In January I <u>raised a number of concerns</u> about the invitation policy for the 2020 Lambeth Conference. This produced an interesting discussion in <u>the comments on Ian Paul's blog</u> where the article appeared, further thoughts on the matter from <u>Stephen Noll</u> and then <u>Ephraim Radner</u> wrote (leading to <u>a response from Robert MacSwain</u> and <u>reply from Radner</u>). There was also a <u>letter from the Chair of GAFCON Primates Council.</u>

The issue hit the headlines again in February following further developments - the election of a same-sex married priest to be Bishop of Maine and the February 15th message from the Secretary General of the Anglican Communion which contains much encouraging and positive news about Lambeth 2020 but also confirmation that all serving bishops are being invited and the revelation that same-sex spouses are not being invited to the Conference:

I need to clarify a misunderstanding that has arisen. Invitations have been sent to every active bishop. That is how it should be — we are recognising that all those consecrated into the office of bishop should be able to attend. But the invitation process has also needed to take account of the Anglican Communion's position on marriage which is that it is the lifelong union of a man and a woman. That is the position as set out in Resolution I.10 of the 1998 Lambeth Conference. Given this, it would be inappropriate for same-sex spouses to be invited to the conference. The Archbishop of Canterbury has had a series of private conversations by phone or by exchanges of letter with the few individuals to whom this applies.

The non-invitation has led to much outrage and controversy not just online (for example, <u>Peter Leonard's application of the Pastoral Advisory Group's recently released Pastoral Principles</u>) but at the Executive Council of TEC (remarks by the <u>House of Deputies President Gay Jennings</u> and a resolution).

I. Election of the new Bishop of Maine

On February 9th, the <u>diocese of Maine</u> within the Episcopal Church, a diocese of "more than 10,000 people in 59 churches and ministries across Maine", <u>elected the Reverend Thomas James Brown</u> as its tenth bishop and "pending consent of a majority of the church's bishops with jurisdiction and the diocesan standing committees, Brown will be ordained and consecrated on June 22" with Presiding Bishop Michael Curry officiating. Thomas Brown "is married to the Rev. Thomas Mousin, who is currently the rector of <u>St. John's Episcopal Church</u> in Charlestown, a neighborhood of Boston". He is the fourth same-sex partnered priest to be elected as a bishop within the Anglican Communion.

a. Same-sex Partnered Bishops: A Short History

Gene Robinson was, famously, the first same-sex partnered priest elected to serve as a bishop in the Anglican Communion. He was elected by the diocese of New Hampshire on June 7th, 2003 and his election was confirmed by General Convention on August 5th (in the House of Bishops the votes were 62 in favour, 43 opposed, and 2 abstaining). This led to the calling of <u>an emergency Primates'</u>
Meeting which warned

If his consecration proceeds, we recognise that we have reached a crucial and critical point in the life of the Anglican Communion and we have had to conclude that the future of the Communion itself will be put in jeopardy. In this case, the ministry of this one bishop will not be recognised by most of the Anglican world, and many provinces are likely to consider themselves to be out of Communion with the Episcopal Church (USA). This will tear the fabric of our Communion at its deepest level, and may lead to further division on this and further issues as provinces have to decide in consequence whether they can remain in

communion with provinces that choose not to break communion with the Episcopal Church (USA).

He was consecrated on November 2nd by then Presiding Bishop Frank Griswold and in 2004 The Lambeth Commission on Communion issued the Windsor Report in response to this development (more details on which below). As set out in detail in my previous article, Archbishop Rowan Williams did not invite Gene Robinson to the 2008 Lambeth Conference. Gene Robinson subsequently married his partner in 2010 and they divorced in 2014 after Robinson had retired as bishop.

On December 4th, 2009 the diocese of Los Angeles elected Mary Glasspool, a priest in a same-sex union, to be a suffragan bishop in the diocese. As a result Archbishop Rowan Williams commented

The election of Mary Glasspool by the Diocese of Los Angeles as suffragan bishop elect raises very serious questions not just for the Episcopal Church and its place in the Anglican Communion, but for the Communion as a whole.

The process of selection however is only part complete. The election has to be confirmed, or could be rejected, by diocesan bishops and diocesan standing committees. That decision will have very important implications.

The bishops of the Communion have collectively acknowledged that a period of gracious restraint in respect of actions which are contrary to the mind of the Communion is necessary if our bonds of mutual affection are to hold.

As this statement noted, there needed to be a confirmation of election and there had been an apparent acceptance of a moratorium on such confirmations by the American bishops in their 2007 New Orleans statement. This said (italics added):

The House of Bishops concurs with Resolution EC011 of the Executive Council. This Resolution commends the Report of the Communion Sub-Group of the Joint Standing Committee of the Anglican Consultative Council and the Primates of the Anglican Communion as an accurate evaluation of Resolution B033 of the 2006 General Convention, calling upon bishops with jurisdiction and Standing Committees "to exercise restraint by not consenting to the consecration of any candidate to the episcopate whose manner of life presents a challenge to the wider church and will lead to further strains on communion."[1] The House acknowledges that non-celibate gay and lesbian persons are included among those to whom B033 pertains.

