

*Received after the meeting of the Working Party*

## **Anglican Episcopal Church of Brazil**

Almighty God, to whom all hearts are open, all desires known, and from whom no secrets are hid: Cleanse the thoughts of our hearts by the inspiration of your Holy Spirit, that we may perfectly love you, and worthily magnify your holy Name; through Christ our Lord. Amen.

(Collect for Purity, IEAB Book of Common Prayer)

### Foreword

The Anglican Episcopal Church of Brazil (IEAB) received the Ridley-Cambridge draft of the Anglican Covenant for study and reflection after the last meeting of the ACC in Jamaica. The procedure adopted was to convene a Special Commission of the Bishop Primate, formed by bishops, clergy and laypersons for an initial two-day meeting of prayer and reflection.

Besides the Bishop Primate, the Rt Rev Mauricio Andrade, the following people also participated: two Diocesan bishops (the Rt Rev Jubal Pereira Neves and the Rt Rev Sebastião Armando Gameleira), three presbyters (IEAB General Secretary, Rev Francisco de Assis Silva; the President of the House of Clergy, Rev. Luiz Alberto Barbosa; and the Director of the Centre for Anglican Studies, Rev. Carlos Eduardo Calvani) and two laypersons, our representative in the ACC, Dr Joanildo Burity, and Mrs Erica Furukawa.

Our meeting took place peacefully, and included Morning Prayer and Holy Communion. We heard the detailed report from our representative in the ACC and gave full consideration to the study of the Ridley-Cambridge Draft.

After careful analysis, a report was written singling out some of the difficulties raised by the document. This report was sent to all the dioceses with the request that internal groups of study and reflection would be set up and that their results returned to the Commission by 20<sup>th</sup> October for reappraisal.

Not all dioceses managed to conduct the study in time. but on the basis of the contributions received from some dioceses and the exhaustive work done by the Commission members during two days of gathering, we can now offer the following comments on the Ridley-Cambridge Draft.

### 1. The Current Situation in the Anglican Communion

We acknowledge that the Anglican Communion has historically gone through moments of crisis from its inception, and that these crises and tensions form part of the history of Anglicanism since its rupture with the Roman Church. Despite this, it has always managed to maintain throughout its history, the ability to dialogue with mutual respect, to affirm interdependence and to respect provincial boundaries.

We acknowledge that Anglicanism is not a “Church”, but a fellowship of national, autonomous and interdependent churches, united not only through bonds of affection, but also by a classic tradition developed over centuries, centred on worship, the incarnation, and the upholding of each culture’s *ethos* and contextual mission, as well

as having a set of Instruments of Communion in which the various orders are represented, offer their particular contributions, and make decisions within their respective legitimate spheres of action.

We understand that there are situations specific to each country, region or context that must be faced according to criteria appropriate for the national churches, while being open to listening and counselling from other churches in the Communion. Our view is that the Anglican Communion cannot be identified with the Church of England, which is only part of the former.

We note that there has never been a normative statement of faith binding each of the national churches in the Anglican Communion, nor a central source of authority, but a dispersed authority according to the 1930 Lambeth Conference report and the encyclical signed by the bishops attending that Conference, whose Resolution 49 reads:

The Anglican Communion is a fellowship, within the one Holy Catholic and Apostolic Church, of those duly constituted dioceses, provinces or regional Churches in communion with the See of Canterbury, which have the following characteristics in common:

- a. they uphold and propagate the Catholic and Apostolic faith and order as they are generally set forth in the Book of Common Prayer as authorised in their several Churches;
- b. they are particular or national Churches, and, as such, promote within each of their territories a national expression of Christian faith, life and worship; and
- c. they are bound together not by a central legislative and executive authority, but by mutual loyalty sustained through the common counsel of the bishops in conference<sup>1</sup>.

We recognise that the current instruments of unity in the Anglican Communion need to be revised and strengthened in order to fulfil their purpose to keep the various churches interdependent in their understanding of the gospel and mission.

