

Standing Committee – Report 2005

**APPENDIX B**

**THE WINDSOR REPORT**

**Preliminary Response to the Windsor Report**

**Preface**

The Church Of Ireland welcomes the opportunity to comment on the Windsor Report and to contribute to the continuing discussion within the Anglican Communion. We particularly recognize and pay tribute to the contribution this report will make to the shaping of relationships within the Communion and the enhancement of self understanding among its member Churches. We wish to place on record our appreciation of and admiration for the work of the Chairman of the Lambeth Commission, the Primate of All Ireland, without whose wisdom and skill the Report would have been a much impoverished document.

The Lambeth Commission makes it abundantly clear that it was not tasked, and the Windsor Report emphatically does not deal, with the contentious issue of same-gender human relationships. Yet, indisputably, it arises from circumstances of division among and within the Churches of the Anglican Communion caused by precisely that issue. While we continue to wrestle, as a Church and as a Communion, with the biblical and theological dimensions of the issue, one thing needs unambiguously to be said, namely that **the manner and pastoral sensitivity with which any Church responds to the needs of those who discover or declare themselves to be gay will be a significant indicator of its faithfulness in responding to a just and loving God.**

Whilst acknowledging the circumstances that surround the genesis of the Windsor Report, we believe that the Report's true value will come to be discerned in terms of its capacity to change attitudes and ways of relating within the Anglican family in the long term, rather than in its immediate and detailed formulations and recommendations. Indeed, it is already doing so as member Churches of the Communion enter into dialogue with one another, listen to each other's unique perspectives and respond to each other in truth, faithfulness and love.

We have been asked to consider four questions. These questions have not only shaped but also substantially circumscribe our response. The response itself represents only an interim reaction to the Windsor Report from the Church of Ireland.

**Commentary**

**Q1. What in the description of the life of the Communion in Sections A and B can you recognize as consistent, or not, with your understanding of the Anglican Communion?**

Sections A and B are the weightiest parts of the Report. Section A begins an exploration of the theology of unity and communion within the Church of God. Thus it expounds the

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nature of unity and communion among all the baptized. The focus is self-consciously and quite properly biblical and describes the unity and communion to which all within the Church of God are called. Such a level of acceptance contrasts with the actual state of acceptance of one another by Christians and ecclesial bodies throughout the world. The level of acceptance, unity and communion to which in Christ, and in conformity with the Gospel, we aspire is only approached in Anglican experience among the member Churches of the Communion to which we belong. Thus, while the description of communion and of “the life of the [Anglican] Communion” can be recognized as consistent with our “understanding of the Anglican Communion”, that is only to say that “the life of the Communion” we have is consistent with a life of communion we ought to have much more widely.

We strongly believe that the weighty matter of the nature and expression of unity and communion deserves much more extended and careful analysis than either we are able to contribute or even the discussion in the Windsor Report affords. We are concerned that there is occasional imprecision in the application of key terms. From time to time discussions of “unity” merge with references to “communion” and even “**the** Communion”. Furthermore, we should wish to plead that these are fundamentally theological issues, yet from time to time they merge with, or surface as, legal or juridical matters. In certain respects this is unsurprising since the Report will go on to propose canon law solutions as an additional Instrument of Unity, but it can serve to hinder the overall internal theological coherence of Sections A and B which we recognize as key sections of the Report.

When, particularly in Section B, the report turns to an examination of the essentially “organic” development and growth of Anglicanism as a Communion of autonomous provinces, experiencing and attempting to deal with issues that give rise to division and threaten to cause disruption, the Report comes into its own. It describes most effectively the Anglican Communion which, with all its contradictions, frustrations and imperfections, we have come both to know and love. **It will remain the case, however, that until we have a fully developed theology of the nature and interrelatedness of communion and unity in the context of that gift of gracious variety and relational diversity which is a hallmark of the Triune God, any instruments we design will be at very best provisional.**

We turn therefore to Question 2.

### **Q2. In which ways do the proposals in Sections C and D flow appropriately from the description of the Communion’s life in Sections A and B?**

Our reaction to Sections C and D could be summarized thus: The proposals contained in Sections B and C are one way of developing the understandings of Sections A and B, but not the only way.

Unity is undoubtedly a precious gift but it can also become an idol. While it may be true that unity is an aid to mission, it can occasionally become the enemy of truth. What price unity, therefore, and what price truth? Ultimately, the question remains, “**What should**

**be the outcome when, all things considered, an autonomous province determines in conscience upon unilateral action without the sanction of the other provinces of the Communion?”** The answer may be schism. It may, on the other hand, be an acceptance of the painful experience of the necessity of living patiently with difference. Patient and painful living with difference – as all who live in a family know well – may represent a greater good than endless deference to any particular model of unity.

