

REFLECTIONS
ON
THE ANGLICAN CHURCH
IN
NORTH AMERICA

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FORWARD

This paper is not intended to be a comprehensive history of the Anglican Church in North America (ACNA), but rather one person's recollections of and reflections on some of the events leading up to its formation which eventually took place in the summer of 2009.

For many years, beginning as far back as the end of World War II, changes gradually developed within the Episcopal Church in the United States and also in the Anglican Church of Canada. For example, in 1974, eleven women were ordained to the Episcopal priesthood in Philadelphia. While illegal at the time, it forced the 1976 General Convention to adopt canonical changes allowing the ordination of women: this issue has remained divisive.

In 1979, the General Convention also adopted a new version of the *Book of Common Prayer*. In that same year, the General Convention adopted the so-called Dennis Canon stating that all church property (including property owned by individual congregations) was held in trust for the Episcopal Church. Also, in that year, the General Convention disallowed the ordination of practicing homosexual individuals. This later led to the trial of Bishop Walter Righter in 1996, where the trial court of nine bishops—with one dissent—declared that the Episcopal Church had no core doctrine prohibiting such ordinations.

In 1982, a new hymnal was adopted by the General Convention, omitting some hymns and rewording others, including a failed attempt to remove “then conquer we must” from the “Star Spangled Banner”.

In 2003, the Episcopal Diocese of New Hampshire elected as its next bishop Gene Robinson, a man who had divorced his wife with whom he had two children, and begun a relationship with a man whom he later “married.” That year, the General Convention of the Episcopal Church approved his election, thus authorizing his consecration which took place on November 2, 2003.

The aforementioned constitute a few formal events which brought growing disruption within the Episcopal Church, many of which were reflections of teachings in seminaries and writings by recognized church leaders. Other events followed. Together they formed a “gathering storm,” to borrow a Churchillian phrase.

What follows is my account of how orthodox Anglicans withstood the storm and created a new Anglican church, including a detailed account of the Governance Task Force which developed a constitution and canonical structure for the ACNA.

BACKGROUND

For many who have become Anglicans and transferred from another denomination, the Biblical foundation and liturgy are its compelling attraction. For some of us reared within the Episcopal Church, there was no actual transition. Instead, as changes occurred, we simply remained faithful to the basic tenets that had always held Anglicans together. The Bible is the core of Anglicanism. The 1928 *Book of Common Prayer* is quite similar to the 1662 prayer book of the Church of England. Next to the Bible, the *Book of Common Prayer* is the most important book in Anglicanism. This is chiefly so because of its Biblical dependence and content.

I was baptized, confirmed and married with the liturgy of the 1928 *Book of Common Prayer*, very Anglican. I was raised in Cuba where my father was the Bishop of that missionary diocese. He was a bishop of the old school (Evangelical and firm in the faith). For high school, I attended the Episcopal High School in Alexandria, Virginia, with daily Morning Prayer and Bible readings. In college, I was active as a student member of St. Paul's Episcopal Church in Charlottesville, which was located next to the "grounds" (not campus) of the University of Virginia. I served as an usher and a member of the student vestry. Then I joined the Navy. It was very difficult to participate in Episcopal Church worship while I was in the Navy, but I was able to attend St. Paul's once again when I returned to law school in Charlottesville, although I was far less active than I had been as an undergraduate student.

Sally and I were married in St. James Episcopal Church in Richmond, Virginia, on September 1, 1956. The Rector, Rev. Churchill Gibson, and my father officiated. The rite of Holy Matrimony from the 1928 *Book of Common Prayer* was used in the ceremony.

Later, while in law practice, I taught Sunday school and served on the Vestry of St. Paul's Church in Alexandria and Truro Church in Fairfax. Still later, I was elected to the Board of Trustees of the Virginia Theological Seminary (VTS). I also served on the Board of Trustees of the Episcopal High School until I finished my term as its chairman. Archibald Robinson (Little Flick) Hoxton, Jr. was then Headmaster. His father had been Headmaster when I was a student there. I was appointed by Bishop Robert Hall to serve as the Chancellor of the Episcopal Diocese of Virginia, and I represented the Diocese as a deputy to several triannual sessions of the General Convention. After the Righter trial, I was appointed to the Board of Trustees of Trinity School for Ministry in Ambridge, Pennsylvania.

