

**An Overview of the work of the Governance Task Force on the
Constitution and Canons for the Anglican Church in North America**

By Members of the Governance Task Force

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The work of the Governance Task Force (GTF) began last October and concluded in April when the Common Cause Council, meeting in Texas, adopted the final version of the Constitution and Canons which are being submitted to the Assembly for adoption.

The GTF is quick to admit that its work is not perfect. Undoubtedly some of the provisions when adopted in June will, in time, be changed as the Province gains experience in its common life.

The Constitution and Canons bring together the past experiences of its many separate constituent jurisdictions, our earlier disappointments and our hopes for a vital and effective future together. Compromises in some places were necessary as were the acknowledgment that time may produce a more comprehensive set of documents. What is most remarkable, however, is the unanimity found in setting forth the fundamental declarations of faith and belief. It is important to note that we had visiting intercessors at our meetings and their quiet but effective presence was a blessing to all of us.

From the outset the GTF was guided by certain principles which can be found in the work produced. The first was to apply a minimalist approach to governance by providing only what seemed truly necessary to launch the new Province on its mission. “A church that governs the least governs the best” was always before us.

The second was the principle of subsidiarity by building the church from the bottom up and by leaving to the congregations and their dioceses all matters not necessary for work or oversight of the Provincial Council; thus Article VIII limits Provincial authority and reserves all powers not delegated to the Province to the member dioceses and jurisdictions.

Other principles included a missionary focus, flexibility (recognizing the diversity of Godly approaches to differences of opinion among the Common Cause Partners), disciplinary reform of standards for Holy Matrimony and Holy Orders, and collegial accountability among bishops.

We have included in this paper some specific comments by various members of the GTF on the basic provisions of the Constitution and Canons. As Archbishop-designate Robert Duncan has observed, this Constitution and the canons that support it are merely the skeleton around which God will build His Church. We hope that you will join us in praying for God’s blessing upon this work, and upon the Anglican Church in North America.

Mr. Hugo Blankingship, Esq., Chair, The Governance Task Force of the ACNA

Constitution and Canons for a Missional Anglicanism in 21st Century North America

North America cries out for an Anglican Church that will reach the increasing numbers of people who claim no affiliation with any church or religion in a post-modern culture that has become increasingly hostile to the Christian faith. The imperative of Christ's Great Commission has never been more timely: *"All authority in heaven and on earth has been given to me. Therefore go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything I have commanded you."* (Matthew 28:16-20)

One of the defining characteristics of the Constitution and Canons of the ACNA is their obedience to Christ's commands—and especially the Great Commission. Article III of the Constitution proclaims the mission of the Province: *"So to present Jesus Christ in the power of the Holy Spirit that people everywhere will come to put their trust in God through Him, know Him as Savior and serve Him as Lord in the fellowship of the Church."* Article III goes on to describe this mission in terms of equipping every member to reconcile the world to Christ, planting new congregations and making disciples of all nations. Canon I.10.1 repeats the language of Article III in describing the people of God as the chief agents of mission, and Canon I.6.1 the local congregation (*not* the Diocese, please note) as the fundamental agency of that mission. For this very reason, proficiency in basic principles of cross-cultural communication, mission strategies, and personal relational evangelism and apologetics are among the requirements for ordination to the priesthood and leadership of the local church. (Canon III.4.2)

Likewise, every member of the church is called to be a fully devoted follower of Jesus Christ, taught in everything He has commanded—including regular worship, Bible study, holiness of life, spiritual formation of their children, giving to the mission of the church, practicing forgiveness, continuing instruction in the faith, and *"utilizing the gifts that the Holy Spirit gives them for the effective extension of Christ's Kingdom."* (Canon I.10.2) This Constitution and these Canons are designed to provide for intentional discipleship of every member and thereby preclude the absence of serious Christian discipleship in the 20th century that preceded the rise of theological revisionism, heterodoxy and heresy in the Episcopal Church.

