

The Confessional Identity of Anglicanism: A Canonical-Doctrinal Approach

By The Rev. Canon J. Philip Ashley

On October 3, 2014, the Most Rev. Justin Welby, Archbishop of Canterbury, stated that membership in the Anglican Communion “to [his] surprise” is defined by Communion with and recognition by the See of Canterbury¹. In fact, he was restating Lambeth Resolution 49 (1930), which defines the nature and status of the Anglican Communion as “a fellowship, within the one Holy, Catholic and Apostolic Church, of those duly constituted dioceses, provinces and or regional Churches in communion with the See of Canterbury...”² In response to a follow-up question, Archbishop Welby declared that the Anglican Church in North America (ACNA) was *not* an Anglican church but rather, at best, an “ecumenical partner.”³

Three days later, Dr. Mark Thompson, Principal of Moore College, Sydney Diocese (Australia) replied:

“We must deny categorically and in the strongest possible terms that communion with the see of Canterbury is the determining factor when it comes to Anglican identity....The Anglican Church has always been confessional in nature, as witnessed by the history of subscription to the Articles, which began in the time of Cranmer and continues around the world today. Ordination for Sydney Anglicans, for instance, still includes wholehearted assent to the 39 Articles of Religion.”⁴

Dr. Thompson also took exception to Archbishop Welby’s exclusion of the ACNA as “Anglican,” especially in light of the ACNA’s affirmation of the 39 Articles of Religion as essential to the historic doctrine and practice of Anglicanism and membership in the Church⁵:

¹ *The Church of Ireland Gazette Audio Section*, “Interview 53: Archbishop Justin Welby (3 October, 2014) <http://www.coigazette.net/?page_id=2004> at 00:29-00:36 Accessed 10 January 2015.

² *Report of the Lambeth Conference of 1930* (London: SPCK, 1930), pp. 54-55. The Resolution went on to add that such Churches in communion with the See of Canterbury share the following characteristics in common: “(a) they uphold and propagate the Catholic and Apostolic faith and order as they are generally set forth in the Book of Common Prayer as authorized in their several Churches; (b) they are particular or national Churches, and, as such, promote within each of their territories a national expression of Christian faith, life and worship; and (c) they are bound together not by a central legislative and executive authority, but by mutual loyalty sustained through the common counsel of the bishops in conference.” 55. Paragraphs (a) and (b) set forth a doctrinal nature that lends itself to a confessional identity as defined in this essay [infra] under Norman Doe’s category of “received doctrine” in *Canon Law in The Anglican Communion: A Worldwide Perspective* (Oxford: Clarendon Press, 1998), 198-199. Paragraph (c) of Resolution 49 (Lambeth 1930) expresses the conciliar nature of Anglicanism.

³ *The Church of Ireland Gazette* [n1] at 03:05-04:45.

⁴ *Sydney Anglicans online*, “Who or what defines The Anglican Communion?” (6 October, 2014) <<http://sydneyanglicans.net/blogs/ministrythinking/who-or-what-defines-the-anglican-communion> > Accessed 10 January 2015.

⁵ *The Constitution and Canons of the Anglican Church in North America (as Amended by the Third Provincial Assembly 2014)* Const. Art. I Fundamental Declarations of the Province, Section 7: “We receive the Thirty-Nine Articles of Religion of 1571, taken in their literal and grammatical sense, as expressing the Anglican response to certain doctrinal issues controverted at that time, and as expressing fundamental principles of authentic Anglican

“This is a gigantic slap in the face to the Primates who represent the vast bulk of practicing Anglicans around the world and who, meeting in London in April 2009, recognized the Anglican Church in North America ‘as genuinely Anglican’ and called on all Anglican Provinces to ‘affirm full communion with the ACNA’”⁶

On October 9, 2014, at the close of the prayer for the Investiture of the second Archbishop of the ACNA, the Most Rev. Dr. Foley Beach, the Primates of Kenya, Nigeria, Uganda, Rwanda, Myanmar, Jerusalem and the Middle East and South America, and bishops representing the primates of the Congo, Sudan and South East Asia publicly acknowledged him by word and letter as “a fellow primate of the Anglican Communion.”⁷

The purpose of this essay is to test the thesis of Dr. Mark Thompson: if Anglican identity is principally confessional in nature, how does the Thirty-Nine Articles of Religion (1571) bear witness to this? Do the Articles satisfy the norms that define a “confession”? Applying the purpose of canon law in defining doctrine to the confessional norms of the Articles, to what degree can we see that the Church of England and the other Churches of the Anglican Communion are confessional in their identity as Anglicans?

First, there are norms that define the nature, development and function of a confession. Those norms include faithfulness to Scripture, the Creeds and Councils, and an historical context in which a crisis within the culture and/or the church elicits a need for a confessional statement or position to conform the Church more deeply to the Scriptures.⁸ For those who point to the Articles as exhibit A for the confessional identity of Anglicanism, those norms lead to specific functions that are fourfold: (1) The Articles serve as a “theological-identity card,” showing what the Church of England stood for in the midst of a split and warring Christendom; (2) the Articles safeguard the truth of the gospel, “for the good of souls, the welfare of the church itself, and the glory of God”; (3) The Articles are meant to bring order and unity into the church in the areas of doctrine and discipline; and (4) The Articles were meant to set bounds to the comprehensiveness of the Church of England.⁹

If these are the norms and functions of a confession, to what degree do the Articles bear witness to them?

Confessions are faithful to Scripture, Creeds and Councils. From the very beginning of the Bible, God’s people have found it necessary to provide short statements that defined what they

belief. <<https://c119b78671d19b8aee34-1ab073aa91389396dfc8b6aabc9b141e.ssl.cf2.rackcdn.com/Constitution-and-Canons-CURRENT-9-5-14.pdf>> Accessed 10 January 2015. See also “Appendix 5: A Note on the Articles of Religion” in *To Be a Christian: An Anglican Catechism* (Newport Beach California, USA: Anglican House Publishing, 2013), 147, citing Article I Section 7 and adding that the Thirty-Nine Articles of Religion are also “one of the elements characteristic of the Anglican Way.”

⁶ *Sydney Anglicans online* [n4], *Ibid.*

⁷ *The Aquila Report* (12 October 2014) “ACNA is Anglican” <<http://theaquilareport.com/acna-is-anglican/>> Accessed 10 January 2015. The Letter may be found as a downloadable pdf at <<http://www.anglicanchurch.net/?/main/page/890>> Accessed 10 January 2015.

⁸ Karl Barth, *Church Dogmatics* 1.2 (Edinburgh: T&T Clark, 1956, pp. 624ff.