Mary Glasspool's election was nevertheless confirmed on March 17th, 2010 and <u>she was consecrated</u> by then Presiding Bishop Katharine Jefferts Schori on May 15th. This decision led a significant number of Primates to refuse to attend the <u>January 2011 Primates' Meeting</u> in Dublin when Archbishop Rowan nevertheless invited the Presiding Bishop (see <u>my commentary at the time</u>). Mary Glasspool moved from Los Angeles to become a suffragan bishop in New York diocese in 2015-16 and is now reportedly married to her partner.

On September 17th, 2016, the Diocese of Toronto, in the Anglican Church of Canada, <u>elected Kevin Robertson</u>, a <u>same-sex partnered priest</u>, as one of their bishops. This election was confirmed by the <u>ACC's (less stringent than TEC's) processes of confirmation</u> (although <u>a conservative priest was refused confirmation</u> in May 2017) and he was consecrated on January 7th, 2017. This process caused some tensions and difficulties within the diocese but received comparatively little comment

across the Communion and none from any of the Instruments of Communion. Bishop Robertson married his partner on December 28th, 2018 in the cathedral of the diocese.

The election in Maine is significant for a number of reasons -

- it is the first ever election of a priest in a same-sex marriage to serve as bishop,
- it is the first election in TEC of a same-sex partnered priest since 2009/10 and so the first under Presiding Bishop Michael Curry, and
- it follows the statement of the Primates of the Anglican Communion in January 2016 (their first meeting since Dublin in 2011) that reaffirmed, following the decision of TEC to change its marriage canons:
 - 4. The traditional doctrine of the church in view of the teaching of Scripture, upholds marriage as between a man and a woman in faithful, lifelong union. The majority of those gathered reaffirm this teaching.
 - 5. In keeping with the consistent position of previous Primates' meetings such unilateral actions on a matter of doctrine without Catholic unity is considered by many of us as a departure from the mutual accountability and interdependence implied through being in relationship with each other in the Anglican Communion.
 - 6. Such actions further impair our communion and create a deeper mistrust between us. This results in significant distance between us and places huge strains on the functioning of the Instruments of Communion and the ways in which we express our historic and ongoing relationships.

It has always been maintained within Anglicanism that a bishop is more than simply the local chief pastor. Bishops represent the universal Church to the local and vice versa. This is why individual churches have developed ways of confirming the election of bishops, signifying their acceptability to the wider Church. Without such attention to general acceptability, the episcopate, instead of being in its very existence one of the bonds of unity in the Communion, quickly becomes an occasion and focus of disunity (para 64).

The report repeats this as it considers elections to the episcopate – "Bishops are consecrated into an order of ministry in the worldwide Church of God. They represent the universal to the local, and the local to the universal" (para 124). After noting differences over what impacts acceptability, the Lambeth Commission was clear that by electing and confirming someone in a same-sex union "in the face of the concerns expressed by the wider Communion, the Episcopal Church (USA) has caused deep offence to many faithful Anglican Christians both in its own church and in other parts of the Communion" (para 127) and that "very many people in the Anglican Communion could neither recognise nor receive the ministry as a bishop in the Church of God of a person in an openly acknowledged same gender union" (para 129). Furthermore, "in terms of the wider Communion, and our wider relationships with a number of key ecumenical partners, the consecration has had very prejudicial consequences" (para 130).

The wider ecumenical implications of accepting bishops in same-sex unions is evident from the very important submission to the Lambeth Commission from the IARCCUM sub-commission. This clearly sets out the shared understanding of Anglicans and Roman Catholics in relation to communion and episcopacy and warns of it being under threat. Its observations and questions included:

- ARCIC understands that there is an essential relationship between all of the constitutive
 elements of the Church. They interrelate and belong to a single life of communion. To deny or
 damage one is to weaken the total life of communion of the Church. The New Hampshire
 consecration raises questions about how constitutive elements of communion the unity of
 the episcopate, the authority of Scripture and its interplay with Tradition, and the holding of
 'the same basic moral values' have been honoured, singly and together.
- From the perspective of ARCIC's understanding of the episcopate, we conclude that the collegiality of bishops is seriously affected if the majority of bishops in the Anglican Communion will neither receive nor recognise the ministry of the Bishop of New Hampshire.
- How can a bishop whose ordination made him a cause of controversy (leading others to break communion with him and with those who consecrated him) represent the local community in the councils of the Church? How can he mediate the unity of the universal Church to his diocese when he is at odds with large segments of the universal church, the latter arguing that he has departed from the moral teaching of the apostolic faith?
- Does not this situation damage both the communion of the local church of New Hampshire and the communion of the diocese of New Hampshire with all churches in the Anglican Communion?
- Should the decision to ordain a priest in a committed same sex relationship for the office and work of a bishop be taken in a local or regional church when the matter is considered to touch the moral life of the whole Church?
- The decision of an Anglican diocese and province to consecrate as bishop a priest who is in a same-sex relationship seems to us to call into question the criteria for moral discernment that we have found in the ARCIC agreed statement on moral matters.
- When moral discernment on an issue that matters for communion is undertaken by one part
 of the Anglican Communion independently of the rest of the Communion, and actions are
 taken on the basis of that discernment, are not the same kind of fractures of communion that
 have occurred, and still exist, between Anglicans and Roman Catholics liable to occur within
 the Anglican Communion?
- When such decisions are made by one part of the Anglican Communion with little attentiveness to the ecumenical relationships of their Communion with other churches and Christian bodies, is there not an undermining of the movement towards restoration of full communion to which the churches are committed, and does not there occur by default a serious diminishment of what our relations and our dialogue have already achieved?