The gathering of the whole Province at Provincial Assembly has as its chief work the strengthening of *the mission of the Church*—and not legislation. (Canon I.2.1) Governance is the chief work of the Provincial Council (Canon I.1.1), and in order to safeguard the missionary focus of *all the people* at Provincial Assembly they shall either ratify or send back to Provincial Council the Constitution, Canons or amendments adopted by Council (Canon I.2.2).

This is a fact to be celebrated, not a conspiracy. The challenge of missional Anglicans in 21st century post-modern and post-Christian America is NOT how to mobilize more legislators and legislative processes. Our challenge is how to mobilize more church planters, more evangelists,

and more apologists and missionaries to reach the unchurched. This challenge is addressed and celebrated by the Constitution and Canons of the ACNA.

Rev. J. Philip Ashby, Secretary and Chaplain, The Governance Task Force of the ACNA

Constitution and Canons that define our identity as Anglicans

The number one issue threatening to divide the Anglican Communion today is *not* human sexuality.

The issue that has torn the fabric of our Communion to shreds is nothing less than how we define our identity as Anglicans.

In the “Torn Communion” there is fierce resistance to any definition of Anglican identity that includes Biblical or doctrinal boundaries. This is precisely the reason why the full text of the Ridley Cambridge Draft of the Anglican Covenant-- including section 4 on mediating disputes within the Communion-- is being held hostage by a numerical and theological minority. Instead, this minority defines Anglican identity by what we do together: "*We've got up every morning,*" said the Archbishop of Canterbury in his closing Presidential Address at ACC-14. "*We've prayed every morning; we've read scripture together; we've affirmed our will to stay in relation and we've done some planning.*" Faith is placed in listening processes (Indaba) that assume a context where identity and relationship are already well defined. These listening processes have no limit, and they are elevated to an almost mystical status. And when all of this fails to reach consensus, this communion appeals to the legitimacy of its historical institutional structures and power.

In the “Confessing Communion” Anglican identity is embraced first and foremost in terms of who we are in Jesus Christ as revealed in God's Word: "*We rejoice in the Gospel of God through which we have been saved by grace through faith in Jesus Christ by the power of the Holy Spirit.*" (Global Anglican Future Conference and The Jerusalem Declaration, June 2008). Anglican identity is thereby rooted in the historic doctrine of the Trinity, and reaffirmed by reference to the authority of scripture, the historic formularies of Anglicanism, the doctrinal affirmations in sections 1-3 of the Ridley Cambridge Draft and the mechanisms in section 4 (however incomplete) that are designed to help resolve conflicts concerning our identity.

The Constitution and Canons of the Anglican Church in North America place us within the theological and numerical *majority* of Anglicans who are the “Confessing Communion.” This is evident in Article I of the Constitution, “Fundamental Declarations of the Province,” where seven elements are stated as characteristic of the “Anglican Way” and essential for membership. Those Fundamental Declarations include the Bible as the final authority and unchangeable standard for Christian faith and life (FD1), the two dominical sacraments of Baptism and Holy

Communion (FD2), the godly historic episcopate (FD3), the three Catholic Creeds (FD4), the teaching of the first four councils and the Christological clarifications of the fifth, sixth and seventh councils in so far as they are agreeable to the Holy Scriptures (FD5), the 1662 BCP as a standard for Anglican doctrine and worship (and with the books that preceded it *the standard* for Anglican worship) (FD6), and the Thirty-Nine Articles of Religion (1571) as expressing fundamental principles of authentic Anglican belief (FD7).

