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Covenants and Anglicans: An Uneasy Fit

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ABSTRACT

Although there is a strong movement within Anglicanism to produce a Covenant, this article argues against such an approach. Postponing dealing with today's problems by leaving them for a vaguely worded future document, instead of trying to clarify and resolve them now, and live in peace with one another, is evasive action that solves nothing. Also, some covenant proposals represent a veiled attempt to limit the role of women and homosexuals in the church.

The article's core argument is that covenants were specifically rejected by Anglicans at a time when they swept the Continent in the sixteenth century. The Church of England had specifically rejected the powerful hierarchy of the Roman Catholic Church and the legalism of the Puritans in favor of what was later to become the Anglican via media, with its emphasis on an informal, prayerful unity of diverse participants at home and abroad. It further argues the Church contains sufficient doctrinal statements in the Creeds, Chicago-Lambeth Quadrilateral of 1886, 1888, and the Baptismal Covenant in the American Church's 1979 Book of Common Prayer.

Covenant proponents argue their proposed document follows in the tradition of classic Anglicanism, but Quinn demonstrates this is not the case. He presents Richard Hooker and Jeremy Taylor as major voices articulating a distinctly Anglican perspective on church governance, noting Hooker 'tried to stake out parameters between positions without digging a ditch others could not cross. Hooker placed prudence ahead of doctrinal argument.' Taylor cited the triadic scripture, tradition and reason so central to Anglicanism and added how religious reasoning differs from mathematical and philosophical reasoning. The author notes that the cherished Reformation gift of religious reasoning is totally unmentioned in the flurry of documents calling for a new Anglican Covenant.

KEYWORDS: Covenant, Anglican Communion, Lambeth Quadrilateral, baptism, women, homosexuals

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'Covenant' is a word that has entered the vocabulary of Anglicans in the post-Windsor Report era. With it comes the expectation that somehow the complex and still evolving issues presently working their way through the Communion, can somehow be reduced to a legalistic statement all parties can accept. That is unlikely to be the case.

Covenants and confessional statements have been around since the Continental Reformation, but have had only limited attraction to Anglicans. There is little reason to think they will catch hold now. Part of the problem is the difficulty of reducing to black letter law agreed upon positions on complex topics like the role of Scripture, the locus of ecclesial power, the relationship of autonomous provinces, and such current hot button issues as gender and sexuality. Such issues continue to be in rapid evolution and subject to widely different prayerful conclusions. Restrictive covenants can risk shutting down conversation on evolving issues and producing a document the Ghanaian philosopher Kwame Anthony Appiah described elsewhere as having 'the quality of those horoscopes that seem wonderfully precise while being vague enough to suit all comers'.[1]

Definitions are sought-after but elusive for the word 'covenant', which is subject to multiple meanings. In its most restrictive sense, a covenant can be a legal agreement keeping religious and ethnic minorities out of a housing development. In a broader, emotionally charged historical usage, South Africa's Afrikaner community commemorates the Day of the Covenant each December, with solemn religious services and elaborate reconstructions of their unique view of history. Multiple possibilities for other interpretations in between exist as well.[2] Biblically, covenants represent both restrictive, conditional or unrestrictive relations between Yahweh and the Hebrew people. Later times present the marked contrast between the Torah-based Old Covenant and the New Covenant that extends the love of God to the global Israel of God through Jesus Christ.

Two related, but less often employed terms in addition to covenant are 'confession' and 'catechism'. A confessional church, usually a product of the Reformation tradition, is one based on a creedal statement of core religious beliefs; a catechism represents an instructional treatise drawn from several sources employing a question and answer form for heuristic purposes. Additionally, it is useful to remember that reports, such as the Windsor Report of 2004, communiqués, such as the Tanzania

1. Kwame Anthony Appiah, *Cosmopolitanism* (New York: Norton, 2006), p. 59.

2. Documents of personal or communal devotion can also be referred to as covenants, guideposts for relationships between worshippers and the deity, but are not treated in this discussion.

midnight communiqué of February 2007, and various declarations and statements are just that. Despite their emotionally charged content, none have ongoing canonical or juridical status beyond what was mutually agreed to by the contracting parties, where such existed. Proponents of various positions will seize on key phrases, but definitions are more open than closed as we sort out our common future.