The practical proposals of the Lambeth Commission were therefore not simply an attempt to buy time or a temporary political compromise or something which can be considered irrelevant and simply moved on from nearly 15 years later. They were rather a logical – theological and ecclesiological - outworking of an Anglican and catholic and ecumenically agreed understanding of the episcopate.

That is also why the Windsor Report stated (para 133) that

We accept and respect the position taken up by the Archbishop of Canterbury in relation to the current incumbent of the See of New Hampshire. In view of the widespread unacceptability of his ministry in other provinces of the Communion, we urge the proposed Council of Advice to keep the matter of his acceptability under close review. We also urge the Archbishop, unless and until the Council of Advice (or, if the Council should not come into being, the Primates' Meeting) indicate to the contrary, to exercise very considerable caution in inviting or admitting him to the councils of the Communion.

This was the logic which explained why (para 134)

- regret needed to be expressed that the "proper constraints of the bonds of affection were breached in the events surrounding the election and consecration of a bishop for the See of New Hampshire"
- "pending such expression of regret, those who took part as consecrators of Gene Robinson should be invited to consider in all conscience whether they should withdraw themselves from representative functions in the Anglican Communion" and
- "the Episcopal Church (USA) be invited to effect a moratorium on the election and consent to the consecration of any candidate to the episcopate who is living in a same gender union until some new consensus in the Anglican Communion emerges".

That logic was, apparently, accepted by TEC bishops in the New Orleans statement of 2007 quoted above. Although the reception of that statement by the Joint Standing Committee and by the-Primates and ACC was far from clear-cut it led Archbishop Rowan to defend inviting TEC bishops (apart from Gene Robinson) to Lambeth 2008 in his 2007 Advent Letter on the basis that there was a moratorium in place on consecration of same-sex partnered bishops.

There are therefore significant theological and ecclesiological questions relating to Anglicanism's understanding of the episcopacy and the nature and unity of the church which arise with such an election and its acceptance by the Instruments of Communion. If we are to move on from the Windsor vision of episcopacy in Anglicanism then that needs to be made clear and either the theology which underpinned it needs to be reformulated or the consequences drawn from it need to be shown to be flawed and the new approach a better embodiment of our theology of the episcopate.

c. Bishops at Lambeth 2020

It would be possible to argue that the election of Thomas Brown is of little consequence – his province has already changed its doctrine of marriage and is now simply following through the logic of that decision in its criteria for the acceptability of bishops. There are, however, other important factors:

- the unprecedented nature of electing someone who claims to be married to someone of the same sex as bishop
- the fact that as recently as January 2016 the Primates reaffirmed what Windsor had declared that actions rejecting the doctrine of marriage "further impair our communion"
- it would be quite possible (as the TEC bishops apparently accepted in 2007) to hold that respect for the office of bishop within the Communion as a whole meant that restraint would be shown by refusing to consecrate someone "whose manner of life presents a challenge to the wider church and will lead to further strains on communion"
- there are significant theological and ecclesiological questions relating to Anglicanism's understanding of the episcopacy and the nature and unity of the church which arise with such an election.

There can be no question that, assuming consents are given (as appears to be certain), Thomas Brown will in a few months' time become the duly elected Bishop of Maine and so a bishop of The Episcopal Church (USA). The Communion's theology of the episcopate, its outworking of this since The Windsor Report, and the widespread non-reception of recent innovations in relation to marriage makes it much less clear in what sense he is a recognised bishop within the Anglican Communion. In addition, the decision of any bishop to consent to his election must also raise serious questions as to how they themselves understand the nature of episcopal ministry in a Communion and ecumenical context. At present, however, the Archbishop of Canterbury is committed to inviting him, and all those who confirm his election and share in his consecration, to Lambeth 2020 even though his same-sex marriage would make him ineligible for ordination in the Church of England and subject to discipline rather than a candidate for episcopal office.