These declarations or “confessions” are so fundamental to our identity as Anglicans that it is the duty of *every member* of the Province to engage regularly in the reading and study of the Doctrine of the Church as found in Article I of the Constitution (Canon I.10.2). Congregations become members when their Vestry or comparable governing board certifies that they have subscribed to the Constitution and Canons of the ACNA—including Article I (Appendix A Guidelines, No. 9) All ordinands to the diaconate and presbyterate are required to swear an oath to “*solemnly engage to conform to the Doctrine, Discipline and Worship of Christ as this Church has received them*”—which includes the received Fundamental Declarations in Article 1 (Canons III. 3.2 and III.4.3, emphasis added). Bishops are also required to make the same declaration at their consecration (Canon III.8.5) and may be presented and deposed for violation of this vow (Canon IV.2.3)

In so defining our Anglican identity with the *majority* of Anglicans in the “Confessing Communion,” The Anglican Church in North America takes a step forward in mending the fabric of our beloved Communion through this Constitution and Canons.

Rev. J. Philip Ashby, Secretary and Chaplain, the Governance Task Force of the ACNA

Constitution and Canons that vest ownership of the property in the local congregation

Extensive and shameful litigation of local church property ownership is a grievous manifestation of the “brokenness within the Anglican Communion” cited in the Preamble to the Constitution. Here the Governance Task Force was motivated by a single thought: insofar as it is possible, never again! The Constitution and Canons declare the fundamental agency of the mission of the Church to extend the Kingdom of God to be the local congregation, and they declare the chief agents of this mission to be the people of God. It follows that real and personal property owned by a member congregation, now and in the future, must be solely and exclusively owned by the congregation free of any claim of ownership or trust interest arising out of the canon law of the Province. (See Articles III, IV and XII of the Constitution and Title I, Canon 6, where this is made crystal clear, and Canon 6, Section 6 which adds that no diocese may assert any such claim over the property of any of its congregations without the express written consent of the congregation.) The only exception to any of these provisions permits a preexisting diocese that presently holds property in a different manner to continue to do so. The sections covering

Church property ownership are yet another example of the principle of subsidiarity where *whatever can wisely be left to the local level is left to the local level.*

Mr. Ron Speers, Esq., President and Chief Administrative Officer, Diocese of Western Anglicans and The Governance Task Force of the ACNA

The Constitution and Canons enhance the role of the Laity in both governance and mission

The term “Laity” is derived from the phrase “people of God.” The Constitution and the Canons show a structure created from the “bottom up,” with the people of God and the congregations into which they gather as the basic agents for carrying out the mission of the Province to follow the Great Commission and carry the Good News to a hurting world.

At the local level, by tradition the entire vestry, except for the Rector, is made up of lay people. The role of the laity in diocesan structures, including parish vestries, is left up to each diocese, but it is expected that each diocese will wisely incorporate the laity into its governance as has been the case in other Anglican Churches.

The Provincial Council, the Executive Committee and the Assembly all have at least 50% of their members chosen from the laity. And with the addition of youth delegates to the Provincial Assembly, the Assembly will have well over 50% representation by the laity. These facts alone constitute an extremely significant change from former modes of governance where Bishop and clergy voting by orders could overrule the will of the laity. A number of Provincial officers and positions on the various courts, including the court for the trial of a bishop, will be also held by the laity.

In light of this significant role in governance and in responsibility for mission, it was deemed appropriate to outline in the canons what is reasonably expected of each lay person to bring the people of God to Christian maturity and equip them for their calling to ministry.

The Canons intentionally provide substantial flexibility, recognizing the diversity that exists among the partners that are coming together into union. Authority not yielded to the Province by individual dioceses is reserved to the same. It follows, under principle of subsidiarity, that heavy responsibility rests upon the dioceses and other member jurisdictions to establish by their own constitutions and canons the role of the laity in an orderly system of diocesan governance. The enhanced role of the laity in the Constitution and Canons of the ACNA will provide a framework to do so.

The Rev. Travis S. Boline, Anglican Church of Kenya and the Governance Task Force of the ACNA

Concerning the Clergy

It is evident unto all men, diligently reading Holy Scripture and ancient Authors, that from the Apostles' time there have been these Orders of Ministers in Christ's Church,--Bishops, Priests, and Deacons. Which Offices were evermore had in such reverend estimation, that no man might presume to execute any of them, except he were first called, tried, examined, and known to have such qualities as are requisite for the same; and also by public Prayer, with Imposition of Hands, were approved and admitted thereunto by lawful Authority.

