



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 *tinō 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.”