#### **Recommendations on the Instruments of Unity**

Whilst the Report is careful to disavow any enthusiasm for the creation of an “Anglican Curia”, the recommendations in respect of the Instruments of Unity seem to lead directly towards such a development, a process which seems to have been quietly gathering momentum since the appearance of the Virginia Report in 1999. The change of name from Instruments of Unity to Instruments of Communion gives the appearance of a softening of focus, but this may be an illusion. To describe the Archbishop of Canterbury as the “*the* significant focus of unity, mission and teaching” (C.109 p59) is to move towards a Patriarchate with more than an historical Primacy of Honour accorded to one who is freely accepted by other provinces, despite their differences, as Primus inter Pares. Furthermore, whereas, for the rest of the Anglican Communion the manner of appointment of the Primate of All England remains a thing indifferent, it is not a thing indifferent for the rest of the Communion if such a system governs the appointment of one adventurously described in the Report as both the focus of unity and even “the chief pastor of the entire Communion” (B.65 p43).

It may not be inappropriate also to remark that the additional demands made upon a Primate of All England and inherent in the development of the “focus of unity/chief pastor” role would significantly change the nature, role and workload of the incumbent of the See of Canterbury. Has anyone asked the Church of England whether such a development is welcome? Have the conclusions of the Committee chaired by Lord Hurd been considered in constructing the Windsor Report? Has anyone, hitherto, asked the rest of the Communion whether it is prepared to accept the inherently unaccountable and opaque centralism of the proposed development? The role of the host at a Conference to which bishops are invited (Lambeth) and that of the Convener of regular meetings of Primates is radically different from that of one who has “the [absolute] right to call or not to call to those gatherings whomsoever he believes is appropriate...for the well being of the Anglican Communion.”

When to an enhanced role for the Archbishop of Canterbury there is added the structured conciliarity of a “Council of Advice” we sense a further step towards **a curial system wherein collegiality is replaced by conciliarity**. This becomes apparent through the specific reference in paragraph 111 to enhancement of authority. The Report fails to make the crucial distinction between authority and power. What is on offer here is an enhancement of power as well as authority. Ecclesiastical authority, as we in the Church of Ireland have come to understand well and indeed to esteem greatly, is best experienced and exemplified as a moral and a teaching authority rather than one which possesses elements of the coercive.

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We note that the Report envisages an increasingly prominent role for the Primates' Meeting and we express concern that there is a risk that the delicate balance within the Instruments of Unity is in danger of being upset. The Report returns to the proposition that the Primates should become members *ex officio* of the Anglican Consultative Council (ACC). We note that this proposition was specifically rejected in 2002 by the ACC as potentially damaging to the preservation of balance, and unlikely to ensure the opportunity for expressions of diversity of opinion which the ACC has been at pains to protect. Furthermore, the increasing frequency of Primates' Meetings already threatens the balance which the Report is keen to preserve. The media generated frenzy of expectations surrounding Primates' Meetings now tends to heighten, rather than contribute to the resolution of, the problems we face in sustaining unity.

We note the reference in paragraph 114 to the establishment of an Anglican Communion Legal Advisers' Network and the need "to produce a statement of the principles of canon law common to the churches and to examine shared problems and possible solutions." **We are strongly supportive of this recommendation. We note however that such a Network was not envisaged in Resolution 13 of ACC 12 (September 2002) as a short term exercise but as a continuing and creative dialogue. We believe that the Church of Ireland should engage actively and urgently in the work of the Legal Advisers' Network but we urge that the work in hand should not be rushed.** We note that the Primates in October 2003 requested that the Network "bring to completion" this work. Precisely because we recognize that this work is important, we are anxious that it should be thorough and neither artificially curtailed nor seen as being pressed into service to deal with a single crisis.

A major proposal in the report, introduced in Paragraph 117, concerns the construction and application of a proposed Anglican Covenant set out in draft in Appendix Two. We make further reference to this proposal in our response to Q4. However, we offer prefatory observations here.

A Covenant among Anglican provinces will take its place alongside a wide range of other "agreements", "covenants" and "declarations" entered into ecumenically by individual provinces and groups of provinces and marking very diverse levels of doctrinal, theological and ecclesiological agreement or convergence. In Ireland we point to the "Covenant" with the Methodist Church in Ireland (different in scope, content and context from that of the Church of England with the Methodist Church in England,) the Porvoo Agreement, the Fetter Lane Agreement and the Reuilly Accord, among others. In addition, the Church of Ireland has, in a uniquely distinctive way, incorporated a simple but remarkably influential covenant in the Preamble and Declaration Prefixed to the Constitution of the Church of Ireland. In Article III it is declared that *The Church of Ireland will maintain communion with the sister Church of England, and with all other Christian Churches agreeing in the principles of this declaration; and will set forward, so far as in it lieth, quietness, peace and love, among all Christian people.* We argue that the strength of this reference is that it is indicative of an open and not a closed framework for the enablement of our manner of relating. The Declaration, and the principles of relationship to which it points, find their dynamic in a statement of origins and a common

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inheritance that have enabled us to live with subsequent differences, for example over the Episcopal ordination of women. In this respect it is true to some of the characteristics of the biblical concept of “covenant” which is dynamic rather than merely prescriptive or restrictive.