Here it is important to note that Anglicans have never warmed to covenants as a way of resolving religious divisions. The hallmark of historic Anglicanism has always been the via media, that carefully laid out winding path that for centuries has managed to keep us from colliding with extremes, or if colliding, then moving on with minimal damage. Others have spoken of 'the generous orthodoxy of the Prayer Book' as a guideline to Anglican thought. The resulting polity is what Henry Chadwick has called 'a fairly loose federation of kindred spirits, often grateful for mutual fellowship, but with each Province preserving the right to make its own decisions'.[3]

Additionally, the Anglican tradition already has an impressive collection of long established creedal and related statements enumerating fundamental beliefs. These include the carefully worded Apostles and Nicene Creeds, the important Chicago-Lambeth Quadrilateral of 1886, 1888; and, within the American Church, the Baptismal Covenant in the 1979 Book of Common Prayer. Such documents provide church members with basic statements of the Christian faith as it evolved through at least one branch of our tradition. An additional argument against covenants: it is axiomatic in legal drafting that a new binding document is uncalled for unless it improves on already established ones; in the considered judgment of many informed chancellors, laity and clergy who have carefully studied the draft covenant of January 2007, it is a seriously deficient document, as will be detailed below.

The Chicago-Lambeth Quadrilateral: The Episcopate 'Locally Adapted in Its Methods of Administration'

Two existing foundational documents merit particular comment in the present setting. The Chicago-Lambeth Quadrilateral expresses an earnest desire for *unity* that 'may, in its deepest and truest sense, be speedily fulfilled', a sentiment rarely voiced in the disputatious present where the language is often about doctrinal and structural 'unity on my terms'. Second, it clearly affirms that different provinces organize themselves

3. Quoted in Vincent Studwick, 'Towards an Anglican Covenant, Part I', http://www.inclusivechurch.net/article/details.html?id=101

differently. The operative phrase is '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.' Dioceses in America elect bishops in an open process with lay and clerical voting. Nigerian bishops elect other Nigerian bishops. In England, the process is murkier.

Of contemporary topical relevance is an awareness that even during the heyday of late nineteenth-century imperialism the visionary Lambeth supporters of the Chicago-Lambeth Quadrilateral realized that the English (top-down) and American (bottom-up) models of Episcopal appointment/ election could never represent a one-size-fits-all structure of globally acceptable church governance. That certainly was the intention of the document's author, William Reed Huntington (1838–1909), who wrote, 'Only by a wise discrimination between what can and what cannot be conceded for the sake of unity, is unity attainable.' Huntington, long-time rector of Grace Church, New York City, and delegate to thirteen General Conventions of the American Church, recognized the dangers of factionalism, such as exists at the present, and lamented the American Church's insularity, and the failure of the Church in England through its 'Take all this or nothing' attitude that alienated many potential members. Such attitudes, he said, leave the wider Church in a place where individual proponents 'can wrap the robe of our dignity about us, and walk quietly along in a seclusion no one will take much trouble to disturb. Thus may we be a Church in name and a sect in deed.' Huntington sought a more inclusive church:

> But if we aim for something nobler than this, if we would have our Communion become national in very truth, in other words, if we would bring the church of Christ into the closest possible sympathy with the throbbing, sorrowing, sinning, repenting, aspiring heart of this great people, —then let us press our reasonable claims to be the reconciler of a divided household, not in a spirit of arrogance (which ill befits those whose best possessions have come to them by inheritance), but with affectionate earnestness and an intelligent zeal.[4]

The Baptismal Covenant: Respecting 'the Dignity of Every Human Being'

An additional cornerstone document for the modern American church is the Baptismal Covenant, which appears in three places in the American BCP of 1979, the Easter Vigil, pp. 292-293, the baptismal rite, pp. 304-305, and in the confirmation service, pp. 416-417. The centrality of baptism