From the Ordinal, Book of Common Prayer

While the responsibility for carrying out the mission of the Church rests on all of its members, the responsibility for the spiritual health of the Church rests mainly with its clergy. Accordingly, in the Canons, the GTF has sought to be clear regarding the response of the church to those called by God to ordained ministry, those ordained and those chosen as bishops for the whole Church

The Canons set forth the standards for candidates for ordination. They also declare the requirements and responsibilities of its clergy - deacons, priests and bishops alike. Those standards, requirements and responsibilities are based on Biblical principles. (See, Title III). The application and administration of those standards, requirements and responsibilities are left to the dioceses, and accountability to them has been written into the Canons with new clarity. (See, Title IV, Canon 2). The GTF sees the Canons as an appropriate and adequate foundation for the Church to live out and guard the faith once delivered to the saints.

The GTF recognizes that no manner of legislation can ever substitute for sound theological formation and training of our clergy and for loving and forbearing hearts of our laity, all given and maintained by our gracious God in the power of the Holy Spirit.

Mr. Wicks Stephens Esq., Member of the Drafting Committee of The Governance Task Force of the ACNA

A mode for electing bishops that is Godly, prayerful and thoroughly Anglican

Canon III.8.4, which covers the election of bishops, states that dioceses put forward a name or names for consent or selection by the College of Bishops. “Bishops shall be chosen by a diocese in conformance with the constitution and canons of the Diocese....” Thus, in accordance with the principle of subsidiarity, dioceses establish their own procedures as long as they are consistent with the ACNA Constitution and Canons. They may elect and certify one candidate to the College, or they may certify two or three nominees from which the College may select one. While this “latter practice is commended to all Dioceses,” and while a “newly formed” body shall “normally” nominate two or three candidates, the plain reading of this canon is that such practice is encouraged, but not required.

Under the principle of subsidiarity a newly formed or forming Diocese may choose the process by which it nominates candidates for bishop. One such newly forming diocese, Western Anglicans, submitted the names of three candidates to its assembly for a vote, and forwarded the sealed results to the College of Bishops. The College of Bishops may prayerfully consider those results as part of their discernment. In this way, there is both a democratic participation in the process, and a prayerful submission that can minimize the kind of deceitful politicking that has characterized episcopal elections in North America.

On this mode of electing bishops, the Canons are well within the bounds of Anglican practice. In fact, this is the typical method for the election of bishops in Global South provinces such as the Church of Uganda. While this may seem a radical innovation and departure from our “democratic” election processes in North America, it also reflects lessons learned from the culture wars. Prior unfortunate experiences have taught us that the laity and clergy of a diocese can be deceived through the typical political “vetting” processes and speeches into electing a bishop whom they think is orthodox and who subsequently betrays them. The provision for final election by the College of Bishops is a safeguard against this kind of politicking and outright deceit that has destroyed more than a few dioceses in TEC and the Anglican Church of Canada.

Note also, that if a bishop-elect or nominees are rejected by the College, the College informs the Diocese of this non-selection. It has no authority to select a bishop for a diocese that has not been recommended to it by the Diocese.

The Rev. Jim McCaslin, Anglican Diocese in the Southeast and Governance Task Force of the ACNA

The Constitution and Canons establish robust and fair processes for Church Discipline

The Church has the right and the obligation to impose godly discipline upon itself. Our Lord set a pattern of discipline in Matthew 18. The main purposes of church discipline are to protect the flock, to redeem the fallen, and to maintain good order. The Canons include a separate Title IV, *Ecclesiastical Discipline*, that is designed to provide a framework for godly church discipline that advances these biblical purposes.

The offenses listed in Title IV, Canon 2 are important and have solid historical basis throughout the Anglican Communion. At the same time, the order of offenses listed is specifically designed to emphasize the fundamental purposes of protecting the flock, avoiding abuse of power, and redeeming the fallen.

