

The Windsor Report and the American Evasion of Communion

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Summary

In the following reflection, I want to consider why it is that ECUSA does not have the right or the means to “do whatever it wants” in its local and provincial councils, most especially in General Convention. From a theological perspective, there are a number of avenues by which appropriately to address this question. But here I want to dwell on the character of ECUSA as a Christian “church”, and therefore on the character of the structures that order this church. Many American Episcopalians have, after all, reacted to the appeals, claims, and demands of other world Anglicans – offered in the form of e.g. Lambeth Conference resolutions, Primates’ letters and meetings, Archbishop of Canterbury appeals, ACC resolutions, Commissions, and of course the Windsor Report itself – as if ECUSA’s juridical autonomy reduced these counsels from around the world to interesting “suggestions”, to be taken or left behind as “seems best to us” according to the votes of our convention. I will respond to several versions of this argument for American juridical autonomy, with what I consider to be a both obvious but clearly difficult reality that must fundamentally relativize this sense of autonomy: that is, that ECUSA is a member of the “One, Holy, Apostolic Church”. This reality informs our understanding of “communion”, as the Windsor Report discusses. I will, however, suggest that it must also inform, in a very concrete way, our understanding of what it means to “take counsel” and be “in council”. Here, I will point us to the sometimes overlooked and often misconstrued tradition of “conciliarism” that sits at the foundation of Anglicanism itself, and that surely represents a central aspect of our calling as a church today. And at the heart of this calling is the spiritual act of embracing “what others want”, and letting this become our own.

I. Can ECUSA “do whatever it wants”?

The Windsor Report has elicited a vigorous debate over the proper character of the Episcopal Church’s decision-making. From one perspective, the debate is healthy, because it has created a widening interest among clergy and laity in a fundamental aspect of ecclesiology that, in the past, has been the province of only a few theologians and church bureaucrats (for better and for worse). From another perspective, however, the debate could prove debilitating – contributing to the paralysis of faithful decision-making itself by which our church might move forward with her proclamation and mission. “Time” is a gift God gives the church for her repentance (2 Peter 3:9); if not used, it becomes a stumbling block to her renewal. It is this danger that the Windsor Report itself warns against as imminent, with a weary and pleading tone.

So we must try hard to face and answer rightly this fundamental question, and act accordingly: can ECUSA do whatever it wants, and if not, why not?

Perhaps the question seems ridiculous, in the sense that a negative answer is obvious. But this is surely not the case, based on the claims of many at the moment; and even the negative answer is fraught with implications many of our leaders seem unable to accept.

Let us ask the question in the most extreme of forms: could ECUSA, if it chose, affiliate itself with the structures and teachings of Mormonism?

It would appear that, should the proper process be followed, ECUSA's General Convention could change its Constitution to reflect such a decision. Would it be "legal", in a civil sense? Perhaps. Although even here it is likely that questions would be brought before the civil courts regarding property and fiduciary expectations.

More importantly, there would clearly be enormous theological and moral discomfit aroused among clergy and members by such a change and by such decisions – in the same way as if the Pope declared Mohammed an inspired prophet whose purported revelations should be received as Holy Scripture by the Church. So outrageous would this appear, that a range of internal mechanisms would be put into motion by which to constrain and reverse such decisions. In a real sense, the political structures within which such decisions might be pursued would cease, in a very straightforward way, to be the primary vocabulary of discernment, and other – and we would suppose "deeper" – criteria would come into play. When the putative 17th-century Messiah Sabbati Zvi, after whom it seemed that much of the Jewish world of the time ran, embraced Islam under pain of death, an entire set of pneumatic protocols by which discernment was thought to be achievable in the matter went out the window. Instead, some bedrock understanding of the faith emerged as a non-transgressable constraint, and this even in the face of a few continued Sabbatean followers who, consistent with their previous judgments, assumed the Messiah's conversion was divinely revelatory and authoritative.

It is reasonable to assume that, even in the context of current Episcopalian doctrinal chaos, this kind of "bedrock" constraint would emerge in the case of an ecclesial-political conversion to Mormonism. And just this likelihood raises important questions as to the character of our church's autonomy.

For certainly within our current Constitution, it is clear that ECUSA cannot "do whatever it wants". The Constitution's Preamble – adopted as an "integral part" of the Constitution in 1967 -- refers to a number of identity markers that obviously form some limit of constraint upon the church's actions: "constituent membership" in a world-wide "fellowship" of "Anglican" churches, "communion" with a particular See (Canterbury), and the propagation of the "historic faith and order" "according to the Book of Common Prayer" (the BCP, as authorized by the church, being referred to as the standard of practice for all dioceses, within the Constitution's Articles).