4. William Reed Huntington, *The Church-Idea, An Essay Toward Unity* (New York: E.P. Dutton, 1870), pp. 155-57, 210-11.

emerged gradually as part of the wider liturgical reform movement of the post World War II period. The Lambeth 1958 Recommendations for Christian Initiation and the work of the Church of England Liturgical Commission contributed significantly to this process, as did the widespread studies of the Associated Parishes liturgical reform movement in the United States, more than a decade of trial usages in parishes, and the writings of scholars like Ruth A. Meyers and Fredrica Thompsett Harris.[5] What has proven controversial in the Baptismal Covenant has been extending the apostolic call to fellowship, repentance, proclamation, and service to include respecting 'the dignity of every human being'. Children, women, minorities, the marginalized, and persons of single-sex orientation are brought with equal dignity and worth within the circle of God's boundless love and the church's protection in such a declaration, resulting in a flash point of protest for some.

The Thirty-Nine Articles and 1662 Prayer Book: Two Museum Pieces

Proponents of the current draft Covenant have attempted to give the Thirty-Nine Articles standing similar to the creeds and other basic formularies of Christian faith, but that represents a serious misreading of history. The Thirty-Nine Articles, reduced from Forty-Two, were tacked together as an unsatisfactory response to disputes facing the mid sixteenth-century English national church, principally sharp differences with Roman Catholics and dissident Protestants. Few modern church leaders who have read the Articles in context would support the required reading of the Book of Homilies (Article 35) in churches, the dated meanings of Justification and Good Works (Article 11 and 12), or wording like that in Article 9, 'so that the flesh lusteth always contrary to the Spirit; and therefore in every person born into this world, it deserveth God's wrath and damnation'. Article 37's mandating capital punishment would also be severely called into question. The 1662 Prayer Book is an equally anachronistic relic that has played almost no role in the subsequent development of national prayer books and its citation as of basic relevance to contemporary Anglican practice is difficult to fathom.[6]

5. Ruth A. Meyers, *Continuing the Reformation: Re-Visioning Baptism in the Episcopal Church* (New York: Church Publishing, 1997); Fredrica Harris Thompsett, *Living with History* (The New Church's Teaching Series; Cambridge, MA: Cowley Publications, 1999), pp. 32-33.

6. The Faculty of the School of Theology at Sewanee, University of the South, Sewanee, TN, *Sewanee Theological Review*, 50.3 (Pentecost 2007), pp. 356-57. The document notes the American Prayer Book of 1789 was derived from the Scottish book of 1637, not the English book of 1662.

'Both documents arose from the midst of deadly inter-Christian conflict', Frank Turner has written, adding:

> Both were designed to exclude people from the English Church and from institutions such as the English Universities dominated by the English Church. The 1662 Book of Common Prayer was part of a larger English restoration brought about by an English Army and further was part of a broader set of legislation that led to the split of English Christendom not only between Roman Catholics and Protestants but also between the Church of England and English Non-conformity. For over a hundred and fifty years both English Protestant Nonconformists and English Roman Catholics labored under civil disabilities related to the Restoration settlement and its aftermath. Moreover, the adoption of the 1662 Prayer book was followed by centuries of debate over the meaning of its liturgy and sacraments.

The Yale historian and specialist in English religious history stated:

> It is remarkable that the drafters of the proposed covenant would appeal to the Thirty-Nine Articles adopted in 1562 as a fundamental element of the Elizabethan religious settlement. It is the most commonplace of truisms about the history of the Church of England that the Thirty-Nine Articles, themselves the product of a political negotiation between bishops and Queen Elizabeth I, sowed discord and confusion. So great was that discord that by 1865 Parliament without significant opposition within the Church of England changed the grounds of subscription. By that point no one knew whether bishops and ordinands meant the same thing when one subscribed to the Articles and the other accepted that subscription. Others in the 1860s believed they could not in good conscience subscribe to parts of the Articles that they understood to be scientifically or historically invalid. Historically subscription to the Thirty-Nine Articles applied to clergy and to students and faculty at Oxford and Cambridge. Subscription by parishioners was not required or assumed. It is unclear in the present document who would actually be expected to subscribe to the Thirty-Nine Articles and in what manner. It is also unclear who would determine how the meaning of the Thirty-Nine Articles is to be ascertained. That issue, of course, sharply divided the Victorian Church of England as well as the English Church during other eras.[7]

