

Why the Anglican Covenant Should Be Rejected

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The churches of the Anglican Communion are being asked to adopt an Anglican covenant, an idea proposed in the 2004 Windsor Report. Over a period of several years, a particular covenant was developed, achieving its so-called final form in December 2009. To date, only three provinces, Mexico, West Indies, and Myanmar, have actually approved the Covenant, and, although the agreement is not universally popular, it has not yet been rejected by any province that has formally considered it. What The Episcopal Church should do with the Covenant will be considered by the 2012 General Convention. It is by no means certain that the Covenant will be either adopted or rejected by that assembly, but abridging or amending the Covenant is not an allowed option.

Unfortunately, the Anglican Covenant is a bad idea, badly implemented. Arguably, it is neither Anglican nor a covenant. The notion that such a pact is desirable is based on faulty assumptions, and the Covenant has been promoted out of mean-spirited motives. The proposed agreement has the potential to cause a fatal division of the Anglican Communion, whether or not it is adopted by a majority of its churches. Its potential for harming our own church is significant, and our ability to evade injury may be limited.

At the 2003 General Convention of The Episcopal Church, the Houses of Bishops and Deputies approved the consecration of the Rev. Canon Gene Robinson, a partnered gay priest, as Bishop of New Hampshire. Then Bishop of Pittsburgh Robert Duncan, along with other conservative colleagues, immediately demanded that the Archbishop of Canterbury, Rowan Williams, call an emergency meeting of the Anglican primates to consider the reputed "crisis" this approval caused. To the surprise of many, the archbishop complied, and, in October 2003, the primatial leaders of the Anglican Communion churches considered what to do about the action of The Episcopal Church and the decision, that same year, of the Diocese of New Westminster of the Anglican Church of Canada to approve a liturgy for blessing same-sex unions.

The most prominent result of the emergency meeting of the primates was a commission, subsequently appointed by Archbishop Williams that, a year later, issued the Windsor Report. The so-called Lambeth

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Commission was chaired by Archbishop Robert Eames, under whose leadership an earlier report, the Virginia Report, had promoted more formal ties among Communion churches. The Windsor Report made the novel assumption—an assumption also made in the primates' communiqué of October 2003—that Resolution I.10, adopted at the 1998 Lambeth Conference, the notorious resolution that rejected “homosexual practice as incompatible with Scripture,” was the “teaching” of the Communion. Among the Windsor Report's recommendations was the following:

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.

Archbishop Williams subsequently appointed a Covenant Design Group that, remarkably, was headed by Archbishop Drexel Gomez, one of the authors of a collection of essays called “To Mend the Net,” which discussed how the Anglican Communion could be protected from such innovations as women priests and the blessing of same-sex unions. Thus, the framing of an Anglican Covenant was based on the fabricated authority of a Lambeth resolution, predicated on forcing compliance on members of what has been a voluntary fellowship of churches, and placed in the hands of a partisan intent on imposing a reactionary theology on Communion churches in general and The Episcopal Church in particular. This was an inauspicious beginning.

The Covenant now up for adoption consists of a Preamble and four Sections. It is prefaced by a theological Introduction that, curiously, is declared not to be a part of the Covenant, yet is required to be published with it. That Introduction, using scripture as it does, makes a case for some form of unity among Christians but, despite its intentions, can hardly make a *specific* case for Anglican unity. Section One, “Our Inheritance of Faith,” attempts to establish shared Anglican doctrine; Section Two, “The Life We Share with Others: Our Anglican Vocation,” concerns Christian mission; Section Three, “Our Unity and Common Life,” concerns the relationships of Communion churches to one another. Section Four, “Our Covenanted Life Together,” describes how the Covenant is to be adopted and its provisions enforced.

Sections One and Two of the Covenant have largely escaped criticism. They depend heavily on the generally uncontroversial Chicago-Lambeth Quadrilateral of 1886 and 1888 and the five Marks of Mission, dating from 1999. Section Three declares Communion churches to be autonomous, but

accountable to one another, a relationship that is more than a little oxymoronic. Section Three gives official status as Instruments of Communion to the Archbishop of Canterbury, Lambeth Conference, the Anglican Consultative Council, and the Primates' Meeting. The term "Instruments of Communion" has hitherto been only an informal designation.

Section Four, describes the processes for approving the Covenant and for enforcing its provisions. The enforcement process is the most controversial portion of the Covenant. The ultimate purpose of an Anglican covenant has always been to discourage, and, barring success in that enterprise, to punish innovation in the Western churches of the Communion. Section Four is indispensable to that project.