The BCP itself, in its original Preface, speaks of certain constraints on change in terms of not "depart[ing] from the Church of England in any essential point of doctrine, discipline, or worship". In the course of the BCP's prayers and liturgies as well as its Catechism, other constraints are also mentioned – e.g. the primary standard of the Word of God, the

test of Scriptural consonance, and so on. The notorious Righter Trial of the 1990's used the concept of "Core Doctrine" as a constraining criterion (suggesting its form in something like the Apostles' Creed), presumably in analogy with this language of "essentials".

These general observations are commonplace. The arguments arise and have arisen with vengeance over what actually defines these limits. But the fact that there *are* acknowledged limits upon the church's decision-making in and of itself is highly significant in pointing to some undergirding reality about ECUSA itself, a reality which ought to inform the shape of the arguments themselves. Why are there limits? Simply because we are a "Christian" church? Does a commitment to the Creeds define exhaustively or even primarily who we are and the nature of our "communion"? It would seem not, precisely because none of these standards sufficiently determine the distinctions we make about ourselves that in fact order our lives *apart* from various other Christian and creed-accepting churches. But what else is there?

II. Why are there limits?

Perhaps we can ask ourselves first why have constraining limits at all upon our decision-making, however we end up defining them. Why would the embrace of Mormonism contradict "who we are" in such a way that it would forbid the embrace from the start? Why are we not "free" simply to "choose to be different"? From a Christian perspective, there is an obvious answer to this: on the most fundamental level, we are "not our own, but have been bought with a price" by God in Christ's life and death (1 Cor. 6:19f.). This sets out, from the beginning as it were, a basic dynamic of accountability to God in Christ by which legitimate choices on our part are made only within the ambit of God's will and purposes.

On an ecclesial level, this divine ambit is given form in the relationships by which we are ordered in common life as a church or churches. The Windsor Report speaks of this form in its decision-making aspect primarily in terms of the relationship between "autonomy" and "communion", two elements that are "thoroughly compatible, interdependent and directed to the same goal, namely the mission of the Church" (par. 84). These concepts touch upon the heart of the matter, although they have yet to be addressed by critics of the Report in any thorough fashion. It is worth reviewing some of these criticisms on the basis of these primary categories, precisely to see the different ways Americans, in particular, have addressed the question of the nature of ECUSA's inherent constraints.

i. *Pure autonomy*: A common approach among some Episcopalian critics of the Windsor Report has been to deny the fundamental relationship between autonomy and communion altogether for ECUSA, and to lift up the autonomous rights of the American church as primary. Louie Crew, a member of Executive Council and a tireless advocate of gay inclusion within the leadership and conjugal liturgies of the church, has described the Windsor Report's purpose in terms of an "intervention" into the autonomous affairs of the "democratic assembly" that governs ECUSA. Crew uses the term "monstrous" to

characterize this “interference” (and, by implication, the Report itself), because it has “taken sides” against a set of tightly held (if contested) local values on gay inclusion that he believes the General Convention has established and represents. These are values that are evidently not shared around the world among the representatives of most Anglicans, but Crew believes that their external challenge, a challenge levelled against the local church constituted by ECUSA, debases the Report to the level of the grotesque. (Crew’s remarks can be found, among other places, in publicized notes on the internet from November of this year.)

Crew has worked hard and skillfully to be in a position where these kinds of charges can be made on just this basis: if ECUSA is solely governed by General Convention, as Crew would insist; and if General Convention has spoken in favor of specific orders of gay inclusion (this has been Crew’s partial achievement); then we must rebuke those who would “interfere” in ECUSA’s sovereign affairs and thereby taint their moral ignorance with the sin of political oppression, thus transforming the transgression into a blasphemy.

This is mostly rhetoric which, once peeled away, looks like a claim to naked autonomy for ECUSA. But it is a claim, not an argument. And its foundations are obscured when, as Crew does, he in fact posits some inherent constraints upon ECUSA’s mission in terms of Jesus’ Great Commandment – loving God and neighbor. The reasons, however, for such a general standard (over and against any number of other potential general Christian standards) and the means of its application, are hard to give. They clearly do not rule out the Mormon option. Nor do they offer much illumination on the particularities of ECUSA’s separatist ecclesial existence. Whether or not pure autonomy is really something some Episcopalians believe defines their church, I would guess that most who default to this claim do not really accept it themselves. And if not, some other avenue of thinking must be pursued.