II. Inviting all bishops to the Lambeth Conference

On February 15th, the Anglican Communion News Service, issued <u>a statement</u> (in English, French, Spanish and Portuguese) by Dr Josiah Idowu-Fearon, Secretary General of the Communion. It confirms the decision I critiqued in my earlier piece – "Invitations have been sent to every active bishop" – and then offers the first public explanation and justification of this: "That is how it should be – we are recognising that all those consecrated into the office of bishop should be able to attend". In the furore over spouses this has received little or no comment and most supporters of same-sex unions have failed to acknowledge or welcome its significance.

The difficulty with this statement is that is offers no rationale for why this is "how it should be". Nor does it recognise that, as I set out in detail, this is not "how it used to be" as it is a reversal of Archbishop Rowan's clear approach. Nor does it acknowledge that it is not how the Lambeth Commission, on which the Secretary General served, understood the role of the Archbishop in relation to invitations to the Lambeth Conference in the Windsor Report. It clearly stated (para 110) that

This Commission is of the opinion that the Archbishop has the right to call or not to call to these gatherings [of the Lambeth Conference and the Primates' Meeting] whomsoever he believes is appropriate, in order to safeguard, and take counsel for, the well-being of the Anglican Communion.

There therefore urgently needs to be clarification as to what change has taken place and why. There would be appear to be a number of options, the main ones being:

Option A – Archbishop Justin has rejected Windsor's judgment and believes that he as Archbishop of Canterbury has no discretion in invitations

Option B – Archbishop Justin accepts he has discretion but has decided not to use it for this Conference.

Option C – Archbishop Justin accepts he has discretion and has used it and, after careful consideration, he believes that it "is appropriate, in order to safeguard, and take counsel for, the well-being of the Anglican Communion" to change the approach of his predecessor and invite "all those consecrated into the office of bishop".

If A or B is the rationale then it would appear that he has decided – despite the fractured nature of the Communion – to let each province determine on its own basis who is a bishop in good standing and to invite them, whatever the consequences for "the well-being of the Anglican Communion".

This would appear to increase the role of provincial autonomy and remove one of the few existing means by which the Instruments might act to order their common life.

This raises the question as to whether there really is a belief that "all those consecrated into the office of bishop [and still serving as bishops] should be able to attend" no matter what they have said and done. It is important to recognise that Gene Robinson was not the only serving bishop not invited in 2008. Then, and possibly now, other bishops – for example those who are a cause of scandal because clearly involved in serious political or financial corruption – maybe should not be invited even if they have not been removed or disciplined by their province. If this franchising out of the invitation decision to each province is the rationale then it would not be impossible for a bishop to be uninvited because they insisted on upholding Communion teaching and discipline in their province and were removed from office as a result, as is currently a possible outcome in the Diocese of Albany within TEC.

It may be that option B has been followed because the Communion is now so conflicted and there are so many possible grounds for non-invitation (intervention in other provinces, support for criminalisation of homosexuality, corruption etc) that the Archbishop feels unable to pass judgment.

If C is the rationale then it is clear that a judgment for the good of the Communion has been made and so, as Rowan Williams did, it would be wise to explain that judgment. This is particularly important since it is diametrically opposed to his decision even though we are now dealing with the doctrine of marriage, there is no doubt as to the determination of most bishops in TEC to have no regard for the Communion's teaching and call for restraint, and a significant number of provinces (notably through GAFCON) have called on him not to invite certain bishops. It may, for example, be that he believes it important, for the well-being of the Communion, to have everyone present across the divisions in order to seek a resolution to them, in which case it is important to clarify this and set out how that is to be attempted.

Related to this is whether it has been judged that there has been a fundamental change in the character and nature of the Lambeth Conference and, inextricably linked to this, of the Anglican Communion. This is quite possible, perhaps even necessary, given all the recent turmoil. But it has never been clearly articulated.

In one of the most famous definitions of the Communion, agreed by the 1930 Lambeth Conference, it was stated that the churches of the Communion 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" (Resolution 49). The language of mutual loyalty recalls the earlier 1920 statement that the Lambeth Conference "stands for the far more spiritual and more Christian principle of loyalty to the fellowship. The churches represented in it are indeed independent, but independent with the Christian freedom which recognises the restraint of truth and love. They are not free to deny the truth. They are not free to ignore the fellowship".

<u>The Virginia Report</u> in 1998 in its discussion of the Lambeth Conference stated that "The Lambeth Conference plays an important role in strengthening the unity of the Anglican Communion by expressing the collegiality of bishops in a clear and concrete way at the international level and in symbolising the relatedness in bonds of spiritual communion of each of the dioceses from which the bishops come" (Para 6.7). The IARCCUM submission to The Windsor Report (para 14), quoting from the Virginia Report, picked up on this in its discussion of agreed understandings of episcopacy and communion and stated:

Each of our Communions cherishes the ministry of episcopacy in apostolic succession as having a decisive role within the succession of communities living in fidelity to the apostolic Tradition. The episcopal ministry, exercised in a personal, collegial and communal way, nurtures the communion of the Church and safeguards the unity between local churches. Collegiality and some form of primacy are exercised in both our Communions at the different levels of the Church's life. At the world level, collegiality for Anglicans is expressed in the meeting of the Lambeth Conference. The Archbishop of Canterbury is the personal focus of unity and communion, having 'in a particular way the care of all the churches which is shared by all the bishops'. His task is 'not to command, but to gather', and within the Anglican Communion, his authority is understood as moral and not juridical. His is 'a primacy of honour'. Only an Archbishop of Canterbury may call bishops to a Lambeth Conference.