The recent unfortunate experiences of many clergy with the abuses of disciplinary matters in the Episcopal Church may offer the temptation to restrict a new system unwisely. As with any system of laws, the approach to its administration will bear witness to whether or not there is a commitment to fairness. To this purpose, Section 4 has been added to Canon 2: “Conduct giving just cause for scandal or offense, *including the abuse of ecclesiastical power.*” (emphasis added)

The Canons establish a court for the trial of bishops and a court of “extraordinary jurisdiction,” as well as provisions for appeals to the Provincial Tribunal. Under the principle of subsidiarity, all other matters are left to the dioceses and their own courts. Much of Title IV sets forth the framework for the disciplinary approach by the member dioceses and other jurisdictions.

There will be a transitional period where some clergy will remain canonically attached to overseas Provinces while carrying out new ministries in jurisdictions of the new Province. Should a transgression occur requiring disciplinary attention, the overseas Province could waive its disciplinary authority in favor of the Court of Extraordinary Jurisdiction which is set up for that purpose. It may also serve a diocese or member jurisdiction which has not set up its own court system.

In addition, there are also provisions in Title III that are preventative in nature, requiring the Bishop of a priest transferring from one jurisdiction to affirmatively disclose to the receiving Bishop any past or existing disciplinary matter or other impediment affecting the ministry of the transferring priest. (Canon III.6.2)

From our earliest days, we are taught not to despise discipline for the Lord disciplines those whom He loves (Hebrews 12:6). May it always be so with us.

Mr. Scott J. Ward, Esq., Anglican District of Virginia, Convocation of Anglicans in North America, and The Governance Task Force of the ACNA

Financial Transparency and Accountability in the new Province

Financial responsibility and accountability are the obligations of the Church *at every level*. (Canon I.9.1, emphasis added). We cannot expect members of a local church to give freely and sacrificially to support God's mission and ministry unless they have confidence that their giving is being stewarded with the highest degree of financial integrity.

We expect the Province to *model* for the rest of the Church the financial responsibility and accountability required by Canon I.9.1. The Executive Committee of the Provincial Council has assigned much of the work in developing Provincial program and budget to the Finance, Budget and Stewardship Committee, pursuant to Canon I.9.2. The program and budget will be based on the *actual commitments* of member Dioceses "and other monies raised," and will be presented annually to Provincial Council for adoption. (Canon I.9.2) In its ongoing work, the FB&S Committee will recommend, and the Executive Committee will provide, standards for record keeping, audits, insurance, investments and the bonding of financial officers (Canon I.9.3)

On the expenditure side, the FB&S Committee has met and approved the following controls: (1) Monthly meetings to review expenditures and reports prepared by the Chief Financial Officer of the ACNA (submitted no later than the 15th of the month); (2) itemized salaries for each staff person with a clear job description to ensure transparency; and (3) line item authority by the FB&S Committee to make real-time adjustments, including staff reductions, if the revenue flow does not match expenditures actual and anticipated.

On the income side, the challenge of funding the approximately \$700,000 Provincial budget looms large. We recognize that many of the member bodies and Dioceses of the ACNA will not be able to meet the biblical tithe which is the minimum standard of giving and which *should be* taught and encouraged at every level of the Church. (Canon I.9.1) Please note that language "*should be*." It is not the mandatory language of assessment. It is the language of Biblical exhortation and encouragement. This too is a welcome departure from past experiences where we have lived under mandatory assessments. The voluntary standard of giving in Canon I.9.1 invites every member of the ACNA, and every Diocese, to give generously and sacrificially to the mission of the Church.