⁹ J.I. Packer, *The Thirty-nine Articles: Their Place and Use Today* (Oxford: Latimer House, 1984), 67-69.

believed and practiced. Examples include the great *Shema* in Deuteronomy 6:4-5, the basic confession of faith, which defines both what the people believed (“*Hear O Israel, the LORD your God is one God...*”) and what they were to practice accordingly (*and you shall love the LORD your God with all your heart...*), with further instructions in verses 6-25.¹⁰ In the New Testament, a classic example is the basic Christological confession in Philippians 2:5-11, with instructions in how to live accordingly at verses 1-4 immediately preceding and verses 12-18 immediately following.¹¹

There is little dispute that the Articles are faithful to Scripture. Article VI “Of the sufficiency of the holy Scriptures for salvation,”¹² Article XX “Of the authority of the Church”¹³ and Article XXI “Of the authority of general councils”¹⁴ together establish the Scriptures as the ultimate source of doctrine, authority and rule of faith and practice. According to the Articles even the authority of the historic Creeds is contingent upon their faithfulness to Holy Scripture.¹⁵ Moreover, the Articles contain many direct citations to the Scriptures by incorporating them in many cases verbatim into the Articles themselves.¹⁶

¹⁰ Martin Davie, *Our Inheritance of Faith: A Commentary on the Thirty-Nine Articles* (North Yorkshire UK: Gilead Books, 2013), 10.

¹¹ See also Davie [n10] at 10-11 where he identifies “a similar combination of instructions about faith and practice” in I Timothy 3: following the same Christological pattern in Philippians 2:5-11, where the Christological confession in 3:16 is preceded by instructions about the qualities to be looked for in bishops and deacons, and how they and the people are to live, in light of the doctrinal confession in 3:16.

¹² Packer [n9] 7, citing Ar. VI: “Holy scripture contains all things necessary to salvation: so that whatsoever is not read therein, nor may be proved thereby, is not to be required of any man, that it should be believed as an article of the Faith, or be thought requisite or necessary to salvation.”

¹³ *Ibid.*, 12-13, citing Ar. XX: “The Church hath power to decree rites or ceremonies, and authorities in controversies of faith: and yet it is not lawful for the Church to ordain anything that is contrary to God’s Word written, neither may it so expound one place of Scripture, that it may be repugnant to another.”

¹⁴ *Ibid.* 13, citing Ar. XXI: “General councils...when they be gathered together, (forasmuch as they be an assembly of men, whereof all be not governed with the Spirit and the Word of God,) they may err, and sometimes have erred, even in things pertaining unto God. Wherefore things ordained by them as necessary to salvation have neither strength nor authority, unless it may be declared that they be taken out of holy Scripture.”

¹⁵ *Ibid.*, 8, citing Ar. VIII Of the three Creeds: “The Three Creeds, Nicene Creed, Athanasius’s Creed, and that which is commonly called the Apostles’ Creed, ought thoroughly to be received and believed: for they may be proved by most certain warrants of holy Scripture.”

¹⁶ *Ibid.*, 9-20, citing Ar. IX Of original or birth sin: “...the flesh lusteth always contrary to the spirit..” the reference is to Romans 8:5-7 and Galatians 5:17; Ar. XIV Of works of supererogation: “...whereas Christ saith plainly, ‘When ye have done all that are commanded to you, say, ‘we are unprofitable servants,’” the reference is to Luke 17:10; Ar. XVI Of sin after baptism: “After we have received the Holy Ghost, we may depart from grace given, and fall into sin, and by the grace of God we may arise again, and amend our lives. And therefore they are to be condemned, which say, they can no more sin as long as they live here, or deny the place of forgiveness to such as truly repent,” the references are to John 1:29, I Peter 1:19, I John 3:5 and I John 1:8; Ar. XVIII of obtaining eternal salvation only by the name of Christ: “For holy Scripture doth set out unto us only the name of Jesus Christ, whereby men must be saved,” the reference is to Acts 4:12; Ar. XXV of the Sacraments: “...but they that receive them unworthily purchase to themselves damnation, as Saint Paul saith,” the reference is to I Corinthians 11: 27-32 (“damnation” is old English for “condemnation”); Ar. XXXIII: “That person which by open denunciation of the Church is rightly cut off from the unity of the Church, and excommunicated, ought to be taken of the whole multitude of the faithful, as an heathen and publican...” the reference is to Matthew 18:17 (a ‘publican’ was a tax-collector); and Ar. XXXIX of a Christian man’s oath: “As we confess that vain and rash swearing is forbidden Christian men by our Lord Jesus

The process of defining the faith and practice of God’s people continued in the early centuries of the undivided Church through both Creeds and Councils. The classic examples are the Catholic Creeds—the Apostles Creed as a positive baptismal confession of faith, the Nicene Creed as a definition of the orthodox understanding of the Trinity over and against the challenge of Arianism at the Council of Nicaea (AD 325), and the longer Athanasian Creed that was subsequently developed to reinforce the orthodox understanding of the Trinity.¹⁷

Some argue that the Articles are not in continuity with the nature of the Creeds because the Articles are “not a complete body of divinity,” they include statements on Anglican domestic order and discipline, and they were politically motivated to settle doctrinal strife and keep the peace.¹⁸ To these three objections, it is enough to note that the Articles contain more than the ecumenical creeds do. Statements on Anglican domestic order and discipline make the Articles more than a creed—not less. Finally, political motives to settle strife and bring peace and order were also behind the Creed of the Council of Nicaea in AD 325.¹⁹

While it is true that the Creeds are primary statements of faith “short, organic and positive,” while statements like the Articles are “secondary, presupposing the creeds... elaborate, subdivided and controversial,” J I Packer reminds us that such differences are superficial. Both creed and confession have the same nature and purpose:

“...For the creeds are confessions of Christ against views that in some way deny Him just as the Reformation statements are; and the Reformation statements are standards of evangelical orthodoxy, just as the ecumenical creeds are. Both exist to safeguard and express the unity and purity of the Christian faith against the depredation of heresy... to discharge the church’s responsibility to proclaim and preserve the gospel.”²⁰

In fact, the Reformation confessions of the 16th century are organic extensions of the Creeds themselves—drawing out the soteriology which the Creeds imply²¹, clarifying and fencing the

Christ, and James his apostle, so we judge, that Christian religion doth not prohibit, but that a man may swear when the magistrate requireth...” the references are to Matthew 5:33-37, James 5:12 and Jeremiah 4:2.

¹⁷ Davie [n10], 11-12

¹⁸ Ibid, 18 citing Packer [n9] 63.

¹⁹ Ibid.

²⁰ Packer [n9] 60-61.

²¹ W.H. Griffith Thomas, *The Principles of Theology: An Introduction to the Thirty-nine Articles* (Grand Rapids, MI: Baker, 1979), xxv: “As we follow in order the three Creeds themselves, the Apostles’, the Nicene and the Athanasian, we find that there is a tendency to elaboration, to a fuller theological statement, and to an explanation of what is involved in the original summary of belief. *The confessions of faith in the sixteenth century are really only an extension, prolongation and development of the same process.*” (Emphasis added).

biblical and apostolic confessions in the Creeds²², extending and applying them to the central theological questions of the conflict with Rome.²³

Where the Articles address the Councils of the Church, they are general, guarded, and place Councils under the authority of the Holy Scriptures insofar as Councils can and do err. Therefore as regards doctrine, the teachings of the “general councils” have “neither strength nor authority” unless there is warrant from the Scriptures themselves.²⁴ Within Anglican ecclesiology, this may reflect the deficit in most Protestant confessions whose very strength in spontaneous obedience to the gospel conceals a weakness from “lack of attention to structures of visible continuity.”²⁵ In *The Identity of Anglicanism*, Paul Avis locates these “structures of visible continuity” within the conciliar nature of Anglicanism, implied in Lambeth Conference Resolution 49 (c) (1930).²⁶