This emphasis is found also in The Windsor Report ("From its inception, the Lambeth Conference has proved to be a powerful vehicle for the expression of a concept central to Anglican ecclesiology, the collegiality of the bishops" (para 102)) and explored in even more detail in the recent work of IASCUFO, "Towards a Symphony of Instruments" when it discussed the Lambeth Conference and its conclusion (2.5.1) was that:

There is no substitute for the Lambeth Conference. It has a unique role among the Anglican Instruments of Communion. It embodies the collective pastorate of the bishops. As the corporate gathering of the most representative ministers of the Anglican Communion, it has considerable spiritual, moral, and pastoral authority. It includes within itself the greater part of the other Instruments of Communion, and there is some useful overlapping that points to the communion or harmony of instruments: the Archbishop of Canterbury belongs among his fellow bishops as first among equals, and the primates take their place among the bishops too; the episcopal members of the ACC are also members of the Lambeth Conference. Its public statements should be made more sparingly in future, but they carry weight and should be accorded full respect by all Anglicans and reflected on carefully and prayerfully. The Anglican Communion will continue to need the considered guidance of its bishops acting collegially: the Lambeth Conference has proved its worth over a century and a half as an effective instrument for this purpose.

Given the determination of a number of bishops not to act collegially in relation to Communion teaching on sex and marriage and the fact that a small number of bishops themselves now embody this through being in a same-sex marriage it is hard to see how — if the Lambeth Conference is to fulfil this historic role in relation to collegiality, conciliarity, and communion — it is obviously the case that it is "how it should be...that all those consecrated into the office of bishop should be able to attend". If, however, the conference is being conceived differently (as 2008 was in being an *indaba* and without resolutions) then inviting all could make more sense.

The sense of a diminution of the ecclesial and episcopal significance of the Conference has also been seen by some as evident in the much closer relationship planned between the conference and the spouses' conference. The <u>FAQs on the Conference website</u> state that "For the first time the Lambeth Conference will offer a joint programme to bishops and spouses. It is anticipated that bishops and spouses will be in joint session for the majority of the conference including for the daily Bible expositions, presentations on major issues and regional meetings" and "The joint conference is in recognition of the vital role spouses play across the Anglican Communion and a desire to support them in their ministry". Although it is acknowledged that "there will be a number of occasions when bishops and spouses will meet separately" concern has been expressed by some bishops – and some bishops' spouses – that this more integrated approach fails to recognise the distinctive significance

of the office of bishop and the historic and important ecclesial role of the Conference as an episcopal gathering and thus Instrument of Communion. There have also been concerns that the joint conference diminishes the visibility and significance of the growing number of bishops who are women.

This change has also increased concerns about the second element in the Secretary General's statement.

III. Not inviting all legal spouses to the Conference

One reason for the statement from the Secretary General was that the GAFCON letter of 7th February, in drawing attention to Bishop Robertson's marriage, claimed that "For the first time assistant bishops and their spouses will be invited, so we can expect that Bishop Robertson and his partner will be attending and received in good standing". This was historically wrong in that assistant bishops' spouses have attended in the past and also wrong about the plans for this Conference, although that had not previously been made clear. The policy has now been stated – "it would be inappropriate for same-sex spouses to be invited to the conference" – and has already led to significant protest from supporters of same-sex unions in the Communion and the wife of the Bishop of Liverpool deciding not to attend.

In one sense there is a logic here – the spouses invited are those who are spouses according to Communion teaching. Same-sex spouses are therefore not invited (as presumably civil partners would not be). There are, however, a number of significant paradoxes or contradictions that arise from combining this position and the stated defence of it with the policy for inviting bishops (as I sketched in a brief discussion of this as option C in my earlier article).

Firstly, the Archbishop of Canterbury is refusing to be selective and exercise his judgment in relation to the more important participants in terms of ecclesiology – bishops of the church – and where there is precedent for non-invitation. He is, however, being selective and exercising his judgment in relation to the less important participants in terms of ecclesiology – spouses – where there is not an obvious precedent for non-invitation. In relation to bishops he appears to be willing to leave decisions to each province, despite having a responsibility to safeguard the well-being of the Communion, but in relation to spouses he is willing to over-ride the judgment of the province and apply Communion teaching and discipline.