The Windsor Report, in any case, affirms some basic elements of autonomy as fundamental to the Church and to Anglican churches in particular. But it places these elements within limits – limits that are, at least in some form, explicitly assumed in ECUSA’s founding documents. If there *are* limits to autonomy, something more must be said than that ECUSA has the right to do what it wants.

ii. *Autonomy of pneumatic council*: Ellen Wondra, a professor of theology at Seabury-Western Seminary, has recently argued, in a way that puts some clothes on naked autonomy, that ECUSA’s legitimately unconstrained decision-making process must rightly be understood within the context of a complex process of pneumatic inspiration. That is, there is a process of discernment that rightly *belongs* to ECUSA without external constraint upon its resources, progress, or outcome; it “rightly” belongs to ECUSA, as to any other church, precisely because such unconstrained decision-making is a divine gift and vehicle for the “new working of the Holy Spirit” as it leads the Church “into all truth”. (See Wondra’s October 18th Inaugural Lecture at Seabury-Western, entitled “The Highest Degree of Communion Possible”.)

Wondra underlines a number of particularly “American” characteristics that set ECUSA apart from other Anglican churches, specifically in the realm of electoral representation, General Convention, and forms of debate and decision-making (e.g. “serious talking” vs. “consensus” as the American mode of “consultation”). Although she does not say so explicitly, there is a hint that ECUSA hereby functions positively in a way that reflects aspects of the U.S. political process: Congress acts, often in conflictual and messy ways; then its actions may or may not find a place in the international community’s acceptance; but this place-finding represents yet another stage in the larger messy process by which truths – in the Church’s case, the truths of the Holy Spirit -- are discerned and received. The point here is that, for this pneumatic/political process to work, ECUSA – like a nation state – must have its sovereign decision-making apparatus left unchecked, in an *a priori* way, from the outside.

One immediate problem with this picture – one suggested by Wondra positively, but without definitive approbation -- is that the “sovereignty” of a church in its decision-making is not congruent with the notion of inherent constraints upon her choices. If there *are* inherent constraints, where do they “come from”? Obviously, the United States’ current place within the judgment of the “community of nations” is precisely what ECUSA (according to her own leaders) does not want itself, as a church, to assume. And a nation is *not*, in any case, an analogy to a church or to a member of the Church; a community is not the same thing as a communion.

Local sovereignty for Wondra is a means of preserving the possibility of dissent, innovation, and thereby the work and leading of the Holy Spirit. But why this presumption? It is a peculiarly American one, of course (“serious talking” not “consensus”) but has no logical (nor, increasingly, any demonstrated historical) basis: why can’t discernment and the Holy Spirit operate corporately on a first order basis? When the Apostles concluded their counsel in the (alas) now infamous gathering at Jerusalem, recounted in Acts 15, the statement was that “it has seemed good to the Holy Spirit and to us” that a certain course of action be followed (15:28). Why is it pneumatically “freer” to move, the smaller the unit of decision-making? This is *not* what “subsidiarity” is about. The Anglican principle of history that “councils can err (Article 21) does not nullify the necessary usefulness of councils nor the necessary existence of “corporate constraint”; it means simply constant testing (according to the Word of God) through recognized means. “Prophecy”, thus and as displayed in the Old Testament, is rightly construed in relationship to a whole; the whole is not construed in relationship to a singular prophetic action. Hence, the Prophets of Israel spoke in relation to a known corporate Covenant with God; the Covenant was not construed in relation to the articulations of an individual prophet.

In light of Anglicanism’s Reformation identity, this American presumption for the pneumatic priority of the individual (or individual unit) stumbles not least on the failure to place the Holy Spirit’s guidance and Scripture into an ultimately intimate relation within the Church in its corporate reality. It is worth noting that Hooker himself argued not only for the domestic usefulness of giving priority to the “definitive” judgments of a corporate council over “private judgment”, but asserted that God’s providence -- the

“eye of His understanding” – would make beneficial use even of “erroneous sentence”, and even in the case of the interpretation of Scripture. In the long run this would be for the upbuilding of the Church, in such a way that individual conscience could, with confidence, submit to such corporate judgments (*Laws*, Preface 3). Hooker’s point, with which Wondra would agree, is that there is an historical “process” through which the Spirit’s guidance emerges; but he would interpret this, not in terms of the conflictual and messy forms of democratic debate (although they are not excluded as one element) so much as in the embrace of the corporate discernment of Scripture’s meaning which itself is moved through time, even in its errors, by the Spirit of God.