Confessions emerge from a specific historical context in which a crisis demands the Church to take a stand. Although historical circumstances may change, both Creeds and confessions “emerge at times of crisis in church life, when it seems that, unless the apostolic faith is clarified afresh, error will simply overwhelm it.”²⁷ In the case of Karl Barth’s Barmen Declaration (1934), the crisis was the capitulation of the established German Evangelical church to Hitler’s Nazi Reich.²⁸ In the case of the Thirty-nine Articles of Religion (1571), the crisis was the capitulation of the established Catholic Church in England to the semi-Pelagian doctrine of salvation by meritorious churchmanship.²⁹

Despite 360 years of difference in time and context between those two historic confessions, both Barth and Avis would agree that *every* Church has a “confessional identity”—which Avis describes as “the historically constructed self-understanding that...has evolved over against other

²² Gustav Aulen, *Reformation and Catholicity* (Edinburgh: Oliver and Boyd, 1962), 91 and 121: “It is of course true that the Reformation confession does not enjoy such universal recognition as the confession of the ancient church. It is the confession of only a part of Christendom...Nevertheless... it stands in positive agreement with the confession of the ancient church and especially with that of the New Testament.”

²³ See, e.g. Packer [n9] 63-64, citing Arts. 8, 20 and 21 for the proposition that “the authority of ecclesiastical statements of faith is not the inherent authority of pronouncements issuing from an infallible source, as Rome wrongly supposes, but the derived authority of a faithful echo, exposition and application of ‘God’s word written’ (Art. 20) in its witness to God’s living and personal word, His own Son.” See also his citation of specific Articles by number and title “in their censures upon the beliefs and practices [of Rome] which had controlled medieval popular piety” over and against the Biblical and apostolic faith, 42.

²⁴ See notes 13-14, *infra*.

²⁵ Paul Avis, *The Identity of Anglicanism: Essentials of Anglican Ecclesiology* (London: Bloomsbury T&T Clark, 2008), 7.

²⁶ *Ibid*, at 8-9. Lambeth Resolution 49 (1930) defines the Anglican Communion as a fellowship of Churches in communion with the See of Canterbury which have the following characteristics in common... (c) they are bound together not by a central legislative and executive authority but by mutual loyalty sustained by the common counsel of the bishops in conference. Avis goes on to add “The conciliar nature of Anglicanism is certainly implicit in the Lambeth 1930 statement, but is not made explicit either there or in most discussions of Anglicanism.” For a discussion of this challenge see Paul Avis, *Beyond the Reformation? Authority, Primacy and Unity in the Conciliar Tradition* (London: T&T Clark, 2006),

²⁷ Packer [n9], 64.

²⁸ Arthur C. Cochrane, *The Church’s Confession under Hitler* (Philadelphia: Westminster Press, 1962), pp. 237-242.

²⁹ Packer [n9] 62.

churches.”³⁰ This confessional identity in Anglicanism approximates the confessional identity of which Barth wrote in his *Church Dogmatics*,

“...born out of a need of the Church, out of a compulsion which in this need is imposed on the Church by the Word of God...with which it challenges everyone to take up a position, to decision whether he can reject them as contrary to the Word of God or must accept them as in agreement with the Word of God.”³¹

In this sense alone, we can certainly agree with Thompson’s proposition that Anglican identity is fundamentally confessional. But that still leaves the question of the degree to which the Articles bear witness to that confessional identity.

On the one hand there are those who believe that the Articles are too limited by their historical context—too polemical—to be of any use today. They are limited by a particular crisis in the 16th Century between Rome and the Reformers. As such, they were concerned principally with issues of authority in the church rather than belief per se, and therefore never intended to serve as a confession—much less “a summary of Christian belief, a potted systematic theology.”³²

On the other hand, there is a timeless relevance to the questions and the admonitions with which the Articles challenge us—whether or not the errors to which they addressed themselves have survived in the crises which Anglicans now face. As J.I. Packer observes,

“...the view of the gospel which these statements [in the Creeds and the Articles] enshrine remains as a permanent challenge to all who come after... And the Articles, supplementing the Creeds, ask each generation of Anglicans further questions. Do you stand where we stand with regard to the sufficiency and supremacy of Scripture? The gravity of sin? Justification by faith alone in and through Christ alone?”³³

How can these confessional “stands” in Articles from the 16th century possibly equip us with questions and admonitions sufficient to address such ethical challenges of the 21st century as terrorism, global hunger, religious freedom, definitions of marriage and family—to name but a few? It is because ethics is a branch of doctrine, and without a strong and timeless “trunk” of doctrinal truths about God and his ways, Anglicans will have no branch to rest on as they address these issues. Those who believe in the confessional identity of Anglicanism are confident that when basic truths about God and his ways are known, wise and right ways to address ethical

³⁰ Avis [n25] 7.

³¹ Barth [n8] Ibid.

³² Frank Cranmer and Tom Heffer, “Necessary to Salvation? The Canon law of the Church of England and the Interpretation of Scripture” (2008) 10 Ecc LJ 137-160, at 141 n15, citing the Report of the Doctrine Commission of the Church of England, ‘The mystery of salvation’ (1995) in *Contemporary Doctrine Classics from the Church of England: the combined reports by the Doctrine Commission of the General Synod of the Church of England* (London, 2005), p. 439. See also The Report of the Archbishops’ Commission on Christian Doctrine, *Subscription and Assent to the 39 Articles* (London: SPCK, 1968), 32, where the Commission concluded that “nobody could claim that [the Articles] are now descriptive of the doctrinal positions of more than a minority [in the Church of England].”

³³See Packer [n9] 70: “... If these things are not at the centre of your faith and testimony, why not? Test these contentions by Scripture... and if we were right then to treat these points as evangelical essentials, ought not you to be seeking ways and means of proclaiming and vindicating them now?”

issues will emerge.³⁴ For example, this confidence is evident in the October 2013 Nairobi Communique and Statement of the meeting of the Global Fellowship of Confessing Anglicans. There, Archbishops, bishops, clergy and lay delegates representing millions of Anglicans approached current ethical issues from the standpoint of the Biblical doctrines of the sufficiency of Scripture and the sinfulness of human nature found in the Articles³⁵ rather than the language and secular approach of “human rights.”³⁶

There is a danger that the confessional identity of a church can harden into “confessionalism”—a defensive attitude of self-justification which ultimately lacks the ecclesial integrity of Christ’s own prayer for the Church in John 17 because of its separation, polemics and anathemas. Drawing upon the ecumenical work of French Protestants and Catholics, Avis identifies ways to prevent such hardening. The first is a “continual conversion to God and the Church of God.”³⁷ Though he does not unpack this statement, presumably this would require a spirit of humility and open-mindedness to new challenges and new knowledge, a willingness to reexamine one’s confessional positions and even adjust them if such radical and continual conversion to God and his Church requires.

This seems to be exactly the point Packer makes as an advocate of the confessional identity of Anglicanism when he writes that the Articles call us to a reciprocal dialogue or cross-examination as we address new contexts and problems. On the one hand, the Articles “challenge our lopsidedness,” correct our aberrations and point us back to the Biblical truths about God, human nature, and salvation. The Articles require of us a humility as we come before them to be converted to God and his Church afresh. On the other hand, we must continually cross-examine the Articles to see why they assert the confessional positions that they do, what those mean in a fresh context, and whether there is biblical warrant for the positions that follow afresh.³⁸

³⁴Ibid, 79. Packer expresses the point more positively: “...only when basic truths about God and his ways with us are clear can we hope to see the wise and right path for us to take in approaching these problems.”