Secondly, the reason that is offered for this different policy for spouses is given as "the position as set out in Resolution I.10 of the 1998 Lambeth Conference" which makes it "inappropriate for same-sex spouses to be invited to the conference" because it sets out "the Anglican Communion's position on marriage which is that it is the lifelong union of a man and a woman". So here the resolution's position on marriage is appealed to not in order to apply it to those bishops who are of course legally same-sex spouses but only to their spouses. The logic of this is that were Thomas Brown's same-sex clergy spouse to be elected a bishop in TEC before Lambeth 2020 he would thereby become eligible to attend the Conference as a bishop whereas at present he is ineligible to attend the "joint conference" as a spouse because he will be offering support to the new Bishop of Maine as a priest rather than a bishop. It is unlikely that any of the bishops gathered and voting on resolution I.10 in 1998 thought their vote would be used to support this policy for a future Lambeth Conference.

Thirdly, appealing to the doctrine of marriage to justify non-invitation of spouses makes clear that the Archbishop is willing to invite bishops whom he accepts are, in his eyes and according to Communion teaching, living in a non-marital union. He is thereby welcoming as a bishop of the

Communion, to sit in its counsels, someone who, by his decision in relation to spouses, he has declared to be living a life that bears false witness about the nature of marriage. Within the Church of England he and the House of Bishops are clear that the teaching about marriage appealed to means that those who are in a same sex marriage are by that very fact not "to be ordained to any of the three orders of ministry" and that "it would not be appropriate conduct for someone in holy orders to enter into a same sex marriage, given the need for clergy to model the Church's teaching in their lives". It is not clear why he thinks that teaching does not have analogous consequences when it comes to recognising bishops within the Communion.

Fourthly, the appeal to Lambeth I.10 as the ground for this pays no regard for that resolution as a whole or the way in which it has been received and implemented by the Communion as a whole for the last 15 years through the Windsor process. Even taking the single clause of the resolution explicitly referred to, the second part of that is clear "that abstinence is right for those who are not called to marriage". This leads to the policy of the Church of England, just reaffirmed in an answer to Synod, that "The House of Bishops' position remains that clergy should abstain from any sexual activity outside marriage, marriage being 'in its nature a union permanent and lifelong, for better for worse, till death them do part, of one man with one woman' (Canon B 30)". As a result, assurances are sought from CofE clergy who are in same-sex unions that they are living in accordance with this teaching but once again it would appear that no such assurances are being sought from Communion bishops in relation to the same standard of teaching within the Communion. Furthermore, the rest of the resolution is clear that the Conference "cannot advise the legitimising or blessing of same sex unions nor ordaining those involved in same gender unions" and yet, for the first time, the Archbishop of Canterbury is inviting bishops involved in such unions and bishops who have clearly rejected this position. This clause was the basis for the moratoria developed in the Windsor Report and the decisions made by Archbishop Rowan in relation to the last Lambeth Conference. It is not clear why one part of the resolution can now be appealed to in order to defend a policy in relation to inviting spouses while other parts of the same resolution, and the Communion's clear and repeated application of them, can be ignored in relation to inviting bishops.

Fifthly, there are questions as to why spouses are invited (or not invited). The reason given for the novelty of a "joint conference" is that this "is in recognition of the vital role spouses play across the Anglican Communion and a desire to support them in their ministry. The intention is for every spouse to develop their ministry through their participation in the conference. There is recognition that fellowship will be a key aspect for spouses". It is hard to believe that the ministry of same-sex spouses (particularly those who are committed Christians) is significantly different from that of opposite-sex spouses (who may or may not be Christians) or that their role is less "vital" in the ministry of the bishop. As a result there is an understandable sense of injustice and grievance that they should be excluded when the ministry of their same-sex spouse is being treated as no different from that of the other bishops. An alternative rationale is that there is more than a functional understanding of being a spouse. In other words, their invitation (rather than the invitation of a "significant other" who is the main support in episcopal ministry and could be a spouse or a friend or spiritual director or mentor or same-sex partner) is a sign of the significance of marriage within Anglicanism in which case the seriousness of fundamental disagreements over marriage is evident.

Sixthly, the apparent inconsistency and incoherence arises because the Communion's doctrine of marriage is being seen as only of relevance in relation to identifying spouses and to have no bearing on the invitations to bishops. It is unclear what the logic for this difference is. One option is that, despite the theology set out earlier, provincial autonomy and difference is respected and inviolable in relation to election of, and so invitations to, bishops. In contrast, in relation to definitions of

marriage and so recognition of spouses, Communion teaching is determinative. Another option is that it is held that the Communion's doctrine of marriage has no relevance in determining which bishops should be invited as episcopal teaching and practice in relation to marriage is not a consideration in the Communion's understanding of the calling of a bishop.

It might, of course, be that the decision was simply a pragmatic and political one rather than one based on principle. There is evidence of this in the reported comments of Archbishop Justin to Kevin Robertson a few days before the election in Maine —

"He said to me there are only two of you in the communion in this situation, you and Mary, and he said if I invite your spouses to the Lambeth Conference, there won't be a Lambeth Conference," Robertson said.