Just here, Wondra’s attempt to link women’s ordination and gay inclusion on an “inseparable” footing (in a way similar to certain conservatives), as well as in terms of a political/ecclesial analogy, fails adequately to address this pneumatic character of the Church’s corporate interpretation of Scripture. She is right about the Windsor Report’s simplification of the history of women’s ordination (a history still ongoing); but she is wrong in questioning the actual contrast between this history and the current debate over gay inclusion painted by the Report. For there *is* a contrast between the two, and in it the issue of Scripture’s corporate construal is central. Indeed, Lambeth (affirmed by all three other “instruments of Unity” including the ACC) lifted this issue up and made a quite clear distinction between the two questions just on this basis: on the matter of women’s ordination, Scriptural teaching was viewed as inconclusive (though hardly irrelevant, a distinction which explains much of the conflict), while on the matter of gay inclusion, Scripture’s teaching was viewed as clearly prohibitive. The very communion-rendering character of the present crisis proves this contrast with the past, and explains in part the Windsor Report’s concern to place Scripture at the forefront of its analysis of the practical implications of “communion”.

The fundamental notion of an ongoing and “new work of the Holy Spirit” is itself – whether locally or more widely discerned – open to serious question as an adequate way of describing the ordering of the Church’s life through time. Part of Wondra’s argument for leaving ECUSA and other local churches unconstrained – raised in terms of a question rather than a certainty -- is that this may be the only way pneumatic “innovation” can take place, as if this is what in fact the Holy Spirit does in “guiding” the Church. But “newness” is not, once again, something we can assume *a priori* characterizes the work of the Holy Spirit. Some of the analogies she raises – permitted divorce and remarriage, for instance – are ones she presumes are obvious goods of the Spirit’s leading, when in fact many are reconsidering their justifications, and the corporate process of “reception” that gave rise to their acceptance in the first place. At many periods of the Church’s life, pneumatic inspiration was understood as leading precisely into a discovery of “things past”. And if “progress” and “retrogression” together characterize the Holy Spirit’s leading, there is perhaps a more helpful and inclusive set of categories for describing pneumatic action and its ecclesial discernment altogether.

In any case, ECUSA’s “inherent constraints” are at least partially (and significantly) defined externally: the “essential doctrine, discipline and worship” of the Church of

England, “communion” with Canterbury, etc.. Part of decision making, under such circumstances, demands a discernment and integration of, for instance, the judgments of relevant churches as to the meaning of “accord” and “communion” in such cases. For if an assertion is made by, say, the Church of England that ECUSA is not in accord with an “essential discipline” of her life, what is the meaning of counter-claiming that one is in fact in accord? The definition of a church-dividing issue is one that divides churches. To assert otherwise is like starving to death, while insisting that, nonetheless, this wasting away does not constitute “real” hunger. Autonomy of council, whether naked or clothed, and given inherent constraints that are partially defined externally, is an impossibly fulfilled task, since council in this case always requires council *with others*. And the projection of American democratic debate and decision-making onto any church is clearly incoherent just here: it cannot subsume the elements of external council that *always and inherently* must inform local discernment, however peculiar its forms and methods.

iii. *defined boundaries for autonomous action*: Perhaps it is possible simply to define in advance what might be the appropriate spheres of “autonomous” and “mutual” counsel in decision-making? Robert Hughes, a theology professor at Sewanee, takes this approach with respect to his critique of the Windsor Report. (Cf. Hughes’ public lecture, “Thoughts on the Windsor Report”, given in Nashville on November 13, 2004.) Is it not the case, he argues, that we can know which matters belong to ECUSA’s particular council, and which matters ECUSA must not touch, apart from deciding with others? This would appear a commonsensical hope, and even assumption. After all, the Prayer Book Preface itself distinguishes between those things ECUSA can “change” and those she cannot. Don’t we know the difference?

Hughes enters into this argument by noting the way that the Scriptures are properly seen as being embedded in something larger than the mind of an individual bishop. He thinks the Windsor Report moves too directly from Scriptural authority to the teaching authority of the dispersed episcopacy. In this, he perhaps misses the Report’s overriding location of the bishop’s work within a “collegial” enterprise; but he is surely right in insisting that there *is* a context for Scriptural interpretation and application that goes far beyond what this or that bishop may personally think. In pursuing this point, however, Hughes also wants to parse Scripture’s pertinence to the church’s decision-making in advance, to distinguish, for instance, those elements of Scripture that are “universally valid” in the faith and discipline of the church – and hence that are subject to at least external judgments as to their adequacy – from those that are subject wholly to the autonomous judgments of the local church.