³⁵ Scripture: Arts. VI, VIII, XX and XXI; Human Nature: Arts. IX-XIV.

³⁶See, e.g., *The Nairobi Communique and Statement (GAFCON 2013, Nairobi Kenya)*

<http://gafcon.org/news/nairobi-communique-and-commitment> Accessed 10 January 2015, “We grieve that several national governments, aided by some church leaders, have claimed to redefine marriage and have turned same-sex marriage into a human rights issue. Human rights, we believe, are founded on a true understanding of human nature, which is that we are created in God’s image, male and female such that a man shall leave his father and mother and be joined to his wife (Matthew 19:6; Ephesians 5:31).... Reaffirming the belief that sexual temptation affects all, they affirmed the position in Lambeth Resolution 1.10 (1998) that sexual activity is exclusive to marriage, that abstinence is for those who are single, and that same-sex marriages and civil partnerships will not receive God’s blessing. But the recognition that “human rights are founded on a true (and therefore biblical) understanding of human nature”, in keeping with Article IX “Of original or birth sin,” also empowered them to address the need for community transformation, and the prevention of domestic violence, sexual abuse, trafficking and abortion. The Communique looks at these ethical challenges through the lens of the Biblical doctrines of sin, grace and justification one finds in the Articles. Consequently, these challenges are seen as symptoms of personal sin and not merely human systems—and shapes an Anglican response that includes both the material and the spiritual dimensions of human flourishing.

³⁷ Avis [n25] 7. Avis also identifies “attention to structures of visible continuity” as a corrective, which he locates within Anglicanism in our conciliar tradition. See

³⁸ Packer [n9] 70-71.

On balance we can say that the Articles satisfy the norms of a confession insofar as they are faithful to the holy Scriptures, faithful (though secondary³⁹) to the ecumenical Creeds, faithful to the ecumenical Councils (insofar as the teaching of a Church or council is faithful with holy Scripture), and because the Articles emerged during the crisis in the 16th century over requirements and means of salvation. In terms of Barth's confessional norm, it was a crisis "born out of a compulsion" imposed by the Reformers' fresh reading of the Word of God, the need to make a stand against Roman departures from the biblical, apostolic and catholic faith, and requiring people to make a decision on whether the doctrine and practice of the Articles complied with the Word of God written. To this degree, we can affirm that the Articles bear witness to the confessional identity of Anglicanism.

This is the theological answer to the question "do the Articles bear witness to the confessional identity of Anglicanism." But do they in practice bear such witness? Do the Articles in fact function across time and the Communion as Packer and other proponents suggest—as an Anglican confession or "identity card," a safeguard of the Gospel, a means of bringing unity and order to the Church, and to circumscribe the comprehensiveness of Anglican theology?

The best approach to these questions comes from an ecclesiology from below—from a canon law approach. For canon law regulates doctrine by defining it, guiding the Church on how to develop and reformulate it afresh, effecting assent to the teaching in a confession, and both regulating and correcting dissent.⁴⁰ Each of these four canon law functions corresponds to and could be used to evaluate one of the Articles' proposed four confessional functions.⁴¹ Given the focus of this essay on the confessional identity of Anglicanism, how might a canon law approach to defining doctrine address the question of whether the Articles actually function as an Anglican theological passport or identity card?

³⁹ G.W.H Lampe "The Revision of the Articles" in J.C. de Satge et al *The Articles of the Church of England* (London: A.R. Mowbray, 1964), 95: "The Articles are not a creed. They look back to the Creeds, and are not a substitute for them. They do not, any more than the other Reformation Confessions, stand on the same level as those ancient professions of the Faith which have been received and tested by the universal Church since its early years." But see Davie [n10] at 14 who notes that the Reformers of the Church of England saw the Articles as a kind of "domestic creed," as evidenced by the very first commentary on the Articles written by Thomas Rogers *The English Creede: consenting with the True, Ancient, Catholique and Apostolique Church in all the points and articles of Religion which everie Christian is to know and believe that would be saved* (published in two parts in 1585 and 1587).

⁴⁰ Norman Doe *The Legal Framework of the Church of England: A Critical Study in a Comparative Context* (Oxford: Clarendon Press, 1996), 253.

⁴¹ For example, the canon law function of regulating the development of doctrine could be used to evaluate the second proposed confessional function of the Articles—whether in fact they safeguard the Gospel. The canon law function of effecting legal assent to church doctrine could be used to evaluate the third proposed confessional function of the Articles—whether in fact the Articles bring unity and order to the Church. The canon law function of regulating and correcting the right to dissent could certainly be used to evaluate the final proposed confessional function of the Articles—whether in fact the Articles circumscribe the comprehensiveness of Anglican theology. Such an evaluation is, unfortunately, beyond the limits of this essay.

The first function of canon law is to define what is the church's doctrine.⁴² By identifying the sources of doctrine canon law can address the question of whether the Articles function as a theological "identity card," defining both the Catholicity and apostolicity of Anglicanism, as well as what sets Anglicans apart doctrinally from other churches across time and the Communion.⁴³

In Canon A5, The Church of England defines its doctrine as "grounded in the Holy Scriptures, and in such teachings of the ancient Fathers and Councils of the Church as are agreeable to the said Scriptures. In particular such doctrine is to be found in the Thirty-nine Articles of Religion, *The Book of Common Prayer*, and the Ordinal."⁴⁴ The status of the Articles as a particular source of doctrine has been recognized by statute⁴⁵, by the courts⁴⁶ and as limiting the powers of the General Synod of the Church of England to authorize any form of service 'contrary to [or] indicative of any departure from the doctrine of the Church of England.'⁴⁷

Within the other Churches of the Anglican Communion, there appear to be three broad approaches in their formal law to the Articles. The first approach is to give legal approval to the doctrine located in the Thirty-Nine Articles 1571, the Book of Common Prayer 1662 and the Ordinal.⁴⁸ Under this approach many Churches cite the Articles in their constitution and/or canons as a source of doctrine along with the Book of Common Prayer 1662 and the Ordinal.⁴⁹

⁴² Norman Doe, 'Obedience to doctrine in canon law: the legal duty of intellectual assent', *Denning Law Journal* (1992) 23-40 at 33.

⁴³ Packer [n9] 67: "The Articles were drawn up to make good this claim...to show that the English Reformation, so far from being, as Rome supposed, a lapse from catholicity and apostolicity on the part of *ecclesia Anglicana*, was actually a recovery of the authentic apostolic faith."

⁴⁴ *The Canons of The Church of England 2012: Canons Ecclesiastical promulgated by the Convocations of Canterbury and York in 1964 and 1969 and by the General Synod of the Church of England from 1970, Seventh Edition* (London: Church House Publishing, 2012)

⁴⁵ The Church of England (Worship and Doctrine) Measure 1974 (No. 3)

<http://www.legislation.gov.uk/ukcm/1974/3/section/5> Accessed 12 January 2015; S.5.1: "References in this Measure to the doctrine of the Church of England shall be construed in accordance with the statement concerning that doctrine contained in the Canons of the Church of England, which statement is in the following terms, "...In particular such doctrine is to be found in the Thirty-nine Articles of Religion, the Book of Common Prayer and the Ordinal," citing Canon A5.