I note all of this, not to elevate my status beyond that of a common sinner in need of repentance and forgiveness, but to give some idea of the depth of my despair as I began to observe the gradual but steady departure of the Episcopal Church from its roots of traditional Christian foundation. Historic Anglicanism had always been the underpinning of the Episcopal Church. As these departures became more obvious, I began to pay some needed attention to the Anglican heritage upon which the Episcopal

Church was founded. The 1928 *Book of Common Prayer* of the Episcopal Church was a close parallel to the 1662 *Book of Common Prayer* of the Church of England. The Preface to the first *American Prayer Book*, adopted in 1789 after U.S. independence, made clear that there was no intent to separate the Episcopal Church from the doctrine and worship of the Church of England except where practical changes were necessary, such as praying for the President of the United States instead of the King of England.

A BRIEF HISTORY OF THE CHURCH OF ENGLAND

The Church of England had followed its colonial settlements to parts of the New World and was fairly well established in most of the eastern colonies which became the first thirteen states of the new nation. The early Episcopal Church was not an “established” church like its counterpart in England, but it may be of some use to review briefly the history of the Church of England to understand better where Episcopalians came from.

I do not trace here the long history of Christianity in England, except to note that by the time Pope Gregory the Great sent Augustine of Canterbury to England in 597 (see Bede, *A History of the English Church and People* at 66-67) the Church was already functioning throughout the British Isles. It came under the full oversight of Rome by the seventh century and remained so until the reign of Henry VIII so that when the Lutheran Reformation reached England it found a fully established Catholic Church where changes

were not easy to accomplish. Over a period of time, the Church of England transformed from Catholicism to Reformed Catholicism and later to Anglicanism as we know it.

Some maintain that the Church of England was founded by King Henry VIII in the 1530s when he sought an annulment of his marriage to his first wife Catherine. Catherine of Aragon was the daughter of the royal family of Spain. King Henry had already received papal approval to marry Catherine who had previously been married to his deceased brother. Conflicting Old Testament Biblical passages were brought into play as King Henry sought a way out of a marriage that had not and, by then, could not produce a male heir to the throne of England.

To support his marriage to his brother's widow, he had relied on a passage in Deuteronomy¹ which calls for a surviving brother to marry his brother's widow to continue the family line. In support of his request for an annulment or divorce, his supporters argued that the Deuteronomy passage applied only to outdated Jewish tradition and the passage in Leviticus² which placed a curse of childlessness on a man who married his brother's widow was sufficient cause for papal approval of King Henry's petitions.

Appeals to the Pope in Rome to approve the annulment went unanswered and eventually King Henry and his leaders in the English Church took matters in their own

¹ Deuteronomy 25:5

² Leviticus 20:21

hands, and the marriage was declared unlawful by English church authorities. King Henry assumed full leadership of the Church in England. For nearly a thousand years, the English church had been under the authority of Rome. King Henry changed this forever.

There were many consequences to this action which have filled volumes of history books. Essentially, however, as the English church separated from Rome, part of the Lutheran Reformation entered the prevailing theology of the Church in England and substantial structural and liturgical changes evolved. The monasteries were closed, their extensive land holdings confiscated and redistributed among English nobility who were supporters of King Henry.

The English Church, however, had entertained changes from Rome long before Henry VIII became king. John Wycliffe (1330-1384) is sometimes considered the “Morningstar” of the Reformation. He led a group of translators who translated the Bible from Latin to English. This single event began to open the Bible to the people of England in a way never before enjoyed by the laity.³ Some of Wycliffe’s followers came to be known as “Lollards” and to some extent influenced the later Protestant Reformation begun by Martin Luther. As a theologian and professor at Oxford, Wycliffe took issue with some of the teachings of Rome, including the doctrine of Purgatory, indulgences,

³ Subsequent translations by Miles Coverdale and William Tyndale and the Great Bible (1539) authorized by Henry VIII were extraordinary accomplishments for the English people. The King James Version (1611) is still in use today though in somewhat more recent language.

transubstantiation, praying to saints, etc. He was an early believer that only Scripture was the true basis for Christianity which was, of course, the basic premise of the Lutheran Reformation. Wycliffe was controversial and regarded by Rome as a heretic. Today, a theological college at Oxford bears his name.

