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**A Response to
Resolution ACC 14.11: The Anglican Communion Covenant
by the Executive Council of The Episcopal Church**

1. Introduction

We are writing as the Executive Council of The Episcopal Church in response to Resolution 14.11: The Anglican Communion Covenant passed by the May 2009 meeting of the Anglican Consultative Council asking Provinces to consider and report on Section Four of the Ridley Cambridge Draft (RCD) and its possible revision. We are grateful to ACC 14 for giving the provinces the opportunity to consider the RCD in the hopes of realizing a fully matured Anglican Covenant.

Resolution A166 of the 2006 General Convention asked the Executive Council to facilitate The Episcopal Church's response to "the development of an Anglican Covenant that underscores our unity in faith, order, and common life in the service of God's mission." In furtherance of that role, the Executive Council provides the following response to the RCD with special attention to Section Four.

This response is made up of five sections. Following this brief introduction there is a discussion of the process by which the Executive Council solicited input in the drafting of this response from the diocesan deputations of the 2009 General Convention of The Episcopal Church. Next is a detailed exposition of responses received from across The Episcopal Church relating to Section Four of the RCD. Following that will be additional material related to the Anglican Communion Covenant generated by various bodies in The Episcopal Church before and after the 2009 General Convention. The document concludes with a presentation on the next steps that The Episcopal Church envisions as our church's ongoing participation in the development of an Anglican Communion Covenant.

2. Process

Upon receipt of the letter of 28 May 2009 from the Secretary General of the Anglican Communion asking that Section Four of the RCD be considered by each province, Presiding Bishop Katharine Jefferts Schori, President of the House of Deputies Bonnie Anderson, and Chair of the Executive Council's Task Force on the Anglican Covenant, Rosalie Simmonds Ballentine, communicated with the Bishops and Deputies to the 2009 General Convention in a letter of 29 June 2009 asking each deputation to consider the RCD and report back to the Executive Council by 1 September 2009 (See attached letter of 29 June, 2009). To facilitate the diocesan consideration of the RCD with particular attention to Section Four, the Executive Council's Task Force on the Anglican Covenant produced "Six Study Questions" (See attached).

47 The Executive Council’s Task Force received 34 responses to the Six Study
 48 Questions from both diocesan deputations and from individual deputies. Full
 49 deputation responses were received from Atlanta, the Convocation of the Churches
 50 in Europe, Massachusetts, Michigan, Rhode Island, Northern Michigan, San Joaquin,
 51 Springfield, and Western New York.

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54 3. Responses to the RCD with Attention to Section Four

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56 We observe that as we approach the third draft of an Anglican Covenant, we are
 57 beginning to address some of the most difficult matters and substance relating to
 58 such a covenant. While the task at hand was to respond specifically to Section IV,
 59 comments on the draft covenant as a whole are so interwoven that separating the
 60 two is difficult.

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62 The majority of deputations and individual deputies that responded are not
 63 convinced that the covenant in its current form will bring about deeper communion.
 64 Several stated that the overall idea of a covenant is “un-Anglican.” One went as far as
 65 to say that the “document incorporates anxiety.” However, another deputy observed
 66 that the covenant is “a presentation of the Christian community as a dynamic
 67 spiritual body in which God-given freedom is inextricably bound up with God-given
 68 accountability.”

69

70 The majority of respondents do not support the fourth section of the draft covenant.
 71 One deputation stated that section 4 is “disturbing” because it creates a system of
 72 governance contrary to our understanding of Anglicanism and establishes a punitive
 73 system executed by a select committee. On the other hand, a deputation felt that the
 74 fourth section is important because a governance section is needed to maintain a
 75 covenant.

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77 Many individuals and some deputations raised questions about internal
 78 contradictions in the draft. Some responses noted the tension between autonomy of
 79 provinces and having some central body in the Anglican Communion that would
 80 ensure compliance with the Anglican Covenant.

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82 In addition to the above broad concerns, the following specific issues were raised:

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- 84 • Several comments expressed concern about the silencing of prophetic voices by
- 85 the proposed necessity of seeking a “shared mind.” There is the sense that this
- 86 shared mind might mean a uniformity in which differences are not tolerated.
- 87 One person commented that a shared mind is “not our goal as Christians. Our

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88 goal is to ‘put on the mind of Christ.’” One deputation felt that there was a
 89 “contradiction between statements affirming diversity and autonomy with those
 90 suggesting that certain ‘controversial actions’ might be deferred with the threat
 91 of ‘relational consequences.’”

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93 • The phrase “relational consequences” raised many questions. Some felt that this
 94 was a euphemism for punishment. One person expressed concern that there is
 95 not sufficient provision for hearings, due process or a listening process before
 96 judgment may be rendered. On the other hand, a deputation felt that this phrase
 97 “remains intentionally ambiguous so as to allow the processes and procedures...
 98 to determine the ‘consequences.’”