We express a further concern, namely that we anticipate considerable unease about enacting a commitment to a document over which the Church of Ireland has almost no control, may endorse but may not amend, and which is virtually the child of the Primates’ Meeting alone. Our sense of the temper and constitutional nature of the Church of Ireland is that such a document could be signed by the Primate of All Ireland only at the behest and with the express authority of the General Synod of the Church of Ireland after it had been free to debate the document in detail. Even then, like an Order in Council of the Westminster Parliament, it would be subject solely to either affirmative resolution or complete rejection.

Paragraph 119 argues – with almost breathtaking conviction - that the case for the adoption of an Anglican Covenant is overwhelming. It goes on to declare that the Communion cannot again afford “the crippling prospect of repeated worldwide inter-Anglican conflict such as that engendered by the current crisis.” We ask three questions:-

1. “Will a Covenant solve the current crisis?” We answer, “No.”
2. “Will it provide a mechanism for anticipating and helping to avoid future disputes?”  
We answer, “It may, but we should be aware of the risk of exaggerating future differences into crises.” To be specific, it is hard at this stage to anticipate the helpfulness or otherwise of the Covenant in addressing the emerging issue of lay Eucharistic presidency.
3. “What would happen to Provinces that felt, in conscience, unable to adopt or sign the Covenant?” This question we are unable to answer.

We therefore offer three reflections.

First, the Church of Ireland is instinctively cautious and conservative. As a church we are confronted with major issues of diversity which have given and continue to give rise to issues of difference threatening division. We are attempting to develop patterns and approaches which enable us to express difference and to live with difference. We experienced in the internal and internationally recognized furore over the situation at Drumcree intense division within the Church of Ireland. The response of the Church of Ireland was to confront and address its divisions by listening and dialogue rather than by prescription. There was immense internal and external pressure on the Church of Ireland to act prescriptively and punitively. **These pressures were rightly resisted in favour of dialogue and a systemic approach to meet the challenges of sectarianism as a societal malaise. We believe that this approach is appropriate and has something to offer to the Anglican Communion in the matter of dispute resolution and especially in discerning the will of the Spirit of God for His Church.**

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Second, we commend the Anglican model of “liturgy making” as contributing a useful method for the development of other approaches to the definition of a distinctively “Anglican position” in other fields of theological endeavour and especially the field of moral theology. The liturgical model applies attentiveness to developments of diverse patterns of liturgy within differing social and cultural situations. **Such a model of attentiveness has allowed Anglicans in all parts of the world and in a wide variety of linguistic contexts to remain recognizably a “family”, doing what is our most characteristic and fundamental work – that of worship – yet acknowledging social and cultural necessity or appropriateness.** That this has been so has been a tribute to the method and atmosphere of the International Anglican Liturgical Consultation. Something of the spirit of the above reflection is captured in the words of the Primate of All Ireland reflecting on the interplay in Anglicanism between worship and doctrine. In a “Rite and Reason” article, published in the Irish Times, he wrote, “We have traditionally placed a high value on the ordering, the forms and the expression of worship. In this we have expounded doctrine in a more explicit manner than doctrinal statements. Here, in the Church of Ireland, it is the way we worship and pray that shapes our identity.”

Third, the key to developing appropriate dispute resolution procedures lies in the concepts of adiaphora and subsidiarity. **We commend the concept of a “hierarchy of issues”.** It is clear that we need an accepted mechanism for declaring – in very different cultural settings - which matters are of the “esse” of the faith, which of the “bene esse” and which are lower in order of significance to the whole communion. Concerning which matters, **may we not permit, at least for a time, the existence of two mutually attentive integrities within the Communion, both equally loyal to the principles of the Lambeth Quadrilateral?** We remain to be convinced that the Covenant, as proposed, could assist us in handling such sets of circumstances.

We turn briefly to Question 3, noting that much of the foregoing applies both to the specifics of this question and the one that follows.