Technical Problems

Before considering more abstract problems with the Covenant, I want to point out some technical ones.

First, there is the matter of adoption. Each church of the Communion adopts (or, conceivably, rejects) the Covenant in accordance with its own polity. There is no specified time period within which churches must act. Presumably, this is because the governing bodies of some churches meet infrequently. Our own General Convention meets every three years, for example. In principle, churches could take a year, or decades, or centuries to dispose of the Covenant. The failure to require timely response to the Covenant is potentially problematic, since enforcement of its provisions is placed in the hands of churches that have "adopted the Covenant, *or who are still in the process of adoption* [emphasis added]." The Covenant does not specify what constitutes being "in the process of adoption."

Presumably this odd provision follows from an even stranger one, namely that "This Covenant becomes active for a Church when that Church adopts the Covenant through the procedures of its own Constitution and Canons." (Compare this to the case of the U.S. Constitution, which did not go into effect until 9 of the 13 states had ratified it.) Although the Covenant does not say so, I believe that all churches were presumed to be in the process of adopting the Covenant as soon as it was declared to be in its final form, though this has never been stated. One might recommend that The Episcopal Church consider adoption of the Covenant one paragraph at a time, considering but one paragraph at succeeding General Conventions. Such a strategy would, in principle, keep us at the table until the Communion acted against us.

Churches that choose not to adopt the Covenant are not thereby removed from the Anglican Communion, but their status is, at best, uncertain. Any rejection causes the Communion to become a two-tier affair with unspecified implications.

“Unclear,” in fact, is the word that best characterizes the operation of the enforcement procedures set out in Section Four. The primary job of monitoring Covenant compliance is given to the Standing Committee, composed of selected primates and representatives from the Anglican Consultative Council. Questions about the meaning of the Covenant or the compatibility of a church’s actions with the Covenant come to the Standing Committee, though it is not clear exactly how questions are raised. The Standing Committee can consult whomever it chooses, and it makes recommendations, including recommendations regarding “relational consequences,” to the Instruments of Communion. It is not clear what “relational consequences” are permissible or how their severity is to be related to the presenting actions. It is clear that the Instruments may act independently of one another, a situation that could result in a very confusing—and potentially very un-unified—Communion.

The Nature of Anglicanism

It will be useful to spend a little time considering the nature, up to the present time, of Anglicanism itself.

When the Church of England first broke away from the Roman Catholic Church in the early sixteenth century, it immediately assumed two of its lasting characteristics—it was both catholic and reformed. It retained much of the Roman Catholic doctrine and practice, while instituting Protestant reforms, most notably, introducing a liturgy in the vernacular and making the Bible available in a language the population could understand. Unfortunately, the early history of the Church of England was that of a bloody struggle between Catholic and Protestant parties. A political compromise was struck in 1559 in the so-called Elizabethan Settlement, which required uniformity of worship without necessarily uniformity of belief. Not until the work of Richard Hooker some decades later, however, was there a *theological* justification for the Anglican *via media*, a tolerance, even a preference, for theological diversity as a means to apprehend truth. It is this comprehensiveness that has most conspicuously set Anglicanism apart from other Christian traditions. Anglicanism has embraced the ancient Catholic creeds and resisted the temptation to create its own confessions of faith. Throughout its history, however, the Protestant and Catholic extremists within Anglicanism have vied for supremacy, seeking to replace the Anglican *via media* with their own understandings of religious truth. At best, the extremes have

expanded the toleration of the broad latitudinarian middle. At worst, the conflict has led to schism from the broad-church consensus, as we have seen in the departure of the Methodists and the Episcopalians who now belong to the Anglican Church in North America.

It is the latitudinarians, the broad-church Anglicans, who are most characteristically Anglican—one might even say the *pure* Anglicans. It is the broad-church people who willingly accept diversity within Anglicanism, concentrating on Christian mission, on one hand, and on their own spiritual journeys, on the other. Meanwhile, the radical Protestants, usually characterized today as Evangelicals, and the radical Catholics, usually described as Anglo-Catholics, continue their efforts to remake Anglicanism according to their own ideals. This struggle has been more or less active during various periods in the 400 years following the publication of Hooker's *Of the Laws of Ecclesiastical Polity*.