History shows that the Protestant Reformation that developed in Europe did not change many of the basic tenets of the English Church, yet Luther's holding to *sola scriptura* became the focal point of the development of Anglican theology. Cranmer's *Book of Common Prayer* is the most biblically based work of the era and remains so today. With his development of the Ordinal and many of the Articles of Religion, King Henry's Archbishop of Canterbury remains one of the giants of Anglicanism as we know it. Along with Cranmer's extraordinary contributions, Richard Hooker (1553-1600) added greatly with his *Laws of Ecclesiastical Polity* (1592-1597).

Apart from Bishop Jewel's⁴ anti-papal *Apologia pro Ecclesia Anglicana* (1562) the *Ecclesiastical Polity* is the first major theological work to be written from the specifically Anglican standpoint and the first highly successful effort to set forth systematically the doctrinal position of the Church of England in contradiction to those of Rome on the one hand and Geneva on the other (Rice 20).

The work of Archbishop Cranmer during and after King Henry's reign actually established the bedrock of Anglicanism. The first *Book of Common Prayer* and the

⁴ John Jewel (1522-1571), Bishop of Salisbury.

Articles of Religion⁵ were drafted during his time as Archbishop of Canterbury, which clarified some differences with Rome. Catherine was Spanish by birth and the annulment led to political enmity between the two countries, including the later Spanish attempt to invade England during the reign of King Henry's daughter, Queen Elizabeth I, with a vast armada of war ships, which almost succeeded. Had it done so England would have returned to Roman Catholicism. Spain and England subsequently became rivals in efforts to colonize the New World discovered by Columbus, and the English and Roman Catholic churches brought separate forms of Christianity to the Americas.

To complete my brief history regarding King Henry VIII, he had a daughter, Mary, with his first wife, Catherine, and a daughter, Elizabeth, with his second wife, Anne Boleyn, and a son, Edward, with his third wife, Jane Seymore. As the male heir, Edward succeeded Henry VIII at his death and became Edward VI. Much of Anglican theology continued to develop during Edward's brief reign. He was succeeded by Mary who nearly returned England to Roman Catholicism. The reign of "Bloody Mary" saw the executions of bishops Cranmer, Ridley, and Latimore who were burned at the stake in Oxford.

Mary's death brought Elizabeth to the throne and she reestablished Anglican Protestantism as the official religion of England.

⁵ Sometimes referred to as the Thirty-nine Articles.

The requirements in the Ordinal for belief in and support of Holy Scripture as a condition of ordination of all deacons, priests and bishops of Anglican clergy, are fundamental to the church's foundation. I think it can be properly said that the principal effect of Luther's insistence on the role of Scripture (*sola scriptura*) was the separation of Anglican theology from that of its predecessor, the Roman Church. Article VI of the Articles of Religion states it plainly:

Holy Scripture containeth 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 Faith, or be thought requisite or necessary to salvation.

The Anglican Church never departed from historic Christianity. It embraced the early ecumenical councils of the Church and retained the three historic creeds: the Nicene Creed, the Athanasian Creed and the Apostles Creed, stating in Article VIII that they should "thoroughly be received and believed: for they may be proved by most certain warrants of Holy Scripture."

Archbishop of Canterbury Geoffrey Fisher (1887-1972) is quoted as having stated:

The Anglican Communion has no peculiar thought, practice, creed or confession of its own. It has only the Catholic faith of the ancient Catholic Church, as preserved in the Catholic Creed and maintained in the Catholic and Apostolic Constitution of Christ's Church from the beginning (Church Times).

Canon A-5 of the Canons of the Church of England provides:

The doctrine of the Church of England is 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, in the Book of Common Prayer and the Ordinal.