It is, however, hard to see how it would be welcome to anyone in the Communion. As is already clear, those who would be expected to welcome the change to be more "inclusive" in relation to invitations to bishops have paid little attention to this and are now horrified that there is still discrimination built into the system. There are unlikely to be many who, concerned about the inclusion of same-sex married bishops are now reassured that the Lambeth Conference has maintained its integrity and faithfulness to Communion teaching by selectively applying part of I.10 to their spouses. Instead, many who support Communion teaching have also been very critical with GAFCON's Stephen Noll writing of the hypocrisy of the policy.

Some have even wondered about a more Machiavellian approach – that this policy would lead the same-sex married bishops (and perhaps many of their supporters) to refuse to attend in solidarity with their excluded spouses and so make attendance more likely from conservative provinces! The problem with this is not only with such a form of politics or that this is unlikely to be the outcome but that the policy itself is inherently damaging in its lack of consistency.

As I noted in considering this option in January, this policy of inviting all bishops but no same-sex spouses "would also need to be justified and risks producing the worst of all possible worlds". The justification now offered — although better than that offered for the invitation of all bishops and having a certain logic in its own right — faces major problems and it is indeed in danger, due to its weaknesses, of creating the worst of all possible worlds in terms of reactions across the spectrum of views within the Communion. There is now a real danger of it further weakening the standing of the Archbishop and the Conference as Instruments of Communion.

IV. Conclusion: Exploring and Explaining the Inevitability of Visible Differentiation

Unless the current policy is reversed and all legal spouses invited, the Lambeth Conference will involve visible differentiation of some form. At present this only applies to same-sex spouses and the rationale for it remains unclear and with little support across the spectrum of views on sexuality. It would appear, though, that some further visible differentiation is likely given the "consequences" agreed by the Primates in 2016.

It has <u>recently been confirmed</u> that there will be a Primates' Meeting in January 2020 and that the Archbishop of Canterbury wants

the Primates to discuss the 2020 Lambeth Conference; and also the work of the Archbishop's Task Group, which was established following the 2016 Primates' Meeting to

explore ways to restore relationships, rebuild mutual trust and responsibility, heal the legacy of hurt and explore deeper relationships within the Anglican Communion.

It is therefore clear that work is underway in relation to the "consequences" agreed by the Primates in 2016. The relevant parts of <u>the 2016 statement</u> read

7. It is our unanimous desire to walk together. However given the seriousness of these matters we formally acknowledge this distance by requiring that for a period of three years The Episcopal Church no longer represent us on ecumenical and interfaith bodies, should not be appointed or elected to an internal standing committee and that while participating in the internal bodies of the Anglican Communion, they will not take part in decision making on any issues pertaining to doctrine or polity.

8. We have asked the Archbishop of Canterbury to appoint a Task Group to maintain conversation among ourselves with the intention of restoration of relationship, the rebuilding of mutual trust, healing the legacy of hurt, recognising the extent of our commonality and exploring our deep differences, ensuring they are held between us in the love and grace of Christ.

This makes clear that The Episcopal Church "will not take part in decision making on any issues pertaining to doctrine or polity" and in October 2017 the Primates said the same would apply to the Scottish Episcopal Church "after its decision on same sex marriage". It is therefore clear that at least some bishops at Lambeth will be excluded from some decision-making and it is hard to see how, especially once the recent election in Maine is confirmed, TEC bishops will be able to be fully included in decision-making either. It is also possible that the January 2020 Primates will have to apply the same consequences to the Anglican Church of Canada after its General Synod this year if it approves a change to its marriage canon similar to that already made in TEC and SEC.

In other words, having apparently included all bishops in the Conference but then excluded same-sex spouses, it is possible that the Archbishop of Canterbury is at some point going to have to exclude bishops from provinces supporting same-sex marriage from certain parts of the Conference where there is "decision making on any issues pertaining to doctrine or polity". There would appear to be two possible ways to avoid doing this.

First, as in 2008, there may be a Conference which does not formally make any decisions. Although this has not been clearly and publicly ruled out it seems unlikely. It is reported that one argument being used by the Archbishop to persuade people to attend is that unless they do attend they will not be able to influence decisions — "If you don't turn up to the crease you can't score any runs". This variant on "les absents ont toujours tort" or Woody Allen's "eighty percent of success is showing up" only makes sense if there are decisions going to be made, runs to be scored. There is also the real risk that, if no decisions are to be made, more people will think carefully about whether it is worth attending.