⁴⁶ See Doe [n40] 256 at n.24: Canon A5; cf. the view of the Arches Court *per* Sir Hubert Jenner Fust in *Gorham v Bishop of Exeter* (1849) 2 Robb. Ecc. 1 at 55: '*Prima facie*...the Thirty-Nine Articles are the standard of doctrine; they were framed with the express purpose of avoiding a diversity of opinion, and are, as such, to be considered, and, in the first instance, appealed to, in order to ascertain the doctrine of the Church.'" (ER 163, 1221 at 1241).

⁴⁷ Halsbury, *Laws of England (Fifth Edition): Volume 34, Ecclesiastical Law* (London: LexisNexis, 2011) para. 732 n.10.

⁴⁸ Norman Doe *Canon Law in the Anglican Communion: A Worldwide Perspective* (Oxford: Clarendon Press, 1998) 197-200.

⁴⁹ *Ibid*, 197 n.47: "For adoption of the Thirty-Nine Articles as a source of doctrine, see e.g. Southern Africa, appended to the Constitution and Canons; Zaire, Const. Art. 3(3); Uganda, Const. Art. 2(c); West Africa, Const. Art. 2(a); Chile, Cans. A.1; New Zealand, Fundamental Provisions, A.1; ECUSA [TEC], Marshall, Vol. II, 164ff (for revisions 1801-1979). See also Australia, Ch. II Ruling Principles, s. 4: "This Church, being derived from the Church of England, retains and approves the doctrine and principles of the Church of England embodied in the Book of Common Prayer together with [the Ordinal]...and in the Articles of Religion sometimes called the Thirty-Nine Articles..."

http://www.anglican.org.au/governance/documents/canons/constitution%20canons%20book%20finalrevclint_i

Melanesia does not subscribe to every statement within the Articles⁵⁰. Kenya permits individual Dioceses to adopt the Articles.⁵¹ Nigeria goes beyond legal approval and states that agreement with the Articles is the basis for communion.⁵²

[ndexed.pdf](#)> Accessed 23 December 2014; Canada, Declaration of Principles (1893, 1934): “And we are determined by the help of God to hold and maintain the Doctrine, Sacraments and Discipline of Christ as the Lord hath commanded in His Holy Word, and as the Church of England hath received and set forth the same in The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church, according to the Use of the Church of England; together with the Psalter...; [the Ordinal]; and in the Thirty-nine Articles of Religion; *and to transmit the same unimpaired to our posterity*” (emphasis added)
<http://images.anglican.ca/pdf/handbook/102_Declaration.pdf> Accessed 12 January 2015; Ireland, Preamble and Declaration (1870): “The Church of Ireland doth receive and approve The Book of the Articles of Religion, commonly called the Thirty-nine Articles, received and approved by the archbishops and bishops and the rest of the clergy of Ireland in the synod holden in Dublin, A.D. 1634; also, The Book of Common Prayer...; and [the Ordinal]... And this Church will continue to use the same, subject to such alterations only as may be made therein from time to time by the lawful authority of the Church” <<http://www.ireland.anglican.org/information/23>> Accessed 12 January 2015 ; Southern Cone, Const. Art.1 Fundamental Declarations: “The Anglican Church of the Southern Cone is established...to conserve the Doctrines, Sacraments, Ministry and Discipline of the Anglican Church and as observed in the Book of Common Prayer and the Administration of the Sacraments and other Rites and Ceremonies, in the [Ordinal] and the Articles of Religion...”
<<http://www.fwepiscopal.org/downloads/PSCconstitution&canons.pdf>> Accessed 12 January 2015.

⁵⁰ Doe [n48] 198 n.47: Standing Resolution 13: the church accepts the Thirty-Nine Articles as ‘the historic statement of the Anglican position in faith and practice at the time of the Reformation’ but ‘without subscribing to every statement contained therein.’

⁵¹ Ibid., Kenya, Const. Art. II. (i): “The absence...of any reference to the Thirty-Nine Articles shall not preclude the Synod of any diocese including reference to that document in its own Diocesan Constitution.” This appears to be true as well for the Church in Tanzania, see Peter Toon ‘The Articles and Homilies’ in S Sykes, J Booty and J Knight, eds., *The Study of Anglicanism (Revised Edition)* (London: SPCK, 1998), 152.

⁵² Nigeria, Const. Art. 3: “The Church of Nigeria (Anglican Communion) hereinafter called “The Church of Nigeria” or “This Church” shall be in full communion with all Anglican Churches Dioceses and Provinces that hold and maintain the Historic Faith, Doctrine, Sacrament and Discipline of the one Holy, Catholic, and Apostolic Church as the Lord has commanded in His holy word and as the same are received as taught in the Book of Common Prayer and the ordinal of 1662 and in the Thirty-Nine Article of Religion. In the interpretation of the aforementioned formularies and in all questions of Faith, Doctrine and Discipline, the decisions of the Ecclesiastical tribunals of the Church of Nigeria shall be final.” <<http://www.anglican-nig.org/Constitution.php>> Accessed 23 December 2014; see also Rwanda Constitution 2007, purportedly approved by Provincial Synod 30 November 2007 in Kigali, which upon personal examination of the Solemn Declaration-Preamble states: “The Anglican Church of Rwanda (Anglican Communion) hereinafter also called “The Church of Rwanda” or “This Church” shall be in full communion with all Anglican Churches Diocese and Provinces that hold and maintain the Historic Faith, Doctrine, Sacrament and Discipline of the one Holy, Catholic and Apostolic Church as the Lord has commanded in his holy word and as the same has received and set forth the same in the Book of Common Prayer...[together with the Ordinal] and in the Thirty-Nine Articles of Religion.”

The second approach of Churches is to ground their doctrine in the original sources—the Holy Scriptures, the Creeds and Councils of the Church, without mentioning the Articles at all.⁵³

The third approach is the most common: to give legal approval to doctrine received by the institutional Church. In some churches this overlaps the first approach, where the Articles are also mentioned with the Book of Common Prayer 1662 and the Ordinal as sources of doctrine.⁵⁴ Some churches “receive” only the Scriptures, the historic Creeds and Councils,⁵⁵ while others like Kenya go further by receiving all the Canonical scriptures of the Old and New Testaments, in the language of Article VI, as “containing all things necessary for salvation” and as being the ultimate rule and standard of the faith and life of the Church.⁵⁶ The Church of Kenya also holds ‘The faith of Christ as preached by the Apostles, summed up in the Apostles Creed, and confirmed by the first Four General Councils of the Holy Catholic Church.’⁵⁷ Still other churches receive in addition to the Scriptures, Creeds and Councils the Book of Common Prayer 1662 and the Ordinal as sources of doctrine, in the words of the Articles, “agreeable to the word of God,”⁵⁸ while others make no such explicit claim.⁵⁹

⁵³ Doe [n48] 198 n.48: South India, Const. II.5; North India, Const. I.II.III and Korea, Fundamental Declaration of Faith and Rites; Japan, General Principles 1-4 (no mention of Articles, BCP or Ordinal); Rwanda, Draft Const. 1996 where no mention is made of the BCP and Ordinal, and mention of the Articles only as an “aid to interpretation” in Art. 7; but see purported Rwanda Constitution 2007 provisions above in note 51, *infra*.