Luther's *sola scriptura* and *sola gratia* (grace alone) led to a major dispute with Rome over justification where Rome claimed the church had a role through confession, penance, good works and indulgences. Luther professed that we are justified by faith alone—*sola fide*. This found its way into Church of England theology. Article XI of The Articles of Religion states,

Of the justification of Man, we are accounted righteous before God only for the merit of our Lord and Savior Jesus Christ by Faith, and not for our own works or deserving; Wherefore, that we are justified by Faith only is a most wholesome doctrine.

It is beyond the scope of this work and my competence to review the full development of Anglicanism and its contrast and similarities with other branches of the Christian Church. Divisions within Anglicanism have occurred and may continue, resulting from our mere humanity. The Oxford Movement in the mid-nineteenth century sought to bring the Church of England back closer to Rome and Eastern Orthodoxy. It was controversial to say the least. Evangelicals such as Charles Simeon and more recently John Stott and J. I. Packer have moved Anglicans closer to a reformed position. Anglo-Catholics are often called “High Church” while evangelicals are considered “Low Church.” Both, however, hold fast to the centrality of the Bible and more recently have reached a respectful accommodation.

Anglicans may feel justified in believing that theirs is a valid continuation of “the faith once delivered to the saints”,⁶ yet it is certain that Biblically based religions will open the way for the Holy Spirit to enter the hearts of believers everywhere to lead them to become the people of God. However, where we find departures from the authority of the Bible we encounter the root cause of division and despair.

A recent publication entitled *Reformation Anglicanism* by Ashley Null and John Yates III contains a very good and precise outline of the development of the basic elements of Anglicanism which can be found, first and foremost, in the Bible—which is held to contain all things necessary for salvation and directs that nothing be taught contrary thereto—the *Book of Common Prayer* with its strong Biblical content, the Articles of Religion, the historic Christian creeds and the results of the first four ecumenical councils of the Church. The Anglican Church also relies upon and embraces scripture, tradition and reason as its foundation and support. I have been helped greatly by this work which is edited by the Rev. Dr. Ashley Null and The Rev. Dr. John Yates, III and recommend its study.

EARLY RUMBLINGS

As in the early days of the Reformation itself, a division began to develop in the North American Episcopal-Anglican Church. This type of division eventually caused a

⁶ Jude 1:3

rupture in the Episcopal Church and the Anglican Church of Canada and orthodox structures that would eventually separate began to form.

In 1938, Winston Churchill wrote a book entitled *Arms and Covenant*. That title was later changed to *While England Slept*. This was also the title of John F. Kennedy's 1940 senior thesis at Harvard. Someday someone will publish a work entitled *While Bishops Slept*.

The last serious conversation I had with my father was at Virginia Theological Seminary (VTS) in Alexandria, Virginia, where he was attending his final class reunion and at a time when I was still on the Board of Trustees. It was graduation day, a beautiful spring time May gathering in 1975. We were having lunch and refreshments outside under a tree on that impressive campus. The Rev. Dabney Carr, then Director of Development at the Seminary, came by with a photographer who took our picture which I still have. The picture reveals a very stern look on my father's face while he was pointing a finger at me. His words are fixed in my memory: "You need to know how much damage our liberal seminaries are doing to the Church. It is really bad." Words spoken by a VTS graduate who had spent 33 years as a missionary in Cuba. He died suddenly that July.

A NEW SEMINARY

That same year, a group of a few evangelical leaders in the Episcopal Church, known as The Fellowship of Witness, had come together with the notion of starting a new learning center to train young ministers for the Church. The principals were the Rev. John Guest, Rector of St. Stephen's Church in Sewickley, Pennsylvania; his assistant, the Rev. John Howe, who later became the Bishop of Central Florida; the Rev. John Yates II, also an assistant to John Guest, who later became Rector of The Falls Church; and the Rev. Peter Moore, who later became Chairman of the Board of the new school, and afterwards its fourth Dean and President. They had consulting advice from the Rev. Dr. John Stott, a famous Rector and theologian in the Church of England, as well as some others.

They chose the name Trinity Episcopal School for Ministry, not using "seminary" in the name. Their view was that seminaries were entirely academic, offering no instruction on how ministry should be developed and conducted.