We believe that Communion is a gift of God and that the Anglican Communion is one of the many signs of this gift. Hence we commit ourselves to remain in communion and prayer with the other churches of the Anglican Communion, to share the same gospel, to uphold the principles of the Book of Common Prayer (which, however varied, maintains the same liturgical structure everywhere), to reaffirm our allegiance to the Lambeth Quadrilateral, to express our commitment to the “five marks of mission”, and to uphold our firm resolve to strengthen the already existing instruments of unity.

We acknowledge and value the work of the Ridley-Cambridge drafting committee, as well as recognise their intention to preserve the unity and interdependence of the churches of the Communion. However, we lament the fact that this process has been conducted without broad consultation with missiologists and liturgists, as well as the polemic circumstances, marked by mutual mistrust and judgement, which conferred a judicial character particularly on Section 4 of the Draft, showing little emphasis on spirituality, liturgy and mission, and accentuating traces of institutionalisation that

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1 *The Lambeth Conference. Resolutions Archive from 1930.* Anglican Communion Office, 2005, p. 15. Available at <http://www.lambethconference.org/resolutions/downloads/1930.pdf>. Access 20 Aug 2009.

significantly alter the ecclesiological nature of the Anglican Communion, bringing it closer to the idea of a denominational macro-structure.

## 2. Observations and doubts with regard to the Ridley-Cambridge Draft

### 2.1. On the first three sections

The Anglican Episcopal Church of Brazil expresses its agreement with sections 1 to 3 of the proposed Covenant, in the understanding that these sections merely reaffirm the Baptismal Covenant (Pact) and what has been accumulated throughout the history of Anglicanism since the Lambeth Quadrilateral. The feeling of near consensus expressed by many churches in the Communion about these points, confronts us, at the same time, with a curious question: if such an affirmation is sufficient to identify us, while adding nothing to what has already been extensively shared, what is it that the Communion lacks which cannot be achieved through the existing instruments at its disposal?

### 2.2. On doubts and imprecision in relation to Section 4

2.2.1. We have a theological problem with the term “covenant”. The use of the term as a verb, in the preamble to the document raises theological issues that should merit more careful analysis. In the Scriptures, any initiative towards a “Covenant” or “Alliance” comes from God and not from us, contrary to what the document suggests, when it reads “*we... solemnly covenant together in these following affirmations and commitments*”. This is much closer to a contract in the modern Western political tradition appropriate for the state as a form of a binding political association. In the Scriptures, the term “covenant” or “alliance” is always used with reference to the relationship between God and his people. In the Book of Common Prayer of the Anglican Episcopal Church of Brazil we use the expression “Baptismal Alliance” in the Holy Baptism and Confirmation rites<sup>2</sup>. We understand that the Covenant that binds us to God and to one another is Holy Baptism, and recommend that, in the Preamble to the text of the Covenant, the Baptismal Alliance be affirmed as sufficient to keep us united in mission.

2.2.2. The Commission members in Brazil were struck by the different literary style of Section 4 as compared to the previous ones, with sentences which resemble a legal canonical statute and not a proper mutual theological and missionary commitment. The text of the Covenant therefore assumes a legalistic tone of an instrument to resolve conflict, which goes beyond the existing instruments of communion.

2.2.3. We observe that Section 4 creates absolutely new and strange relational mechanisms. It has never been necessary in the history of Anglicanism to resort to such procedures because we have always tacitly experienced a state of “permanent covenanting”, trusting the Church consensus (*sensus fidelium*) without the need for written agreements. This consensus was understood in the sense of requiring a double focus: to deal with the emergence of new issues and theological and missiological challenges, and for the need not to rush into ultimate decisions before the “time of the Spirit”. That is, in the midst of controversies, consensus takes time to emerge and is

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2 Cf. *Livro de Oração Comum, Igreja Episcopal Anglicana do Brasil*, Rites of Baptism and Confirmation. Likewise, the *Book of Common Prayer* of TEC uses the expression “the Baptismal Covenant” in its rites of Baptism and Confirmation.

the result of patient and merciful listening to God and to one another; it cannot be the expression of a final judgement about the faith or communion with one another, nor can it be a precedent for any change to our practices and beliefs.