There is, however, potential here for ambiguity and classic Anglican fudge. The IASCUFO report on the Instruments had some interesting comments (section 2.4) on "the future shape of the Lambeth Conference":

Most Lambeth Conferences have seen it as their business to pass numerous resolutions, but it has to be said that these have varied considerably in their importance. It is probable that the law of diminishing returns applies to Conference resolutions. The Conference might be well advised to exercise restraint—a self-denying ordinance—in generating resolutions, so

that when it has something rather major to say, the message comes across loud and clear, and is not drowned in a sea of words. At the least, the resolutions could be layered in importance, as the Windsor Report suggested, so that the crucial ones stand out. Even better, the Conference might decide that resolutions were not the most appropriate vehicle for what they wanted to say and that 'affirmations' or a pastoral letter (as attempted by Lambeth 1988) might be more helpful.

We might imagine that, at times when tensions were running high in the Communion, it would not be possible for the Lambeth Conference to make any public statement at all. That does not mean that it should not meet. The Lambeth Conference held in 2008 was designed to be without resolutions: it needed to fulfil a different function on that occasion. It is likely that strong tensions will persist in the Communion and in the episcopate for the foreseeable future, but that need not mean that meetings of the Lambeth Conference to come can have nothing to say. It should be possible for them to identify areas on which they can agree and thus to make certain affirmations to the Church and the world on those topics, bracketing out areas of violent disagreement and so avoiding an unseemly and destructive split.

It is, therefore, possible that the Conference being planned will not involve "decision making on any issues pertaining to doctrine or polity" in any clear sense even if it does produce something from the Conference as a whole. This would avoid the need for any differentiation within the Conference proceedings but also both weakens the Conference as an Instrument and makes it less worthwhile for those wishing decisive outcomes (Ephraim Radner has offered suggestions as to what these might comprise) to attend.

Second, there may be proposals to the January 2020 Primates not to renew such consequences for TEC and perhaps even bring them to a premature close for SEC. This would enable all bishops to participate fully in all aspects of the Conference, including any decision-making. While this cannot be ruled out, it would represent a major reversal of the decision in 2016, further alienate large parts of the Communion, and further erode trust in the Archbishop and the Instruments. It would represent a further, even more radical break, with the way in which the Communion has sought to navigate its differences and respond to those who reject interdependence and assert their right to act autonomously.

Unless one of these paths is followed, there is going to need to be some visible differentiation made among the bishops invited in relation to their actual involvement in the proceedings and decision-making of the Conference. In my January article I argued that this represents the best way forward and that it is consistent with the theology of communion that has been developed and articulated over recent decades and has wider ecumenical support. I explored what this might look like in an article for Covenant back in October 2017 and a deeper theological rationale for it has been articulated in The way of Anglican communion: Walking together before God.

Such an approach, however, needs to be carefully thought through and the sooner this happens and it is presented publicly the better. Further delay in making this clear runs the risk of the Communion being stuck in the worst of all possible worlds. On the one hand, it may be seen as "too little, too late" by those currently unhappy with how invitations have been handled and considering non-attendance. On the other hand, it will cause even more outrage from those who are already upset at what they see as the rejection of "radical Christian inclusion" through "discrimination" being applied to spouses.

The work by Global South and GAFCON on "enhanced ecclesial responsibility" in order "to strengthen our doctrinal teaching, our ecclesiastical ordering of our collective life as a global fellowship and the flourishing of our gifts in the one another-ness of our mission" and that of the Task Group reporting to the Primates in January 2020 may be means of building some sort of consensus but leaving consideration of this until just six months before the Conference is a high-risk strategy.

Given the tensions and divisions within the Communion and the importance of the Conference within the Communion's life, it is important to understand the thinking of the Archbishop of Canterbury as he gives shape to the conference and responds to developments in the Communion.

Whether one agreed with him or not, Rowan Williams frequently articulated his vision. This vision, supported by Anglican and ecumenical theology concerning episcopacy, communion, common counsel, the relation of autonomy and interdependence etc, shaped his decisions. All of these areas are now once again in play and under question and so serious theological work is needed. It seems clear from his decisions that Archbishop Justin is no longer following his predecessor's vision. It is, though, as yet unclear why that is, what the alternative vision is, or what is its underlying theological and ecclesiological rationale.

There have been two other main visions for Anglicanism on offer in recent years as alternatives to the communion ecclesiology found in past Lambeth resolutions, The Virginia Report, The Windsor Report, The Anglican Covenant, and ecumenical agreements: a GAFCON-style confessionalism and a TEC-style stress on acceptance of provincial autonomy and consequently looser bonds of interprovincial communion and weaker commitments to interdependence. Archbishop Justin appears to be moving towards the latter, although not explicitly or consistently. Unless and until his intentions and rationale become clearer there are real risks that his decisions, the lack of justification offered for them, and the range of responses seeking to understand and react to them will mean that "there won't be a Lambeth Conference" as an Instrument of Communion in recognisable continuity with the past. Such a tragic outcome in turn increases the risk that "there won't be an Anglican Communion" functioning in recognisable continuity with the past in terms of both its historic ties to Canterbury and a vision of what it means to be Anglicans as part of the one, holy, catholic and apostolic church.