A very good history of Trinity, *Lift High the Cross*, has been written by Janet Leighton, an early graduate and wife of a graduate who became a well-known rector. Janet Leighton describes the humble start for Trinity and places great emphasis on the first major decision made by the founders, the choice of a dean and president to be its leader. They chose the Rt. Rev. Alfred Stanway, a retired Australian missionary who had been the Bishop of Central Tanganyika in East Africa. They also chose the Rev. John

Rodgers, a tenured professor at VTS to join the new faculty. Within a year, Trinity opened its doors to several entering students to attend classes in rental spaces at Robert Morris College in Moon, Pennsylvania, near Sewickley. Later the school would drop “Episcopal” from its name and become Trinity School for Ministry.

In endorsing Janet Leighton’s good work, Bishop John Howe writes: “In its first forty years Trinity School for Ministry has grown from an impossible dream to being one of the world’s premier seminaries and training centers for Anglican leaders both lay and ordained” (Leighton).

In the small world department, in 1975, I served as the chairman of the search committee of Truro Church in Fairfax, Virginia, as we searched for a new rector. I first contacted Rev. John Rodgers whom I had known at VTS, but he told me that he had just committed to go to teach at a new seminary in Western Pennsylvania. After many months of hard work, the search committee and vestry at Truro called Rev. John Howe to be the new rector. He served there until he became a bishop.

In addition to John Rodgers, John Howe, John Guest and Peter Moore, the start of Trinity was the result of other giants in their field. The Rev. John Yates II at the time was also an assistant at St. Stephen’s. He later became the Rector of The Falls Church where he served for forty years in one of the most outstanding ministries in the entire Anglican Communion. The Rev. C. Fitzsimmons Allison had been a senior professor at VTS and left to teach at Trinity. He became the Rector of an Episcopal Church in New

York City and then the Bishop of South Carolina. Theologians such as J. I. Packer, John Stott and R.C. Sproul offered encouragement and advice. Others, such as the Presiding Bishop of the Episcopal Church, commented that the financial problems other seminaries were encountering suggested that the organizers might do better to endorse a professorial chair at VTS.

John Guest and others were overwhelmed by the generosity of Mr. and Mrs. Chalfont, parishioners at St. Stephen's, who offered the initial financial support to get the seminary going. In time, the school moved from its rental space at Robert Morris College to a chapel and abandoned A&P Grocery Store building in Ambridge. Today, it has a substantial campus with renowned faculty and students and graduates from all corners of the earth. It is truly one of God's great creations. As Janet Leighton points out, its rise to greatness was not without struggles, disappointments and setbacks. I experienced a few of those when I was on the Board of Trustees at Trinity, yet the steadfast faithfulness of its leaders brought it to where it is today. It is a major contributor to the Anglican Realignment. It also has Lutheran theologians on its faculty and prepares students for ministry in the original denominational tradition of the Reformation.

DRUMS A STIRRING

The gradual departure from basic Christian beliefs in the Episcopal Church did not go entirely unnoticed. In 1991, six Episcopal priests in the Diocese of Maryland wrote

and signed the Baltimore Declaration which consisted of an affirmation of orthodox Christian principles and a charge that leadership within the Episcopal Church was steering in the wrong direction. It has been said that the Baltimore Declaration of 1991 was modeled after the 1934 Barmen Declaration of the Confessing Evangelical Churches in the early days of Nazi Germany.

Renowned theologians within the Episcopal Church such as Philip Turner, Dean of Berkeley Divinity School at Yale University, and Ephraim Radner were also giving clearly stated warnings. They were members of a major theological effort to promote Anglicanism in a post-Christian era, an organization known as SEAD (Scholarly Engagement with Anglican Doctrine). Founded in 1989 within the Episcopal Church, its work consisted mainly of holding conferences and publication of scholarly papers. Its membership and contributor list were the who's who of Anglican theologians. To name a few: Ephraim Radner, Christopher Seitz, Russell Reno, Philip Turner, Ashley Null, C. FitzSimons Allison, Paul Zahl, Stephen Sykes, David Scott, Peter Walker, Edith Humphrey, and Christopher Hancock. There were many others of equal import.