2.2.4. We also express our doubt in relation to section 4.1.1, which deals with the formal acceptance of the Covenant. By speaking of “other Churches” that could subscribe to it, the possibility arises for Churches other than the current members of the Communion to be accepted, which raises doubts about the schismatic Anglican churches that have broken communion within existing Provinces, and today gather groups in open theological conflict with the Anglican Communion. It also opens, for lack of clarity, the possibility for other Christian confessions to join the Covenant, which then ceases to be specifically Anglican and becomes ecumenical. Though this last hypothesis is part of a deep Anglican aspiration, it is not a justification for the Covenant, nor does the Covenant seem to us to be an adequate instrument for that purpose. The outcome of this open-endedness would be otherwise: a disfiguration of Anglicanism through the incorporation of practices and traditions alien to its history or through the breaking of the theological, pastoral and spiritual balance that has historically been built within the Anglican Communion.

2.2.5. We understand that Section 4 of the Covenant inevitably leads to the creation of a fifth instrument of unity in the Anglican Communion. One of our dioceses stated that the reading of this Section caused an apprehensive reaction among those participating in the discussion, as they understood that the attribution of power to arbitrate on issues between Churches of the Communion to the Joint Standing Committee of the ACC and the Primates’ Meeting, an affront to the Anglican view of the “bonds of affection”. Another diocese, however, considered it positive in that the creation (*sic*) of this Committee would represent an opportunity for “re-founding the Anglican Communion”.

2.2.6. Besides this innovation, an apprehension also emerged among some dioceses that the Joint Standing Committee may exercise powers of oversight in the internal life of national Churches, by receiving the *munus* to recommend that a Province be temporarily barred from participation in the instruments of unity where it is represented. It thereby wrongly establishes the principle of suspension even before any divergence can be effectively clarified, thus characterising a prejudgement without the right to defence. We note here a great internal contradiction in the document, for it also states that no Church will be subject to any external ecclesiastical jurisdiction. The fact that the composition of the Joint Standing Committee is drawn from the existing instruments of unity does not guarantee that it will act as a merely executive instance of Section 4 provisions. The way in which procedures are laid out will always imply assessment, judgement and decision-making that will give the Committee powers of decision above all the current instances, inevitably resulting in interference in internal matters of provinces, even if the existing legal provision there is being fully complied with. We are particularly concerned about the fact that while none of the instruments of unity possesses decision making or arbitration powers over the provinces, a representation of these may be given such powers, especially considering the asymmetry in the character of representation and forms of appointment of such participants in each of the instruments. The Joint Committee therefore has a normative and legitimate deficiency which Section 4 does not clarify nor duly sorts out.

2.2.7. We are also of the opinion that Section 4 lacks clarity in regard to the form in which controversial matters will be dealt with. For example, can any kind of divergence be addressed to the Joint Standing Committee so as to start off the described process? Should the existing instruments of unity not be the preliminary instances of any process of questioning and clarification of disputes that may eventually be referred to the Committee? Alternatively, should the plenary of the Anglican Consultative Council, the most representative of the instruments of unity, not be the decision arena on any matters in which the breaking of communion or conflicts threatening the Communion, since all the provinces of the Communion are there represented (absolutely and in proportion of their relative size)? A properly amended ACC constitution, so as to reflect such an extraordinary role, would allow for the procedures to be taken by the Joint Standing Committee to have an *ad referendum* nature between the Council meetings, thus giving provinces the juridical safety that decisions would not take place without their direct participation.