This demands a kind of propositional definition of what is “essential” and what is “non-essential” to the faith, and these are divvied up according to spheres of power: what is “inessential” can be determined and changed locally; what is “essential” cannot. Hughes – along with many others – uses the Quadrilateral as a guide here: the fact that the Quadrilateral describes the Creeds as a “sufficient statement of faith” makes them the only element that is “essential”, and therefore subject, in their referents, to external judgment in cases where a church somehow undermines their authority. Everything else

(including teaching on and standards of “morals”) belongs wholly the sphere of autonomous local definition and discernment. (This is the kind of standard used in the Righter Trial decision, which distinguished between “core doctrine” and “morals”.)

It is important to see what the practical payoff for this kind of boundary-setting is. Apart from Creeds, Hughes has constructed an arena wherein there is no need among churches to reach “consensus” about any matter at all, since all non-creedal disputes are over matters that are, in fact, nonessential. Local autonomy is granted a far-ranging sphere of action, and the Anglican Communion is redefined in a way in which all current conflict is rendered otiose.

This goes counter to a great deal of Anglican tradition, not least Hooker, for whom the demands of understanding Scripture’s pertinence and guidance is given in the course of the Church’s “conciliar” life. Far from raising a protective wall against “conservative” inflations of moral standards, Hughes’ approach buys into a boundary-constructing project that, for all its differences in conclusion, mimics many forms of conservative propositionalism. It certainly limits Scripture’s role in the fullness of the Church’s life, which is precisely something the Windsor Report, with whatever lack of clarity, attempted to counteract.

Curiously, standards of “essence” are never defined in ECUSA’s founding documents – only that there is such a thing. What is the difference between “essential discipline” and “non-essential discipline”? Or “essential worship” and “non-essential worship”? Are “morals” tied in any “essential” way to “discipline”? If nothing is to be established in the Church that is “contrary to the Word of God”, does this include the distinction between “essential” and “non-essential” discipline and worship? It is possible that Hughes believes that the Quadrilateral itself provides the definitions we need for this. But such a use of the Quadrilateral is internally incoherent (not to say historically misapplied as to its stated purpose for the sake of ecumenical discussion). If the Creeds were “sufficient” in terms of defining the “boundaries of essence” exhaustively, there would be no Quadrilateral at all: Creeds do not mention Scripture, Eucharist, or Historical Episcopate, all of which the Quadrilateral makes essential in its “sacred deposit”. But if we accept these other elements as defining “essence”, where do they come from, and what does their origin say about the character of “doctrinal, disciplinary, and liturgical essence” itself?

The reality of “inherent constraint” points, not to a set of articulated boundaries and categorizable propositions – the Trinity, the Incarnation, and a few other things, but no more – but rather to the nature of the Church herself. The Church is inherently constrained because of *who* she is. Who is she? And what is the Episcopal Church in relationship to this?

On this score, we can be reasonably clear: both the Nicene Creed and the Preamble to ECUSA’s Constitution answer the question this way: the Episcopal Church lives “within” the “One, Holy, Catholic, and Apostolic Church”. She is a “member” of a “fellowship” “within” this Church. She is a *part of something larger than herself*.

While this is straightforward, its implications have always demanded struggle to embrace. As early as 1814, the House of Bishops felt it necessary to respond to confusions afoot as to the real nature of the Episcopal Church, and General Convention that year adopted a resolution that affirmed the continuity of the Episcopal Church with the Church of England, the difference lying only in a “civil distinction”. In every other respect, the two “churches” were in fact the “same body”, sharing the same “religious principle, in doctrine, or in worship, or in discipline”, despite their different ecclesial “names”. In other words, one implication of being part of the “One, Holy, Catholic, and Apostolic church”, was that there is a common “body” defined by common “doctrines, discipline, and worship” within which the autonomous actions, now defined “civilly” in terms of particular and geographically distinct and distinctly ordered gatherings, in fact function.

The lack of definition of “essence” within the Prayer Book and elsewhere, therefore, is explained by the fact that the essence is given in a membership within something living and larger – “inclusive” here without meaning “exhaustive”. It is within this that Scripture functions as “ultimate standard and rule”, in the Lambeth Quadrilateral’s formula – that is, as the grammar, vocabulary, and epistemological referencing of the larger Body’s speech and praise of God; it is within this that the eucharist has a necessary meaning beyond an optional ritual, but as the one “body discerned” (1 Cor. 11:29); it is in this that the historical episcopate emerges, orders, and is ordered in accordance with the fullness of the whole, as an articulating witness to the means of common life in Christ.