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100 • Some responses worried about the increased power abrogated to the Joint
 101 Standing Committee (now understood as the Standing Committee of the
 102 Anglican Communion) that constitutionally has not had such authority. There is
 103 some concern that the new standing committee could become a fifth or a super
 104 Instrument of Communion. If there were to be a body that determined
 105 membership and implementation of a covenant, deputies and deputations felt
 106 that should be exclusively the role of the Anglican Consultative Council. One
 107 deputation expressed its fears about 4.2.2 because the powers were so “ill-
 108 defined as to endanger the very essence of Anglicanism.” Further, some also
 109 wondered who would define “the highest degree of communion” and what this
 110 means.

111

112 • Most responses found that the concept of “church” in 4.1.5 of the RCD was
 113 confusing, specifically: does the word, “church” mean other Anglican bodies that
 114 are not part of the scheduled membership of the ACC or does it refer to
 115 ecumenical partners? As one person wrote, “The use of ‘other churches’ in
 116 Section 4.1.5 is particularly unclear and it also seems to be aimed at a different
 117 purpose than the overall covenant proposal....” This individual suggests creating
 118 a glossary to flesh out this and other “broad brush terms.” Other persons
 119 queried whether “church” means a parish, or an Anglican religious order, or a
 120 competing province in a geographic location can join. If a province in one
 121 geographic area chose not to sign the Covenant, could a new “province” in that
 122 geographic area do so?

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124 • Some deputations and deputies focused on the lack of attention given to the
 125 laity. As noted in our responses to previous drafts of the covenant, the role and
 126 authority of the laity — all the baptized — again is neglected. One deputation
 127 observed that Section 3.1.3 neglects the primacy of baptism.

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- 129 • One deputation suggested that in lieu of using the word, “covenant,” the
130 document should be called a “Declaration of Communion.”

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- 132 • Another deputation wondered what would constitute enactment of the
133 covenant. No draft has specified who is needed or what percentage of the
134 Anglican Communion needs to sign on for the covenant to go into effect. This
135 deputation suggested 3/4 membership to affirm the covenant.

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138 **4. Additional discussions related to RCD**

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140 The Executive Council is aware that reactions to the RCD are not limited to the
141 responses received to the “Six Study Questions” prepared by the Executive Council’s
142 Task Force.

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144 In response to some actions of the 2009 General Convention, 36 active and retired
145 bishops of The Episcopal Church have signed the Anaheim statement, parts of which
146 are germane to The Episcopal Church’s discussions related to the Anglican
147 Communion Covenant process. Specifically the statement says, “We reaffirm our
148 commitment to the Anglican Communion Covenant process currently underway,
149 with the hope of working toward its implementation across the Communion once a
150 Covenant is completed.”

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152 In these many discussions and in the Executive Council’s formal responses to both
153 the Nassau and St. Andrew’s drafts, it is clear that The Episcopal Church takes very
154 seriously its role as a constituent member of the Anglican Communion and is
155 committed to participating in the development processes of the Anglican
156 Communion Covenant.

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159 **5. Next Steps**

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161 The 2009 General Convention of The Episcopal Church reaffirmed The Episcopal
162 Church’s ongoing commitment to participate in the development of an Anglican
163 Communion Covenant. More specifically Resolution 2009-D020 states the
164 following:

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166 *Resolved*, the House of Bishops concurring, That the 76th General Convention
167 of the Episcopal Church commend the Anglican Covenant proposed in the
168 most recent text of the Covenant Design Group (the “Ridley Cambridge
169 Draft”) and any successive drafts to the dioceses for study and comment
170 during the coming triennium; and be it further

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172 *Resolved*, That dioceses report on their study to the Executive Council in
173 keeping with Resolution 2006-A166; and be it further
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175 *Resolved*, That Executive Council prepare a report to the 77th General
176 Convention of the Episcopal Church that includes draft legislation concerning
177 this Church's response to an Anglican Covenant; and be it further
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179 *Resolved*, That dioceses and congregations be invited to consider the Anglican
180 Covenant proposed draft as a document to inform their understanding of and
181 commitment to our common life in the Anglican Communion.
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183 As the highest legislative authority of The Episcopal Church, the General Convention
184 is the body that will ultimately decide The Episcopal Church's position with respect
185 to its participation in an Anglican Communion Covenant. There are some in The
186 Episcopal Church and beyond who want to prejudge The General Convention's
187 decision on the Anglican Communion Covenant. We find such predictions and
188 pronouncements premature and unhelpful.
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190 As directed by Resolution 2009-D020, the Executive Council continues its
191 commitment to facilitating The Episcopal Church's response to the Anglican
192 Communion Covenant. We on the Executive Council entrust this work to the leading
193 of the Holy Spirit and look forward to the next three years as we grow more deeply
194 into our common life in the Anglican Communion.
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