2.2.8. The ambivalence or silence found in Section 4 provisions and the process of formal entry into the Covenant also give reason for doubt. For instance, what is the status of those provinces who will not subscribe to the Covenant or who may withdraw from it? In principle, the Churches that violate it will not necessarily lose their Anglican nature, that is, they would be declared in breach of the Covenant, but would not be declared non-Anglican. Nevertheless, in relation to those Churches that choose not to join the Covenant, it is not clear what status they would bear. Would they become second-class provinces within the Communion? What would the membership relation between these Churches and those signatories of the Covenant be? Would there be a possibility of adhering to the first three sections alone as sufficient to solve this potential status imbalance, leaving the adoption of Section 4 a matter of supplementary adherence? What would be the relationship between partner dioceses, in case one of them belongs to a province that has signed the Covenant while the other does not? Or, in the case when one of the two provinces receives a disciplinary sanction from the Joint Standing Committee? In our view, section 4 creates more doubts than certainties. Although one of our dioceses has manifested its support to the Covenant, another one asked for more clarification with reference to the criteria and procedures to be employed by the Joint Standing Committee. Another diocese expressed its concern that a “pact” in a normative sense may not unite us, and may even accentuate our differences, disuniting us further.

### 3. Our pledge

3.1. The fact that we are considering a Covenant to regulate the relationships between the provinces of the Communion points to yet another concern: that the current instruments of unity face a crisis of legitimacy and effectiveness. We believe that the way for the maintenance of the Communion passes through the strengthening of those instruments, rediscovering and reconfiguring their roles. Therefore, the reconstruction of the internal links within the Communion should be the condition prior to the adoption of any covenant, through mutual respect, dialogue, prayer and practical reflection in view of our mission.

3.2. We believe that the Communion needs, instead of a pact (Covenant), a joint commitment through which the missionary nature of the Church is reasserted. The Anglican International Mission Commissions have produced, during the last decades, excellent documents about the nature of the Church and of its Mission (MISAG I and

II, MISSIO and IASCOME). All this material, elaborated over years of work seems to be disregarded in this conjuncture of conflict in the Communion.

3.3. In the current stage of the process, IEAB cannot commit itself to either the immediate adoption or refusal of the proposed Covenant. Thus, the question remains open for the Brazilian province. In addition, while we express in this statement positions formerly manifested with regards to the idea of an Anglican Communion Covenant, we have attempted to stick to what was expressly required for the consideration of IEAB: its assessment of the proposed draft of Section 4, which had not until now been the object of analysis in the province, in view of the date of its original publication. This document represents is our position on the referred section 4 and is not a final judgement on the whole of Ridley-Cambridge Draft, whose content largely reflects our province's position.

3.4. We are convinced, according to the Anglican tradition experienced in Brazil, that any decision on the immediate adoption or rejection of the Covenant would be precipitated. The Anglican Episcopal Church of Brazil has its own canonical procedures. Our process will require referring the matter to the General Synod (2010), the highest provincial instance gathering bishops, clergy and laypeople from all dioceses and missionary districts, recommending the appointment of a special inter-Synod commission that will study the text and monitor the developments regarding the Covenant within the Anglican Communion during the inter-Synod period, and will submit a report to the 2013 Synod, recommending the adoption or not of the Covenant, or a longer process of listening and observation.

3.5. We hope that even if the adoption process of Covenant begins as a result of the present consultation on Section 4 of the Ridley-Cambridge Draft, the provincial canonical procedures will be respected and that the promptness shown by some provinces to adopt it will not be used as an evidence of a supposed unwillingness or indecision of others to do so. This would be good Anglican practice and a sign that the process of formalisation and eventual adherence to the proposed Covenant will not be viewed by an implicit agenda to judge the depth of provincial commitment to the Communion or to the solution of the serious conflicts currently afflicting it.

3.6. We reaffirm, finally, our sincere and unequivocal Anglican identity, inherited from our forebears, and which we intend to pass on to the future generations, by praying the Collect for the Church Unity (IEAB Book of Common Prayer, p. 151): Most holy Father, whose blessed Son before his passion prayed for the disciples that they may be one, as you and he are one; grant that your Church, united in love and obedience to You, may be united in one body by the one and only Spirit, that the world may believe in the one you have sent, your Son Jesus Christ, our Lord, who lives and reigns with you and the Holy Spirit, one God, now and forever. Amen.