Autonomy functions not as a separate sphere from this reality, as Hughes seems to define it, as an over-and-against realm of power, as some space that is taken, in a zero-sum game, from the other: autonomy is a local perspective upon the single and integrated action and life of a member within the whole. Autonomy is thus defined, not as an alternative to, but in actual terms of, “interdependence” and “communion” itself, just as the Windsor Report has said.

III. What is the meaning of these limits?

If ECUSA is a part of a whole, how should it function in its partiality?

The Windsor Report spends good deal of time on matters of “subsidiarity” – “the principle that matters should be decided as close to the local level as possible” (par. 38) -- as a practical focus for discussing the matter of autonomy and communion among “parts” of the Church. But the purpose of its discussion is not to define a set of boundaries and spheres of power within which this or that decision is properly made (e.g. “flowers on the altar” are local, the clauses of the Creed are “communion-wide”). The Report’s discussion of who and where decisions are made and what they are about are rather designed to sketch a way that “communion” itself works. And while “communion”, as we know, forms the theological basis for the Report’s entire discussion, the history of “subsidiarity” and its referents derives more particularly from another source, what is

called “conciliar” thought – more recently Roman Catholic, more broadly the pre-Reformation milieu that deeply influenced elements of the English Reformation itself. Conciliar theology derived from the reflections of church people on how decisions are made “in council”, with the goal of explicating more largely how *parts* of the one Body of Christ might live in a whole faithfully and harmoniously.

The mixture of concepts deriving from “communion” with those deriving from “conciliarism” is fraught with some potential misunderstandings. Bishop Mark Dyer, the only Episcopalian on the Commission that produced the Windsor Report, for instance speaks positively of Anglican “conciliarism” as a defining feature of our church’s tradition. But he defines this in terms of “conversation” (cf. how Wondra describes the American version of “consultation” as “serious talk”). This kind of definition is quite foreign to the tradition of conciliarism, and it points to some of the confusions bound up with talking about “communion” in a way that is meant to inform seamlessly the character of the Church’s decision-making. There is a real danger inherent in “communion ecclesiology’s” vaunted reliance on Trinitarian relations that God’s own “inner” character of unobscured and unobstructed mutuality among Father, Son, and Spirit, be misapplied to the human relations of the Church. The ironic outcome to this is, that by attributing divine characteristics to the Church (God as Father, Son, and Holy Spirit can happily “converse” with each other, so why can’t we?), one actually devalues the embodied form they might take on earth. We cannot, in fact, “converse” among ourselves with the oneness that characterizes the Trinitarian persons; we need something better ordered and structured to achieve communication, decision, and action.

In any case, “give and take” has nothing to do with the Trinity as far as its life is presented in the Gospel: the Father “sends” the Son to die in the world; and the Spirit is sent likewise to lead the Son and His members to the Cross in a witness of glorious self-giving. Athanasius’ favorite text was Philippians 2:6-11 – the divine Son taking the “form of the slave” and becoming “obedient” even to “death”. If Communion is to be based on this reality of God’s “inner relations”, it has little to do with “conversation” and “consultation” in any first order sense. “Consent” is the more appropriate word – the one Paul uses himself in Phil. 2:5 (“being of one mind”), and the character of “consent”, while its establishment may be difficult, is one of common subjection that represents God’s life, not so much in its coming-to-be (conflict) as in its accepted form.

Conciliarity, as an expression of how the Church Christ is to function in its parts, was founded on this notion of “consent”, the means by which the Church, at her various “levels” of council, are pulled together into a multi-layered figure of consensual and mutual servanthood within the world.

“Subsidiarity” in this context is not so much a “right” to determine locally as many things as possible, but rather represents the “principle” that “consent” must work its way down to the deepest and widest levels and ranges of the Church’s life, so that all the “parts” can indeed be drawn through a “common mind” into the life of the whole. ECUSA cannot do whatever she wants, not simply because of her Constitution, nor because the Holy Spirit tends to reveal new things to the locally sensitive, nor because there is a template which parses the “essential” from the “inessential”; she cannot do whatever she

wants because she is a part of the One, Holy, Catholic, and Apostolic Church, defined by a “being-in-fellowship” with a range of other members of this Church, that takes the form of a subjected “consensual” life that is cantilevered, as it were, through extended forms of decision-making that adjoin into the “one mind” of the Church. In this sense, Wondra’s relativising claim that the British, unlike the Americans, see “consultation” as “consensus” is not so much the description of a cultural difference as it is an unwitting statement of the conciliar challenge as it faces a self-asserting American church in particular.