The Right Rev. David C. Anderson, American Anglican Council and Chair of the Budget Finance and Stewardship Committee of the ACNA

STATEMENT FROM THE REFORMED EPISCOPAL CHURCH

At the April meeting of the Council of Bishops of the Reformed Episcopal Church, the subject of the ACNA proposed Constitution and Canons was discussed. It was noted that the Reformed Episcopal Church finds itself in full agreement with all the Fundamental Declarations of the Province in Article I of the ACNA Constitution, without exception. After review by the chairman of the Constitution and Canons Committee of the Reformed Episcopal Church, it was noted that there are no major inconsistencies between the REC Constitution and Canons and the Constitution and Canons proposed for the ACNA. The provision in Article VIII Section 2 regarding limitations of Provincial Authority on the ordination of women to the diaconate and presbyterate is seen by the REC to be an initial way to move forward in this process of unity. The minor alterations required for the REC Canons would deal with the acknowledgement of the REC as an affinity based jurisdiction of the ACNA; the inclusion of a provision for the College of Bishops of the ACNA to approve election of Bishops; and some minor tweaking in regard to ecclesiastical discipline. Based on that evaluation and report of the Council of Bishops, the General Committee of the Reformed Episcopal Church has been pleased to elect and send delegates to the ACNA Provincial Assembly to participate fully in the creation of the new Province and to ratify the Proposed Constitution and Canons of the ACNA.

Bishop Royal U Grote, Vice- President of the Reformed Episcopal Church

An endorsement of their catholicity by Forward in Faith North America

The proposed ACNA Constitution and Canons will provide a means by which the Christian faith can flourish in its jurisdictions that will uphold Anglicanism's Catholic faith and order. These ordinances are not a final product, but the starting point from which we can develop a means to govern that reflects our faith and doctrine for governing our common life. They will also ensure that all jurisdictions of the new Province will be governed and ruled in a manner that reflects authentic Christianity, centered on the Gospel, that proclaims the salvation of all people through the death and resurrection of Jesus, the true and only Christ.

The new Province cannot be authentically Anglican without the historic, Catholic faith that the Church has upheld through the centuries. Therefore, we (i.e., Anglo-Catholics) must be fully engaged in the governance and mission of the ACNA and I am pleased that we have been involved in all aspects of its leadership and planning from the start.

Dr. Michael Howell, Executive Director, Forward in Faith North America

Across Boundaries and Borders

We know from Matthew 28:18-20, that the primary task for the church is to teach others about the canon of Holy Scripture.

There will never be a perfect set of Canons and Constitution that will satisfy our fallen and sinful nature. But, what has been a true blessing in the building of this set of Canons and Constitution for the Anglican Church in North America, was watching how so many people, with a mix of men and women, Bishops, priests and laity, Americans and Canadians, with input from Australia and other provinces of the Anglican Communion through their representatives, worked together in a godly and cooperative manner to find a way that helps us all witness for Christ in a hurting world.

Having attended some of the earliest Common Cause meetings, I was awed by how far we've come. There was a sense of peace and common purpose, and a desire to draft something that would work across so many boundaries, for so many different groups, bringing them together for common mission and ministry. People were actively seeking to ensure others were protected and supported.

The Canons and Constitution being presented for ratification are not intended to be perfect. They are intended to provide a minimalist structure to support the primary task of growing the church in North America. Our job is not to try and perfect documents and "rules". Let us focus on trying to live and breathe the mission of the church in the spirit of what was intended by the drafting - mutual cooperation, submission, and service, keeping the cross held high and striving to live a holy life so that we might be worthy witnesses for the gospel.

It is hoped that the ACNA will grow on both sides of the border. I was honoured that Bishop Duncan and others on the task force continually took the time to ask whether "Canada" was cared for in the Canons and Constitution being proposed. It is clear that we have different cultural issues, legal systems and charitable rules, and that creates certain practical problems.

However, such problems are not insurmountable and we are grateful the gospel has no such obstructions to our common mission and vision. These Canons and Constitution were intended to be flexible enough to adapt in ways to overcome such worldly obstacles. It will take our continued cooperation and the grace of God to ensure that we facilitate and support one another in the mission of the church for the glory of God.

We give thanks and praise to God for His great mercy in this venture.

Mrs. Cheryl Chang, Esq., Chancellor for the Anglican Network in Canada

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