement of our membership within our official formularies. This occurred at the 1967 General Convention where we added a specific reference in the preamble of our written Constitution, from which I quote: “The Protestant Episcopal Church in the United States of America, otherwise known as The Episcopal Church (which name is hereby recognized as also designating the Church), is a constituent member of the Anglican

²See J. Robert Wright. "Anglicanism, Ecclesia Anglicana, and Anglican: An Essay on Terminology" in *The Study of Anglicanism*, ed. Stephen Sykes and John Booty, pp. 424-429. (London and Philadelphia, SPCK/Fortress, 1988, and subsequent editions).

Communion, a Fellowship within the One, Holy, Catholic, and Apostolic Church, of those duly constituted Dioceses, Provinces, and regional Churches in Communion with the See of Canterbury, upholding and propagating the historic Faith and Order as set forth in the Book of Common Prayer....” We merely voted to do this, and there were no test-questions. Before the year 1967 our official Constitution had no Preamble at all, and thus had no reference to anything called “the Anglican Communion.”

But it also needs to be recalled that historically the term “Anglican Communion” itself is one that just happened to be tossed out on the waters, and not a term, not an institution, that came about at first by any direct act or intention of any group of Anglican Churches, nor by any deliberative process. Thus, before the year 1967 we did not, formally or legally or constitutionally, agree that it was necessary to be in communion with the see of Canterbury, whatever that has come to mean, in order to be a member of the Anglican Communion. In fact, the very term “Anglican Communion,” it has now been shown, was first coined not by someone from England but by an American from the state of Maine, and the story of its origin has recently been told by a British scholar of highly respected credentials, Dr. Colin Podmore. His research has moved back the genesis or first use of this term “Anglican Communion” from 1851 to 1847, where it was first used in the writing of an American, Horatio Southgate, who was sent as missionary bishop from the American Church to the dominions of the Sultan of Turkey and much later became rector of the Church of the Advent in Boston! Dr. Podmore’s investigations have thus exposed the entirely occasional and non-binding nature of its origins.³ Indeed, no less than Archbishop Robin Eames of Ireland once remarked that, if there was never any procedure for entering the Anglican Communion, nor terms of membership, then it would seem that there need be no procedure or rules for the reverse!

Does all this mean, therefore, that I advocate withdrawal from the Anglican Communion or rejection of the proposed Anglican Covenant? No not at all, but it does mean, I suggest, that the ball is as much in our court as it is in the global south, and that we from the Episcopal Church have some hard questions to ask and answer, not just of ourselves but of those who would impose these innovations upon us. Why not come together from around the world and seek to agree as to what the terms of Anglican membership should be, positive affirmations of doctrine and mission based upon Scripture and theology rather than just a few negative prohibitions about sexual conduct? Innovations are not necessarily bad, but when they are as poorly thought out as those that have been recently proposed, then I think we have a right to ask some hard questions before we vote. For me, I actually think it would be good for us to have some sort of international, written, Anglican, covenant or constitution or code of canon law, I rejoice that some process of this sort is already under way, and I think it could effectively serve

³Colin Podmore, *Aspects of Anglican Identity*. London: Church House Publishing, 2005, pp 36-38.

our mission under the Gospel. But such a code or covenant would need to be carefully prepared, and agreed to be fair to all, including laity both men and women, and developed through a rational and democratic process, and not merely – as has been said – dictated at 11 o'clock on the last night (February 18) by a “bunch of angry primates with Bibles in their hands meeting behind closed doors in Tanzania.”

So what should we now do, what can we do, in the near future? For one, I have proposed my willingness to conduct and teach a seminar on the proposed covenant next year, much as I did on the Windsor Report a year ago, that will allow students to explore it further and also to prepare and circulate papers giving voice to their reflections about it.

I close with some sober words from Archbishop Williams, a threat which he says is not a threat, and then with some words to the wise from our Presiding Bishop. Speaking of the “inevitable consequences” should we refuse to comply blindly with the demands of his fellow primates, especially those of the global south, Archbishop Williams has remarked: “This is not, I must stress, threatening penalties, but stating what will unavoidably flow from more assertions of unqualified autonomy. To repeat a point I’ve made many times - you may feel imperatively called to prophetic action, but must not then be surprised if the response is incomprehension [or] non-acceptance....” [I seem to recall that Rowan Williams himself, back in his earlier years, was reported as being arrested or jailed for committing one or more acts of civil disobedience by following his own conscience. If that was so, then he must know how threatening such a “non-threat” can be.] And finally some words to the wise from our own Presiding Bishop, returning from Tanzania, who has suggested that this covenant process “can be a ‘container’ in which the Anglican Communion can continue to discuss issues that many Anglicans would rather avoid.” She gave her own view, although not all would agree, that “The Episcopal Church is called to ensure that the conversation about the inclusion of gays and lesbians in the church continues in the [Anglican] Communion.” And she continued, “We’re being asked to pause in the journey. We are not being asked to go back,” she said. And she concluded, “I don’t know if our church is ready to say to the rest of the Communion what’s been asked of us. I don’t know that. I do know that if we’re removed from a place where we can speak to the rest of the Communion, we’re going to lose that advantage of being there at the table to challenge views like that.”

She voted for the draft covenant with obvious reservations, and for me, at this point, as one who is still pondering these questions, I would also vote for the draft covenant with her and find a way to stay at the table.

J. Robert Wright