Covenants and Anglicans: Mixing Oil and Water

A brief review of the concept of covenants in Reformation era Protestant thought illustrates why they had little lasting attraction to the Church of

7. 'Comments on the Report of the Covenant Design Group', 2 June 2007, to The Office of the General Convention, The Episcopal Church Center, New York, From: Frank M. Turner, John Hay Whitney Professor of History, Director, Beinecke Rare Book and Manuscript Library, Yale University, and parishioner, Trinity Episcopal Church, Torrington, Connecticut.

England.[8] Such a telescoped survey of this troubled period and conclusions drawn from it understandably represent a historical minefield with no easy roadmap. The modern idea of a church covenant originated in Switzerland in the 1530s, moved on a few decades later to a receptive Puritan community in Cambridge, England, then on to Cambridge, Massachusetts, where it briefly but deeply influenced a founding generation of American church and civic leaders.

Heinrich Bullinger (1504–1575), a Swiss Protestant theologian and son of a Roman Catholic priest, introduced the concept of the church covenant into modern Protestant thought. Deeply aware of the continent-wide divisions into which religious Europe had fallen, Bullinger believed covenants represented a way to bring order out of chaos. He described several biblical models, from the highly restrictive to the more general. One of the earliest conditional covenants. Bullinger cited was when God forbade Adam from eating the fruit of the tree in the Garden of Eden (Gen. 2.15-17). A somewhat similar covenant was God giving the Ten Commandments to Moses, providing the basis of the Hebrew nation—as long as the people remained faithful (Exod. 34.27). Even more generous was the free gift of God, unconditionally given to Noah, that God would never flood the world again (Gen. 9.8-17).[9] There were thus one-way covenants (God to humanity) and reciprocal covenants (God and humanity).

For Bullinger the Reformation was nothing less than the restoration of Israel's lost relationship with God, nation by nation. The Old Adam was giving way to the reign of Christ, country by country.[10] The relationship between God and the nations was important to Bullinger; for covenants were supposed to represent the translation of biblical theology in national church settings.

8. There are both narrow and broad covenants. An example of a narrow covenant is a legal agreement, such as one establishing title to a property. Jürgen Moltmann defines broader theological covenants and covenantal theology as 'a theological method which utilizes the biblical theme of the covenant as the key idea for a) the designation of the relationship of God and man, and b) the presentation of the continuity and discontinuity of redemptive history in the Old and New Testaments.' See Peter A. Lillback, 'The Early Reformed Covenant Paradigm: Vermigli in the Context of Bullinger, Luther and Calvin, in Frank A. James III (ed.), *Peter Martyr Vermigli and the European Reformations: Semper Reformada* (Boston: Brill, 2004).

9. Luther, Calvin, and others, weighed in on this issue as well. See James (ed.), *Peter Martyr Vermigli;* and Daniel J. Elazar, *Covenant and Commonwealth, From Christian Separation through the Protestant Reformation: The Covenant Tradition in Politics,* Vol. II (New Brunswick, NJ: Transaction Publishers, 1996).

10. Diarmaid MacCulloch, *The Reformation: A History* (New York: Viking, 2004), pp. 172-74, 378-89, 518-23.

Covenants and Confessions, to England and America

Parenthetically, the twin sisters of covenants were the ponderously worded Protestant church confessional statements that sprung up like mushrooms by the 1560s, giving the awkward name, The Era of Confessionalization, to the period. The lengthy Augsburg Confession (1530) was presented by several Lutheran princes and free states to the Holy Roman Emperor, Charles V, and illustrates these tendencies. In 21 of its 28 articles it both stated Lutheran beliefs and attempted to make common cause with Rome, in others it voiced sharp disagreements with Rome. Pelagians, Anabaptists and Donatists were also roundly condemned.