Many of the English Reformers were knowledgeable and supportive of the conciliarist understanding of the Church, especially as it sought to elevate the fullness of ecclesial council to the same or to a higher level than the Pope’s authority. Theologians like Thomas Starkey, in Henry VIII’s court, were in fact full-blooded in their conciliarist commitments. But the conciliarist tradition disappeared as a vital Anglican influence in the wake of the mutual isolations of Protestant bodies and Roman Catholicism. Christianity took on its developing nationalist, local and denominational forms, within which the conciliarist vision had little logical force. Hooker himself – who raised the possibility and even need of a General Council in the text alluded to earlier (quoting Beza’s wearied hope that “in some common lawful assembly of churches all these strifes may at once be decided”) -- seemed resigned to such a gathering’s impracticability, and accepted therefore “national” church councils as second best alternatives. Conciliarism received a new interest (apart from its vestigial Gallican incarnations, obliterated in the French Revolution by the original forces of “secularism”) only with the coming of Vatican II (cf. the magnificent early work by Hans Kung), which was forced to confront the expanded realities of Christian life in the world’s multiplying Christian environments. And it was this process that stood – and continues to stand! -- in some parallel relationship to Anglicanism’s need to deal with the growth and multiplication of non-Western churches, something for which the concept of “communion” took on an accelerating reach.

The question arises, then, as to whether the Windsor’ Report’s notion of “communion” is better explicated in terms of the Church’s common “conciliar consent”, at least with respect to its practical ecclesial implications, than in terms of outlining more broadly “how God acts” and “who God is” (questions of the Holy Spirit, of the Trinity, of mutual relation). That does not mean that the concept of “conciliarity” has no profound theological dimension. But that dimension is not simply extrapolated from some image of God prior to its historical ordering of the Church’s life in time.

To be sure, the greatest conciliar theologians -- and the conciliarist tradition is not well known any longer, despite recent work by historians – were certain that the way the Church sought to live in its decision-making was bound up with the very nature of God. But it was bound up, in the sense of having its structures accountable to a way of life congruent with God’s own will and purpose. Even a neo-platonist like the idiosyncratic Nicholas of Cusa in the 15th –century – perhaps the most creative of the conciliarists – understood that the “concordance” of the Trinity’s Three-in-Oneness called the Church, not to some iconically re-presentative Trinitarian life so much as it demanded the careful

commitment to a vocation of consensual mission that did honor to God's character. This it would do through mutual "council", ranging from the local to the "universal" level, through which the great purposes of God would be discerned on the basis of Scripture read and interpreted in common. (See his *The Catholic Concordance*, Books I and II, in a rich English version by Paul Sigmund, and published by Cambridge University Press in 1991.)

For Cusa, there was no strict set of lines defining autonomy and the responsibilities of a larger community: rather the Church as a whole represents an ordering by which common life is fulfilled through the best self-giving of individual members, working together in various geographical arrangements. "Concordant Consent" forms the highest kind of authority, as it is based on the represented levels of local "consent" gathered into "one". This is something, Nicholas says, that heresies can never achieve, for they are almost by definition an embrace of the local as a definitive discernment. (This astute judgment should stand as a warning to all local churches, including ECUSA and her General Convention.) As the Church fulfills its mission in time, its vision necessarily moves from the local – the least authoritative council, if in some instances adequate to the moment – and expands itself to the fullest range of conciliar consent, the General Council. Nicholas' *concordantia*, embodied through the working out of interrelated and upwardly cascading consents, is precisely that gift yearned after more generally in the opening to the common intercessions of the BCP: "Receive these our prayers which we offer unto thy divine Majesty, beseeching thee to inspire continually the Universal Church with the spirit of truth, unity, and concord; and grant that all those who do confess thy holy Name may agree in the truth of thy holy Word, and live in unity and godly love".

The Windsor Report's reiterated "ancient canonical principle that what touches all should be decided by all" (par. 51) represents a deep conciliarist commitment to the notion of "oneness in Christ" as it calls forth mutual self-ordering towards the fullness of the whole (Cusa himself provides a wealth of examples, dating back to e.g. Canon 62 of the Council of Carthage). Levels of locality find their own fulfillment as "members" of the Body in their deliberated movements towards an ever-widening circle of consent, within which autonomous action discovers its means of serving the whole. This is not about the "self plus others", but the "self *given over to* others". Conciliarity applies Paul's Christian "freedom" to become "through love, slaves of one another" (Gal. 5:13) to local churches themselves.