As we have seen in our own church, Evangelicals and Anglo-Catholics, despite their divergent theologies, have joined forces in opposition to progressive movement within Anglicanism. This was possible because of a common reactionary view of proper behavior, primarily sexual behavior, and a willingness to impose doctrinal uniformity. Among the churches of the Communion, however, the movement to make progressive churches conform to some mythical traditional Christian standard has primarily been an Evangelical phenomenon. Because English Evangelical missionaries helped build many of the churches in the former British Empire, those now-independent churches are very Protestant. Anglo-Catholicism, on the other hand, tends to be a minority party within Anglican churches.

It is some of the churches of Africa, South America, and Southeast Asia that have advocated for a Covenant that would discipline what they consider the errant churches of the West. Many of the so-called Global South churches, however, have been disappointed by the covenant design process that, over a number of drafts, has toned down, but not eliminated, the punitive nature of the Covenant. Primates from many of those churches have now disavowed the Anglican Covenant, first, because its theology is insufficiently Evangelical, and second, because the Standing Committee, not the primates themselves, are given the power to assess deviation from some Anglican norm. Recently, British Anglo-Catholics have similarly dismissed the Covenant as “unfit for purpose,” largely because its theology is not sufficiently Catholic. Meanwhile, the broad-church Anglicans simply find a covenant unnecessary. For them, the messy diversity of the Anglican Communion is not something to be lamented, but a trait to be celebrated and even promoted to other Christian traditions. A Covenant intended to bring

uniformity to Anglican churches is, for them, an instrument of surrender of the very thing that makes Anglicanism distinctive and valuable.

So, who wants the Covenant? There are those who sincerely believe that the Covenant provides a mechanism that, given sufficient time, will resolve differences among Communion churches. In light of the diversity of belief within the Anglican universe and the modern advances in communication and transportation that make such diversity impossible to ignore, there are, I suggest, only two ways to handle fundamental conflicts in other than a very long time scale: capitulation or toleration. Capitulation surrenders one's principles; toleration, on the other hand, is the quintessential Anglican way. I do believe there are institutionalists within the Communion, Archbishop of Canterbury Rowan Williams most prominent among them, who are so committed to Anglican unity, that they view renouncing sincerely held views in order to unify the Communion to be an acceptable price to pay. Such institutionalists, who are usually also interested in an ultimate reunification with Rome and see Anglican disunity as a roadblock, have put much hope in the adoption of the Anglican Covenant. Their asking churches such as our own to sacrifice our beliefs and our gay and lesbian brothers and sisters to their vision of Anglican togetherness can only be seen as a hope unconstrained by reality.

I should note that there are many in The Episcopal Church and elsewhere who believe that adopting the Anglican Covenant will have little effect. It may be that the resolution mechanism of the Covenant's Section Four is so cumbersome as to be ineffective. It is also possible that the most militant Anglican churches will not adopt the Covenant or may even leave the Communion, for the Fellowship of Confessing Anglicans, say. The tenacity of Bishop Duncan and his allies suggests that mere bureaucracy will not cool the passions of those who have thus far fought so vigorously against the innovations of the Anglican Church of Canada and The Episcopal Church, however.

Other Considerations

I now want to look at less arcane problems with the Covenant.

The restatement of what most Anglicans will recognize as common Anglican doctrine in Sections One and Two is more troublesome than it at first appears. It is not so much what we say as Anglicans as what we mean by it that is important. I doubt that any Anglicans understand the Nicene Creed as it was understood when it was first articulated in the fourth century. In fact, there were surely different understandings of it even in the fourth century, as it was intended then to unify what was seen as a

troublesome Christian diversity. Agreeing, then, to the wording of the Covenant, does not so much settle fundamental doctrine as it sets out the formulations we will fight over in the future. Section Four describes, albeit somewhat elliptically, how we will carry out those theological battles.

That the Communion, under the Covenant, will have a more-or-less specified mechanism to raise theological issues with the expectation that they will eventually be resolved has several implications. First, it will encourage the raising of such issues. There will be an unending queue of issues to be dealt with, identified largely by the extreme Protestant and Catholic wings of worldwide Anglicanism. In the short term, therefore, the Covenant will encourage, rather than discourage conflict. More importantly, the Covenant will create, in the Standing Committee, an ultimate arbiter of Anglican doctrine from which there is no appeal. This will result in the rapid narrowing of Anglican diversity and the weakening of regional and national churches' ability to respond to the needs of the communities they serve. One can even imagine, in the longer term, an ultimate clash of Protestant and Catholic theologies leading to the virtual extinguishing of both the broad-church and high-church parties. Of course, before such an ultimate victory, churches may renounce the Covenant or be consigned to the limbo of the previously mentioned second tier, perhaps not such a bad place to be.