The Heidelberg Catechism (1563) was an even longer document, composed of 129 questions and answers, divided into 52 sections, which preachers were required to elaborate on each week. The Catechism was commissioned by Frederick the Pious, Elector of the small Palatinate state, and written by two Heidelberg University theologians. It attempted to make a consolidated statement of the Reformed Faith, and several national synods adopted it. For them, church and state were by now mutually reinforcing bodies.

Most such documents served their purpose in the growth of emerging Protestant nation-states. At their most elevated level, these documents provided a basic statement of faith which still endures, but many, in flattering period language, tried to establish relations with the new monarchs while sharply setting out disagreements with Roman Catholics and other religious groups.

Toward a 'Middle Way': The Responses of Richard Hooker and Jeremy Taylor

Covenants and confessional theology represent a path Anglicans rarely followed. The Church of England was already the state church and had adequate documents to prove it. Above all, Anglicans by the mid seventeenth century were developing a distinctive way of handling their differences, as expounded in Richard Hooker's (1554–1600) *Laws of Ecclesiastical Polity* (1593) and in the writings of Jeremy Taylor (1613–67), sometimes called the 'Shakespeare of the Divines' for his vivid prose style.

Hooker sought to defend the Church of England of Elizabeth's time against the vocal opposition of Roman Catholics and Puritans, and to articulate a distinctly Anglican perspective on the newly emerging church, its historic laws, rites, customs and system of governance, realizing that it must do more than exist on its opposition to opposing bodies.

Hooker's great attraction to the modern church and to the Windsor era disputes in particular is less in enumerating specific doctrinal points than in his analytical approach. 'The judicious Hooker' as he has often been called, was calm, sure and obviously a writer for whom prayer and thoughtfulness came before taking pen in hand. His perspective was broad and for him God was gracious and commodious. 'His tone is that of a Christian doctor binding up the wounded faith, urging clemency and caution in place of zeal and vigor,' Richard Faulkner has written. Hooker avoided confrontation, knowing his opponents would come at him with a vengeance. He tried to stake out the parameters between positions without digging a ditch others could not cross. Hooker placed prudence ahead of doctrinal argument. Faulkner observes, 'Reason that serves faith warns the faithful from reasoning that interferes with judicious faithfulness.'[11]

Taylor, no stranger to the religious disputes of his time, wrote: 'Scripture, tradition, councils, and the fathers, are the evidence in a question, but reason is the judge.' But religious reasoning was different than mathematical and philosophical reasoning; for Taylor, religious reasoning resembled 'a box of quicksilver' that 'does not consist in a mathematical point: and the heart of reason, that vital and most sensible part…is an ambulatory essence, and not fixed'.[12]

To revisit Hooker and Taylor and their Puritan opponents is to land upon the Windsor Report controversies in an earlier form. Hooker believed that Puritan ideas of church government and discipline were flat wrong. Taylor believed that God's divine nature was understandable through human reason, on which he placed a high premium. But religious reason was flexible, and could be reconfigured in response to circumstances, as quicksilver could reconfigure its form in different settings yet retain its basic elements. Human beings and the Church could interpret their relationship with God prayerfully and reasonably, there was no need to import the heavy lumber of the continental Reformation's covenants and confessions into England.

William Perkins: Puritan Covenant Theology in England and America

William Perkins (1558–1602), a popular Cambridge theologian was the chief voice for Puritan covenant theology in England. Perkins focused on

11. Robert K. Faulkner, *Richard Hooker and the Politics of a Christian England* (Berkeley: University of California Press, 1981), p. 124.

12. Jeremy Taylor, *A Discourse of the Liberty of Prophesying*, Sect. 5, in *Works* (ed. Heber, Vol. VIII, 97-98), quoted in Frederick Quinn, *To Be a Pilgrim: The Anglican Ethos in History* (New York: Crossroads, 2001), p. 5.

questions of who were the elect, and who were the damned. Covenant theology drew sharp lines between 'ins' and 'outs', the saved and the damned. It was enough to find the elect, saved by grace, and pray for the damned.[13] Understandably such grim theology had little appeal to Anglicans of Non-Puritan persuasion.