Conciliar consent, in this light, is not simply one action among many that a local church might engage if it so chose or felt it to be useful and possible; it is the ultimate goal of any local church's efforts to live faithfully in its role as a "part" of the One, Holy, Catholic, and Apostolic Church. And its attainment represents the measure of our faithfulness. Thus it makes no sense to consider the present debate and conflict within Anglicanism as a matter of parties – local provincial churches -- with equal standing figuring out a way to press their views, as in a political struggle; and if neither is willing to "compromise", to find a way to give ground or "admit they're wrong", thereby to "bring down the government", and necessitate a break-up. (This judgment has been

made by an increasing number of observers, like A.K.A. Adam at Seabury-Western.) Given our identity as a “church”, the present debate is a matter of recognizing the inherent constraints of our life as Christians as they are embodied in the proper levels of consent, and submitting to them (much as Hooker intimated). A failure to embrace this calling is simply an admission that there is no church at the center of the debate itself. Many historians believe that the disintegration of the Conciliarist “movement” in the 15th-century, a decline of interest that created the vacuum into which at least a significant impetus for the Reformation divisions of the 16th century rushed, derived directly from the inability of its proponents to enact its hopes – a failure, that is, to reach “consensus” and to live its meaning appropriately. In a similar way, the alternatives of ecclesial separation or considered absolutism retain their unfortunate viability for the present.

The complaint by American autonomists that the Lambeth Conference (from which came the 1998 teaching on gay inclusion’s “incompatibility” with Scripture) is not really a “council” because it did not set out, in 1867, to be such a gathering is beside the point: Lambeth’s “representative” character (given our catholic episcopal polity) and its recognition as speaking consensually on behalf of a range of more local provincial voices, grants it a conciliar status *de facto*. This has always been the measure of councils, apart from some kind of papal approbation; and their consensual acceptance by member churches, “in accordance with Scripture”, has marked their decisions as pneumatically authoritative. That the American General Convention acts as if this is not the case only underlines our Convention’s alienation from the larger church and the way we have turned pneumatic discernment on its head.

There is, furthermore, a sadly missed opportunity and calling in ECUSA’s continued insistence on “going it alone”. The conciliarists had a deep and historically significant commitment to proper “representation”, in council through election (cf. Nicholas, Bk. II.13, 19). The purpose of this was not protecting or maintaining “rights”, but rather integrating individuals into the fullness of the Body. As someone like Wondra properly appreciates, the 18th-century American Episcopal Church taught the English about this fundamental element of conciliarity (at a time when their own Convocation was prorogued); it was a great and reviving gift for the whole Church. But now ECUSA must learn her own gift’s meaning as shared with the world. The levels of integration that form the “concord” and “consent” of the Body’s life are now multiplied beyond the dreams of 18th-century Anglicans. Rather than parsimoniously denying ECUSA’s integral ecclesial relationship to other churches in the world – as some American Episcopalians like Crew now insist, in their efforts to protect their own perceived rights from the claims of the larger church -- we should recognize that the conciliar vocation of representative consent, begun in 18th-century America, is the same today, now properly explicated within the life of a global church.

Our very incompleteness and imperfection as a “part” of a dismembered Body, of which the Anglican Communion itself is only (with others in different ways) a pale shadow, underscores the plaintive tenor of this seemingly undesired calling. Many Roman Catholics today actually look to Anglicans as a sign of their own transfigured conciliarism – one with and through the Pope, to be sure, as ARCIC has sought to point

us towards; but only within the synodal dynamics that Vatican II began more fully to unfold, and which seem to many to be unclearly directed at the moment. The failure to honor this call, echoed thus even by our ecumenical friends, would prove a desperate rejection of God's evident will. We would be throwing away a calling to live for the sake of the whole Church, in favor of local and (even locally) highly contested discernments whose consequences are, even now, proving a ruination to the hopes of our creedal prayers: "I believe in One, Holy, Catholic, and Apostolic church". This is surely the only constraint -- and privilege -- from which our decisions might rightly take their form.

Thomas Cranmer's career was framed by a particular hope it is worth recalling. First, Cranmer took up early on Luther's 1518 call for a "free general council" to bring reform to the larger Church. Years later, from the darkness of his last imprisonment he appealed once again, looking backwards at the turmoil that had led him there and forward into the violence awaiting him, for a council "lawfully gathered together in the Holy Ghost, and representing the holy catholic church". (Some details on this can be found in Diarmaid McCullough's biography of Cranmer and in the anthology on the *History of the Ecumenical Movement* by R. Rouse and Stephen Neill.) The Windsor Report is not an "answer" to Cranmer's appeal, so much as it is a recognition of its abiding purposefulness. Even now, in this portion of the Church, why is the *meaning* of this call, with all that it reveals about who we are and what we can and cannot do, still a cause for stumbling and evasion?