⁵⁴ *Ibid.*, 198-199, Southern Africa, Uganda, Zaire and Melanesia, comparing the churches listed in fn. 47 with those listed in fns. 49-55.

⁵⁵ *Ibid.*, 198 n. 49-50: South East Asia, Fundamental Declarations, 1; Central Africa, Fundamental Declarations, 1; Spain, Fundamental Declarations, 1; Portugal, Cans. Preamble.

⁵⁶ *Ibid.*, 199 n.51: See also Burundi, Const. Art. 3; Jerusalem and the Middle East, Const. Art. 4(ii); Indian Ocean, Const. Art. 2; Melanesia, Const. Art. 1

⁵⁷ *Ibid.*, n. 52: Jerusalem and the Middle East, Const. Art. 4(i); Philippines, Const. Art. I.2; Papua New Guinea, Const. Art. 2; Burundi, Zaire and Uganda neither identify nor number the Councils, while Melanesia identifies the decisions of the General Councils of the church ‘as are accepted by the Eastern and Western Church’ n.53.

⁵⁸ *Ibid.*, West Indies, Declaration of Fundamental Principles, (a)-(c)

⁵⁹ *Ibid.*, n. 54-55: South East Asia, Fundamental Declarations 1; Jerusalem and the Middle East, Const. Art. 4(iii); Sudan, Const. Art. 2(a); Southern Africa, Declarations of Fundamental Principles and Const. Art. I; Tanzania, Const. III.4; Indian Ocean, Const. Art. 2(iii); Central Africa, Fundamental Declaration 1; NB: Uganda Const. Art. 2(c), West Africa, Const. Art. 2(a), and New Zealand, Fundamental Provisions, A.1 also list the Thirty-Nine Articles, while Southern Cone Const. Art. 1 lists them as “the Articles of Religion.”

According to these secondary sources, which are admittedly 16 years old, there appears to be a numerical majority of Churches in the Anglican Communion which define their doctrine according to the Articles, explicitly or implicitly⁶⁰, in contrast to those who do not⁶¹.

But a numerical majority of Anglican churches sourcing doctrine in the Articles does not settle the question of whether they function confessionally as a theological identity card for Anglicans. Doe argues that this canonical approach merely identifies the source of doctrine, and nothing more: “Only in an oblique sense does the law of the church define doctrine; rather laws are employed to point to doctrinal documents, extrinsic to the law, which are accepted by the church as normative in matters of faith.”⁶² On the other hand, Avis points out that in the law of the Church of England we have “a convenient and succinct account of Anglican confessional identity” in the Preface to the Declaration of Assent in Canon C15.⁶³ One finds in this Preface a confessional definition of faith—in this very sense a theological identity card. There is affirmation, not speculation about the Trinitarian nature of the Godhead, the unique authority of Holy Scripture, and the faith set forth in the creeds. There is a mandate to proclaim the faith ‘afresh in each generation,’ but within the limits of Scriptures and Creeds. Furthermore, Anglicans believe they have been led by the Holy Spirit to ‘bear witness’ to Christian truth in the

⁶⁰ Explicitly, under the first approach of formal approval by legal instruments (constitution and/or canons), the Church of England (and its Churches extra-provincial), Southern Africa, Zaire (Congo), Uganda, West Africa, New Zealand, The Episcopal Church USA, Australia, Canada, Ireland, Southern Cone, Nigeria, Kenya and Tanzania (permitted for dioceses), Melanesia (some but not all of the Articles) and Rwanda (if the purported 2007 revised Constitution is valid). Under the third approach of reception of doctrine, Toon [n50] at 152 makes the case that there is an implicit reference to the Articles among those churches “when the claim is made that the same faith is shared with the mother Church of England.” This would certainly be true of those churches who refer at least to the Book of Common Prayer 1662 and the Ordinal, where the Articles are bound up in the same book. (South East Asia, Jerusalem and the Middle East, Sudan and Central Africa). If we take Toon’s argument further and point to language in the legal documents of churches who source doctrine in the canonical scriptures of the Old and New Testament and that scripture “contains all things necessary to salvation,” in the words of Article VI, this would include Burundi and Indian Ocean. It may be argued that West Indies implicitly incorporates the Articles by stating that the Book of Common Prayer 1662 and the Ordinal “are agreeable to the word of God,” in the spirit of the Articles.

⁶¹ Under the second approach, where doctrine is sourced only in the Scriptures, Creeds and Councils: South India, North India, Korea and Pakistan. Under the third approach, where doctrine is received through Scripture, Creeds and Councils only: Philippines and Papua New Guinea. Scotland, Can. 17.2 sources doctrine in ‘revelation and reason, on the Holy Scriptures and the Fathers’, Doe [n48] 197 n.46. Where the secondary sources are silent, and/or there is no evidence from the Anglican Communion Provincial Directory, and/or the websites of the Churches themselves say nothing about the Thirty-Nine Articles, and/or their legal documents (constitution and canons) are unavailable: Bangladesh, Brazil, Central America, Hong Kong, Mexico, Myanmar, Pakistan and Wales.

⁶² Doe [n48] 197.

⁶³ Avis [n25] 10; *The Canons of The Church of England 2012* [n25]: The Preface of the Declaration of Assent in Canon C 15 reads as follows: “The Church of England is part of the One, Holy, Catholic and Apostolic Church worshipping in the one true God, Father, Son and Holy Spirit. It professes the faith uniquely revealed in the Holy Scriptures and set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation. Led by the Holy Spirit, it has borne witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, *The Book of Common Prayer* and the *Ordering of Bishops, Priests and Deacons*. In the declaration you are about to make will you affirm your loyalty to this inheritance of faith as your inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making him known to those in your care?” (Emphasis added).

tri-fold historic formularies of the Church—including by name the Thirty-nine Articles.⁶⁴ Finally, there is the kind of question Barth himself declares as essential to the nature of a confession, a call to take a stand which requires of faith an answer or not: “will you affirm your loyalty to this inheritance of faith...?”

Within the Church of England, one can argue that the significance of the act of subscription, and thus the confessional identity of Anglicanism, has been minimized through the evolution of the various “declarations of assent” to the Articles.⁶⁵ Canon XXXVI of the Canons of 1603 (1604) required the ordinand to willingly and *ex animo* subscribe to the Articles “and to all things that are contained in them.”⁶⁶ This canon gave way to the Clerical Subscription Act (1865) which required the ordinand to solemnly declare publicly “I assent to the Thirty-Nine Articles of Religion,” as well as to the Prayer Book and Ordinal.⁶⁷ According to the 1968 Report, *Subscription and Assent*, this did not create a form of ‘general’ or incomplete assent, excusing total assent to each of the Articles, but rather ‘complete legal acceptance.’⁶⁸ But in the same Report, the Commission came to the conclusion that the meaning of assent could logically include a complete adherence to every doctrinal proposition, or acceptability of their main tenor, or preference for them as opposed to any other doctrinal statement, or else their acceptance as portraying the identity of the Church of England.⁶⁹ Whatever assent may mean, The House of Bishops understands the Declaration is made ‘without private reservation.’⁷⁰ The present Declaration of Assent in Canon C 15 was built on the recommendations of *Subscription and Assent*.⁷¹ Although the focus in the current Declaration is on the faith rather than on the Articles themselves,⁷² this may be a distinction without a difference. For assent is given to all of the Articles (not some), to all three Anglican formularies together—the Articles with the Prayer Book and Ordinal—and the Articles are affirmed in their entirety by Canon A2 and Canon A5.⁷³

Among the other Churches in the Anglican Communion, it is a general principle of canon law that subscription to doctrine is a precondition to admission to diaconal, priestly or episcopal orders, as well as to positions of episcopal and clerical office, and it may be a precondition for

⁶⁴ Ibid.