Covenants next moved to America in the 1630s, brought there by boat by the large exodus of English Puritans for whom they provided both central, encompassing articles of faith and a model of governmental organization. After all, it was they who had fled England for political-religious reasons, and now could write their own ticket in the vast New England spaces. The self-styled elect of God, they believed Covenants reinforced their unique standing, their place as a 'city built on a hill' (Mt. 5.14) and example to others of virtuous governance.

Predictably, the tightly structured concept was diluted as new waves of settlers arrived, not all of them from England, and many with only a marginal interest in the religious issues that were the passion of an earlier Puritan generation. As the founding generation died off, loyalty to the covenant idea waned, although the Puritan ethos reflected in 'the Protestant ethnic' continued as a major economic and cultural influence in America. By 1662 New England Congregationalists had even invented a 'Half-Way Covenant', allowing qualified church membership to some baptized members. But only those who could prove their repentance and convincingly state their faith were admitted to the Lord's Table, thus producing lively conflict between rival ministers and among various congregations.[14]

Covenants versus God's Unbounded Love: A Central Problem

Proponents of religious covenants of the Reformation era could never solve the central problem today's covenant proponents face as well. Covenants emerged as documents with limited terms, hammered out in response to specific issues in their time. Most of them soon became archaic and dated. The problem was that the essential religious relationship for Christians was God's boundless love, given once to humanity through Christ, and constantly present through the Holy Spirit. The Reformation covenant writers believed the Old Adam had given way to Christ, but became bogged down in deciding who was saved and who was damned, assuming for themselves a self-appointed role as gate-keepers to heaven and hell. It was here that the wheels came off the

13. MacCulloch, *The Reformation*, pp. 379-80.
14. MacCulloch, *The Reformation*, pp. 520-21.

covenant-confession model and it left the tracks. In the current setting, there is the additional issue that some covenant proponents predictably have a not-so-hidden agenda, of limiting full access of the church and its offices to gay and lesbian persons and women.

A global generation of modern Anglicans will have seen, heard, or read Desmond Tutu express this viewpoint with expressions like 'God loves you. Full stop!' and 'God has remarkably low standards'. And in March 2007 a group of more than 80 Anglican women from 34 countries, delegates to the United Nations Commission on the Status of Women (UNCSW) in New York City, heard Dr Jenny Te Paa, a Maori lay woman and dean of Te Rau Kahi Katea, the College of St John the Evangelist, Auckland, New Zealand, state, 'the priority focus for Anglican women always has been the pressing issues of life and death, which are daily facing too many of the women and children of God's world. How can we compare the needless horrific suffering of women and girls being brutally raped when collecting firewood or water with the endless hysteria of male leaders wanting to debate whether gay men have full humanity or not?'[15]

The Nassau Draft Covenant of January 2007: A Seriously Flawed Document

Proponents of the draft covenant of January 2007, in Trollopian language, noted the document emerged from a specific, 'stressful' context, read the place of gays and lesbians in the wider communion. But that matter was nowhere dealt with in the document, or its successor. Drafters spoke of the Australian 'A Covenant for the Anglican Communion', but its central provisions were never adopted. The Australian model was federative and mediatory in nature, the Design Group's 2007 document more hierarchical and centralized. The 2007 model also departed substantially from the 2004 Windsor Report draft covenant by shifting power to the Primates. It is difficult to disagree with the appraisal of the Australian Windsor Report Working Group, meeting in Sydney, on 18 August 2006, and opposing establishing such a centralized jurisdiction. 'We value the concept of mutual self-gift, and recognize the need for clarity and centralized advice-giving, but oppose the manifestation of coercive power.'[16]

15. K. Jeanne Person and Matthew Davies, 'Anglican Women, Pledging Communion with One Another, Seek to Model Reconciliation', *Episcopal News Service*, 8 March 2007.