Not only will the Covenant encourage Communion-wide conflicts, but it will also encourage dissidents in local churches to bump up their disputes to the Communion level, rather than trying to reconcile them in the national or regional church. This is exactly what Bishop Duncan did, even in the absence of a Covenant.

On a more prosaic note, the centralization of authority created by the Covenant will create an expensive and cumbersome bureaucracy. Moreover, even though ultimate authority is not given strictly to primates, the mechanisms of Section Four are largely in the charge of bishops, many of whom are primates. Laypeople and ordinary Anglican clergy have little influence in decision-making. If our church surrenders its independence to the newly empowered central authorities of the Communion, we will effectively surrender our own democratic governance.

It is supremely ironic that the Covenant centralizes Communion authority in what had been a voluntary fellowship. From its beginning, it was a fundamental notion of Anglicanism that the church must be adapted to local circumstances. Otherwise, why did the English church have to break with Rome in the first place? The Covenant will, I predict, replace bonds of affection with legalistic bonds that breed not

affection, but resentment. In truth, the Anglican Covenant is not so much a covenant, as it is a legally binding—one might say stifling—contract.

With “questions” about a church’s behavior so easy to raise under the Covenant, churches will become reluctant to act in new and creative ways. Of course, this is exactly what the original proponents of the Covenant wanted. Such a deterrent to mission can hardly be seen as a good thing by a church such as ours.

What Should The Episcopal Church Do?

What response should The Episcopal Church make to the challenge of the Covenant?

Mainstream Episcopalians surely feel like they are on a terrifying amusement park ride that they cannot get off of. We were told that consecrating Gene Robinson was unacceptable, that the Windsor Report offered the only way forward, and that the Anglican Covenant represents the only way forward. We have been manipulated—by Bob Duncan and his cronies, by the Global South primates, and, particularly, by Rowan Williams. The Covenant is *not* the only way forward, but it is the way the Archbishop of Canterbury has chosen to go. Another option—certainly the most obvious one—is to keep the Anglican Communion as it has been, perhaps even to dismember its most disruptive body, the Primates’ Meeting. Another possibility is to admit that the Communion comprises churches whose dominant theologies are simply irreconcilable. GAFCON, which is largely a Global South Movement, has embraced the Jerusalem Declaration as a “better” statement of belief than is provided in the Covenant. It includes such provisions as the following:

We believe the Holy Scriptures of the Old and New Testaments to be the Word of God written and to contain all things necessary for salvation. The Bible is to be translated, read, preached, taught and obeyed in its plain and canonical sense, respectful of the church’s historic and consensual reading.

Most Episcopalians could not accept such a statement. Reconciliation of views on this issue is not possible. Only capitulation can create unity. It is not within our power directly to create the Anglican world as we would have it.

So, what should The Episcopal Church do about the Covenant? The upcoming General Convention will, one way or another, have to take up the matter. Here are some possibilities to consider:

1. Reject the Covenant outright. This is surely what, by all rights, the church should do. The consecration of Mary Glasspool has set us on a path I believe we cannot conscientiously change. I suspect that an outright rejection, however, will be a hard sell. We will be severely criticized for this move. Rejecting the Covenant may also isolate us from churches with which we would like to be in close relation—the Church of England, for example.
2. Accept the Covenant, with the understanding that we will take our lumps. Some have even suggested that we immediately complain about the actions of African churches for their persecution of LGBT persons. We will be severely criticized for accepting the Covenant, as our enemies will argue that we cannot do so conscientiously. They will, of course, be correct.
3. Defer. This will be difficult, but a possible dodge would be to argue that the Covenant requires constitutional changes that can only be effected by two successive General Conventions. We can hope that, in another three or six years, we will have other options.
4. Delay. We could argue that the whole Covenant is too much to deal with in one General Convention, given that there are other issues, particularly financial ones, to deal with.

Our church will be criticized, irrespective of what it does. Why not do the right thing and reject the Covenant? I suspect that many churches are waiting to see what the Church of England, the Anglican Church of Canada, and The Episcopal Church are going to do. A rejection by the Church of England is, unfortunately, unlikely, as English Anglicans pay great deference to their bishops, and particularly to their archbishops. It therefore falls to the Canadian and American churches to say the obvious—the Covenant is not a good idea. Rejecting the Covenant may or may not derail what seems like an unstoppable express, but, at the very least, we will not be complicit in destroying Anglicanism or paying for the destruction of our own church. In the end, our mission might be to pick up the pieces of the Anglican Communion and reconstitute them as a fellowship that is truly Anglican.