⁶⁵ Packer [n9] 55-57.

⁶⁶ Gerald Bray, ed., *The Anglican Canons 1529-1947* (Woodbridge, Suffolk UK: The Boydell Press, 1998) 320-321.

⁶⁷ Davie [n10] 76-77.

⁶⁸ *Subscription and Assent to the Thirty-nine Articles: A Report of the Archbishops' Commission on Christian Doctrine* (London: SPCK, 1968), 12, para. 8.

⁶⁹ Doe [n48] 206 citing *Subscription and Assent* [n67] 33, para. 61.

⁷⁰ Ibid, citing *The Nature of Christian Belief* (London: 1986) 4.

⁷¹ Davie [n10] 77 n.103. For the history behind the wording of the Declaration of Assent see also Colin Podmore *Aspects of Anglican Identity* (London: Church House Publishing, 2005), Ch. 4.

⁷² *The Canons of The Church of England 2012* [n25] Can. C 15 Declaration of Assent: “I, A.B., do so affirm, and accordingly declare my belief in the faith which is revealed in the Holy Scriptures and set forth in the catholic creeds and to which the historic formularies of the Church of England bear witness...”

⁷³ Davie [n10] 77-80.

lay ministers and lay officers to subscribe to the doctrine of their church.⁷⁴ However the forms may vary.⁷⁵

Over the last 50 years, the place of the Articles has been diminished in international Anglican gatherings, reports and resolutions. Lambeth Conference Resolution 43 (1968) weakened the role of the Articles by suggesting to the Churches of the Anglican Communion “that assent to the Thirty-nine Articles be no longer required of ordinands,” and that where subscription is required, it should only be done “in the context of a statement which gives the full range of our inheritance of faith and sets the Articles in their historical context.”⁷⁶ The suggestion was based upon the report *Subscription and Assent* the thrust of which was summarized as advocating “...neither casting the Articles aside nor revising them, but rather [acknowledging] their place in the historical context of a continuous, developing Anglican tradition.”⁷⁷ The 1978 Lambeth Conference went further by suggesting that Anglican doctrine should be deduced from worship rather than a “confession which will mark us off from other Christian communities.”⁷⁸ The next blow came from the Report of the Sixth Meeting of the Anglican Consultative Council (ACC-6, Nigeria 1984). In response to the question “What is Anglicanism?” the ACC reported that Anglican identity is no longer shaped by the Thirty-nine Articles.⁷⁹ Instead, Anglican identity is shaped by a commitment of loyalty to apostolic faith, Catholic order, reformed by the standards of Scripture and shaped by our Anglican “ethos”—“a way of thinking and feeling which has developed over the centuries which calls for...diversity, an openness, tolerance and mutual respect toward others.”⁸⁰ This trajectory reached its logical conclusion in the Third Report of the Inter-Anglican Theological and Doctrinal Commission (IATDC) in 2008, *Communion, Conflict and Hope*⁸¹ which argued for the replacement of communion by a common confession of faith with a “communion from below,” that is, a communion based on shared relationships in which Anglicans come together to experience the healing and reconciling work of God in Christ.⁸²

On the other hand, Lambeth Resolution 43 (1968) appears to be deeply flawed. According to Packer, a member of the Archbishops Commission that wrote the Report *Subscription and Assent*, Resolution 43 actually contradicts the Report in suggesting that the Articles need not be

⁷⁴ Doe [n48] 205; *The Principles of Canon Law Common to the Churches of the Anglican Communion* (Anglican Communion Office, 2008), 59, Principle 53: Doctrinal Discipline

⁷⁵ Doe [n48] 204-208.

⁷⁶ *The Lambeth Conference 1968*, (London and New York: SPCK/Seabury Press, 1968), 41.

⁷⁷ *Ibid*, 82.

⁷⁸ *The Lambeth Conference 1978* (London: CIO, 1978) 99-100.

⁷⁹ *Proceedings of the Sixth Meeting of the Anglican Consultative Council*, (London: ACC, 1984), 81: “Whatever place the Thirty-nine Articles have occupied in the life of the Church of England (and even there a shift of emphasis has occurred in recent years) the commitment of other provinces to them has been much less.”

⁸⁰ *Ibid*, 82.

⁸¹ *Communion, Conflict and Hope* (London: Anglican Communion Office, 2008)

⁸² *Ibid*, 50: “IATDC has identified theology, canon law, history and culture, communication and voluntary commitment rather than coercion, as essential aspects of communion. Yet real communion can exist in many of the elements separately. The Commission is persuaded that ‘thick’ ecclesiology, concrete experience of the reconciling and healing work of God in Christ, should take priority over ‘thin’, abstract and idealized descriptions of the church.”

bound up with the Prayer Book, nor assent be given to them by ordinands.⁸³ Whether the Resolution was mistaken or not, it was premature for Lambeth Conference 1978 and ACC-6 (1984) to conclude that the Articles had lost their place as a source of doctrine or confessional identity, and to replace them with anything else. *The Principles of Canon Law Common to the Churches of the Anglican Communion* (2008) identifies an Anglican “common law” whose purpose is to inform Anglicans about the general patterns of church life found in many (though not necessarily all) churches across the Communion.⁸⁴ It is significant that Principle 49 “The Sources of Doctrine” identifies the Thirty-Nine Articles, together with the Book of Common Prayer and Ordinal 1662 as representing “the historic source of lawful doctrine for a church.”⁸⁵ It would also take significant research on the status and development of subscription and assent to the Articles, from the primary sources of church law in each Church, before concluding that the Articles have lost their place as a source of doctrine, much less enjoy a lesser commitment, within the Churches of the Anglican Communion.