**Q3. What do you think are the ways in which the recommendations and proposals of the Report would impact upon the life of the Communion if they were implemented?**

Our over-riding concern is that if the recommendations and proposals of the report were to be implemented we should be replacing bonds of affection with the bondage of law. We should also find ourselves replacing the refreshing springs of the common inheritance of a worship tradition with significant restrictiveness. We are fearful that the refreshing, unpredictable and liberating wind of the Spirit may be inhibited with a seemingly inadequate appreciation of the way in which it appears to have influenced Anglicanism through past developments that have now received widespread acceptance. Provincial autonomy ought not to be idolized but it deserves to be cherished: it may be a gift we have to offer to the whole Church of God. As a Communion we should be exploring ways to express and celebrate creative diversity as a vital component of the imperative of mission for the Church of God.

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Finally, we comment on question 4.

**Q4. How would you evaluate the arguments for an Anglican Covenant set out in paragraph 119 of the Report? How far do the elements included in the possible draft for such a covenant in Appendix Two of the Report represent an appropriate development of the existing life of the Anglican Communion?**

We have expressed above a series of reservations in respect of the proposal for an Anglican Covenant. We recognize, however, that such a document may assume much greater significance for other Provinces of the world wide Communion than for the Church of Ireland. We come to these matters with a perspective formed of our own experience on the “Celtic Fringe”.

Our experience of the nature of authority in Anglicanism is that it is **a dispersed and not a centralized authority; that it is a moral and a teaching authority and one that depends as much on personal integrity and stature as upon office, although office does convey authority.** The thrust of the proposed Anglican Covenant, together with proposals for an enhanced role for the Archbishop of Canterbury and the creation of a Council of Advice, would inevitably (and we fear detrimentally) change the nature and structure of authority in Anglicanism and also change the dynamics of our Anglican ways of relating. We find that prospect unappealing. **We are strongly of the opinion that any proposed covenant should be minimalist in specific content and focus upon creative engagement.**

We note that there already exist four Instruments of Unity. These already cohere and communicate with significant difficulty. We remain to be convinced that the addition of a fifth, based more in law than in human contact, would contribute to coherence, transparency and mutual accountability. We seek evidence that the manner and effectiveness of relating among the existing four instruments would be empowered by the creation of a fifth.

We have felt that it is inappropriate, at this point, to comment in detail on each of the 27 Articles contained in the proposed Covenant. We have recommended a minimalist approach and we fear that Articles 10, 25 and 26 in particular create a “court of ultimate (and perhaps even first) resort” analogous to the instruments of discipline developed in other ecclesial bodies but eschewed, so far, in Anglicanism.

### **Postscript**

We make two final points.

First, we recognize that in the issues that currently divide the Communion, the authority and interpretation of Holy Scripture are matters of high importance and sensitivity. We affirm, in the words of Article 1.1 of the Preamble and Declaration that *The Church of Ireland doth, as heretofore, accept and unfeignedly believe all the Canonical Scriptures of the Old and New Testament, as given by inspiration of God, and containing all things necessary to salvation; and doth continue to profess the faith of Christ as professed by*

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*the Primitive Church.* We should regret and we seek to resist any form of words in any covenant which restricts or diminishes the meaning of that declaration. In particular we are wary of the phrase “the rule and standard of faith” to be found in Article 1(3) of the proposed Covenant should that be understood as espousing a judgmental or narrowly literalist interpretation of scripture. We strongly affirm the call to the whole Anglican Communion, contained in Paragraph 61 (p42) of the report, “to re-evaluate the ways in which we have read, heard, studied and digested scripture. We can no longer be content to drop random texts into arguments, imagining that the point is thereby proved, or indeed to sweep away sections of the New Testament as irrelevant to today’s world, imagining that problems are thereby solved. We need mature study, wise and prayerful discussion, and a joint commitment to hearing and obeying God as he speaks in scripture, to discovering more of the Jesus Christ to whom all authority is committed, and to being open to the fresh wind of the Spirit who inspired scripture in the first place.”

Second, we note that much disquiet has been expressed about the apparent equivalence of offence expressed in the Report between the actions of the Episcopal Church of the United States of America in consecrating the Revd Gene Robinson a bishop of the Church of God, the actions of the Anglican Church of Canada and the Diocese of New Westminster and its bishop in the matter of providing a liturgical instrument for the acknowledgment of same-gender partnerships, and the uninvited interventions of certain bishops in dioceses not their own. We share that disquiet. We feel, for example, that the “offence”, and the processes leading to the “offence”, of ECUSA are of a different order from those of the Canadian Church, and both are different again from the offence caused by interventionist bishops. Clearly one’s estimation of the relative gravity of each offence depends to an extent upon the position one occupies in respect of the substantive matters at issue. **While repentance is called for from all parties, our local (Irish) experience does not suggest that calls for humiliation and sack cloth and ashes necessarily lead either to true repentance or reconciliation; quiet dialogue and mutual self-examination just might.**

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