16. Windsor Report Working Group, SCGS Report No 2006–109, October 2006, p. 3.

A close reading of the Design Group's 2007 document suggests four general comments:

1. Despite the 'everybody wants a Covenant' language introducing the document, supporting citations are largely limited to covenant proponents quoting one another.
2. Articles 1–5 represent a wooden statement of the obvious and neither improve on the theology nor the elevated language of the historic creeds.
3. Article 5 misrepresents the role of four so-called 'Instruments of Communion' (last year's 'Instruments of Unity') and refashions a set of historically loosely organized, collegial consultative bodies, the Lambeth Conference, Primates' Meeting, and Anglican Consultative Council into centralized executive and judicial bodies.
4. In Article 6.5 Primates exchange their miters for judge's wigs. Section 6.6 is the door slamming or exclusionary provision, giving Primates' policy and legal control over the decisions of historically autonomous provinces, replacing the deliberative process that has been the hallmark of historic Anglicanism with a system of doctrinal control that, *mutatis mutandis*, is closer to a Guantanamo Tribunal, than to a deliberative church body in action.

The St Andrew's Draft of February, 2008: An Equally Flawed Document

The second draft covenant was released to the public after a London meeting of the Covenant Design group in early 2008. It was less brittle in tone than its predecessor, but still narrow in its vision, and wooden in language. Its punitive provisions were moved to an Annex that offered several possible routes for exclusion from the Communion for unacceptable behavior. But now it was not the Primates but the Anglican Consultative Council that would be the judges. As with the previous draft, no appeals process, standards of evidence, and other normal judicial procedural provisions were included. It appeared that the drafters, knowing there would be strong objections to the annex, included it anyhow, possibly believing that, if it were defeated, somehow the basic Draft Covenant might still squeak through.

Debate over the covenant remained strong with no end in sight. A slice of various major views on the covenant were stated at a General Theological Seminary conference, New York, during April 2008. Archbishop Drexel W. Gomez, chair of the Design Group, was unyielding, arguing this was a time of great tensions in the Anglican Communion that only a covenant could resolve. What emerged also at this time was a statement from the covenant's inner circle of advocates that it was not a question of whether there should be a covenant, but when the St Andrew's draft would be accepted Communion-wide. The present draft would be moved on to the Anglican Consultative Council for approval in 2009, after which individual provinces of the Anglican Communion are supposed to ratify it with all deliberate speed. This would require turning an informal, collegial consultative body into a quasi judicial one, a question that until now has not been addressed.[17]

A position opposite that of Gomez came from Dr Jenny Plane te Paa, who saw the covenant proposals institutionalizing dominant male power in the Communion while simultaneously installing a formal hierarchical structure. She said current covenant proposals arose from a 'reactionary and increasingly inflammatory ecclesial context' and had difficulty claiming to be either representative or popularly motivated. As an alternative, she proposed 'more open and comprehensively and truly representative gatherings of the finest, wisest, kindest, most visionary and prophetic minds and hearts in the Communion'.

Gregory Cameron, deputy secretary of the Anglican Communion Secretariat, took a centrist position and suggested a covenant is 'not something which is to be built upon fear, the imposition of obligation and restriction, but it is something which acknowledges the reality of what it is to be church'.

My conclusions reflect my perspective as a historian. Covenants served a useful purpose for some Protestant churches in Europe during a brief period of the Continental Reformation, but never found a lasting home in Anglicanism for good and sufficient reason. It is time now to answer the contentious issues we wrestle in a missiological, not a juridical response. This is the opposite of the solution proposed by advocates of covenants and centralized hierarchies; basically what is needed is a more compassionate, informed identification of human and religious needs at local levels and a more adequate, broadly informed and even-voiced response to them by the wider church. This comes not by appeals to hierarchy (which we do not have, in the way Rome does) nor by covenants (which we historically rejected) but in patient, tolerant dialogue, studied deliberation, and an awareness of the tensions between the universal and particular settings in which provinces and parishes find themselves,

17. Quotations on the General Theological Seminary Conference are from Jerry Hames and Daphne Mack, 'Anglican Covenant Conference Draws International Group, Elicits Varied Viewpoints', 15 April 2008. From Episcopal Life Online—News. (http://www.episcopalchurch.org/79901_96471_ENG_Print.html.)

It is hard to weld a covenant onto such an amorphous body as the still evolving Anglican Communion, and current covenant drafts represent a seriously flawed understanding of Anglican history and the resilient polity that has emerged from our earlier struggles.