Even the IATDC admits that the substitution of a “thick” relational ecclesiology in place of a common confession of faith “immeasurably weakens” Anglicanism as a coherent global communion of churches, and its mission.⁸⁶ This lack of doctrinal coherence besetting the Anglican Communion is precisely what Avis addresses in his discussion of Anglican identity. He describes two categories of Anglican self-definition (one might even say an Anglican theological identity card). The first is content based and includes those who believe the Thirty-Nine Articles bear witness to the confessional (think “content”) identity of Anglicanism. The other category is about “spirit and ethos.”⁸⁷ Avis contends that the Protestant consensus on content based/confessional identity was shattered by the Oxford movement and all theological movements since then that “appeal to a somewhat elusive ethos.”⁸⁸ While Avis might agree that an appeal to a “thick ecclesiology of relationships” will in the short run lower the tensions within

⁸³ Packer [n9] 29-30. The text of Lambeth Conference Resolution 43 (1968) reads: “The Conference accepts the main conclusion of the Report of the Archbishop’s commission on Christian Doctrine entitled Subscription and Assent to the Thirty-nine Articles (1968) and in furtherance of its recommendations: (a) suggests that each Church of our Communion consider whether the Articles need to be bound up with its Prayer Book; (b) suggests to the Churches of the Anglican Communion that assent to the Thirty-nine Articles be no longer required of ordinands; (c) suggests that, when subscription is required to the Articles or other elements in the Anglican tradition, it should be required, and given, only in the context of a statement which gives the full range of our inheritance of faith and sets the Articles in their historical context.” According to Packer and Davie [n10] 87, only section (c) is in furtherance of the Report. Packer goes on to note that the language in section (a) is a mistake, while section (b) is the result of a last minute amendment introduced by the Chair as the Conference was concluding, which the Chair subsequently voted against and described as “a joke.” Packer [n9] at 30.

⁸⁴ *The Principles of Canon Law Common to the Churches of the Anglican Communion* [n74] 13.

⁸⁵ *Ibid*, 58. Principle 49 locates the Thirty-Nine Articles within a hierarchy of sources for doctrine in which Prayer Book, Ordinal and Articles are secondary to the Scriptures, the Creeds, and the undisputed Councils of the Church that are agreeable to the Holy Scriptures.

⁸⁶ *Communion, Conflict and Hope* [n67] 50-51: “If Anglican fellowship at the level of shared doctrines and ideals of common participation in mission is unable to enjoy the support of coherent global structures, then the Anglican Communion will be immeasurably weakened.”

⁸⁷ Avis [n25] 24.

⁸⁸ *Ibid*.

the Communion around identity (and authority), to define the identity of Anglicanism in this way is simply “to make a virtue of necessity”:

“The notion of a tacit consensus residing in a common ethos is a *post factum* accommodation to the demise of doctrinal accord within the Church. To say that, however, is by no means to reject the concept of a tacit consensus subsisting in the realm of praxis, but simply to make it abundantly clear that what we are talking about is not a supposed timeless essence of Anglicanism, but a conceptual construction, a pragmatic adjustment to the facts of history.”⁸⁹

In the meantime, the 1999 General Synod of the Church of Ireland re-affirmed the importance of the Articles along with its other formularies as defining the faith of the Church.⁹⁰ In September 2005, the Church of Nigeria—perhaps the largest Church in the Communion in terms of average Sunday attendance—changed its constitution from defining membership through recognition by the See of Canterbury to “full communion with all Anglican Churches Dioceses and Provinces that hold and maintain the Historic Faith, Doctrine, Sacrament and Discipline of the one Holy, Catholic, and Apostolic Church as the Lord has commanded in His holy word and as the same are received as taught in the Book of Common Prayer and the ordinal of 1662 and in the Thirty-Nine Articles of Religion.”⁹¹ In 2008, a gathering of Anglican leaders representing millions of conservative Anglicans across the globe gathered in Jerusalem and produced *The Jerusalem Statement and Declaration*, which upholds the Thirty-Nine Articles as “containing the true doctrine of the Church agreeing with God’s Word and as authoritative for Anglicans today.”⁹² (Emphasis added). In 2009, in paragraph 1.1.2 of the final text of the proposed *Anglican Covenant*, the Thirty-Nine Articles, together with the Book of Common Prayer and Ordinal 1662, are seen as bearing authentic witness to the Catholic and apostolic faith, with each church adopting the covenant called upon to declare its commitment to these formularies.⁹³ In October 2013, an even larger gathering of Anglican leaders representing conservative Anglican Churches across the Communion renewed their commitment to the Jerusalem Declaration 2008, and by incorporation in Article 4 the Thirty-Nine Articles, as a confession authoritative for Anglicans today.⁹⁴

⁸⁹ Ibid, 25.

⁹⁰ Davie [n10] 88-89: “However, speaking in an Irish context where differences between the various Christian traditions have been deeply felt and have frequently contributed to communal conflict, the General Synod also sought to make clear that the words of these formularies did not necessarily represent the Church of Ireland’s attitude towards other Christians today.”

⁹¹ “Nigerian Church New Constitution Redefines Relationship with Canterbury,” *Christianity Today* (19 September 2015)

<<http://www.christiantoday.com/article/nigerian.church.new.constitution.redefines.relationship.with.canterbury/3994.htm>> Accessed 13 January 2015. See also n.51, infra: It is significant that Article 3 of the Constitution, where the change was made, is titled “See of Canterbury,” thereby underscoring the change in the definition of membership from Lambeth Conference Resolution 49 (1930).

⁹² *The Complete Jerusalem Statement: ‘The Jerusalem Declaration,’* Art. 4 <<http://fca.net/resources/the-complete-jerusalem-statement>> Accessed 13 January 2015. Also cited in Davie [n10] at 89.

⁹³ *An Anglican Covenant—The Anglican Communion Covenant Final Text* <<http://www.anglicancommunion.org/commission/covenant/final/text.cfm>> Accessed 13 January 2015.

⁹⁴ *The Nairobi Communique and Statement (2013)* [n36]: “The character and boundaries of our

If anything, it appears that increasing numbers of Anglicans are turning away from elusive identities based on relationships, “spirit and ethos” and returning to what Avis calls a “content-based,” doctrinal identity, a confessional identity—one that is rooted and grounded in Scripture, the Creeds and the Historic Formularies of the Church, including the Thirty-Nine Articles. As a result, communion with the See of Canterbury is a waning factor for Anglican identity. While the Articles alone satisfy the norms for a confession, as a general proposition they do not bear witness to the confessional identity of Anglicanism apart from the Prayer Book and Ordinal 1662, with which they are almost invariably mentioned. We need further research from the primary sources of doctrine among the churches of the Anglican Communion to evaluate the claim that Anglican confessional identity is witnessed by the history of subscription to the Articles among those churches. The Articles do bear witness to this confessional identity by their nature, their historical-theological context, as a canonical source of doctrine, and in the case of the Mother Church “a succinct account of Anglican confessional identity.”⁹⁵

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fellowship are not determined by institutions but by the Word of God. The church is a place where the truth matters, where it is guarded and promoted and where alternatives are exposed for what they are — an exchange of the truth of God for a lie (Romans 1:25). Our willingness to submit to the written Word of God and our unwillingness to be in Christian fellowship with those who will not, is clearly expressed in The Jerusalem Statement and Declaration.

⁹⁵ Avis [n25] 10. See also Davie [n10] Foreword by Lord Rowan Williams of Oystermouth: “As [Davie] notes, the current Declaration allows for some latitude as to how binding the precise formulation of this or that point may be. But this does not mean that [the Articles] are of primarily historical interest, or that we are invited to affirm them in so vague and general a sense as to render them empty. In the language he borrows from Dr. James Packer, the Articles call us into a twofold dialogue: a dialogue with the text themselves as ‘inspiration and guidance’ —in which we allow ourselves to be questioned and challenged by them, and a dialogue between these and other doctrinal formulations and the words of Scripture—to test the authenticity of these human formulations against the primary words of revelation.”

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