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A presentation to the House of Bishops on the Proposed Anglican Covenant
Steps towards the Covenant

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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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