Originally located at Virginia Seminary, SEAD's operating center was moved to St. Philip's Church in Charleston, South Carolina, where most of its conferences were held. Its publications were widely read and effective.

THE TRIAL OF BISHOP WALTER RIGHTER

What follows is not intended to be a full and detailed account of only the second “heresy” trial of a bishop in the history of the Episcopal Church.⁷ It is rather a summary of my recollections, no doubt affected by time and memory deficits over the course of nearly a quarter of a century since that event.

Late one evening in 1995, I received a telephone call from Bishop John Howe who was an old friend. “How would you like to try a case which you cannot win and for which you won’t be paid?” Considering the hour and the source of the call I knew it was not a joke. “Sure,” I replied, “I do that all the time.”

The Bishop went on to explain that he and nine other bishops⁸ had brought a canonical charge—a presentment—against a bishop of the Church for having ordained in 1990 a person who was in a same sex relationship with another man. The charge had been brought over four years ago with the hope that the presenting bishops would negotiate a moratorium on such ordinations within the House of Bishops of the Episcopal Church. Their efforts to negotiate the desired moratorium had not been successful and the five-year limitation to bring the matter to trial was rapidly approaching.

⁷ Bishop William Montgomery Brown of Arkansas was tried and convicted in 1924 for declaring that communism should supersede Christianity.

⁸ Bishops Keith Ackerman, Maurice “Ben” Benitez, James Coleman, Jack Iker, John Howe, Stephen Jecko, Terence Kelshaw, John-David Scofield, James Stanton, William Wantland

The presentment had been prepared by one of the ten presenters, Bishop William Wantland of the Diocese of Eau Claire, who was also a lawyer and versed in canon law.

By way of background, I was told that the accused, Bishop Walter Righter, had resigned as the Bishop of Iowa and accepted a position as Assistant Bishop in the Diocese of Newark which was headed by Bishop John Spong, who was quite controversial in several areas of episcopal ministry.

Earlier, Bishop Spong had ordained an active homosexual man for which he had received substantial criticism, but no canonical charges were brought against him for having done so. When a second like-candidate had qualified for ordination in his Diocese, Bishop Spong was urged by the then Presiding Bishop to refrain from acting; hence the task fell to Bishop Righter.

The presentment charged Bishop Righter with “holding and teaching a doctrine contrary to that held by this Church” and with a violation of his ordination vows. Not only did the canons require at least ten bishops to bring such a charge, but they also required the consent of a number of additional bishops before a trial could be had. That consent was obtained by the Presenters with considerable difficulty and not without challenges to certain affirmative votes.

I was told that Bishop Wantland would be trying the case and that my role would simply be to give trial advice if and as needed. After a chat with my wife Sally, who

seemed to know somehow that I was going to be called for the case, I called Bishop Howe back and accepted.

The Trial Court consisted of nine bishops nominated by the Presiding Bishop and approved by the Church's General Convention. The senior bishop, the Bishop of Indianapolis, was the President of the Court.

It developed that four of the members of the trial court had conducted the same ordinations for which Bishop Righter was being tried. We drafted and filed a motion to have the four disqualified and a pretrial hearing was scheduled for Hartford, Connecticut. I was surprised to find the hearing room packed with spectators, mostly supporters of Bishop Righter, and members of the press. I was struck by the continuing interest of the press, including international reporters, in the proceedings. The Motion to Disqualify was argued, and the trial court adjourned for a very long time. When they returned, the President announced that the Court had carefully considered the recusal matter and had concluded that they felt they represented a good cross-section of the bishops of the Church and that a new panel of judges would not be very different. Thus, not only did the four not recuse themselves, but the remaining five did not require them to stand down. It was not very difficult to see where the case was headed.

A brief discussion followed concerning the scheduling of the filing of briefs and the expected length of the trial itself. I had earlier learned that the defense intended to

rely on a large number of witnesses with the intent of showing that times had changed the general view of homosexuality, and it was time for the Church to change as well.

As early as 1979, the General Convention of the Episcopal Church, after lengthy debate, had passed a resolution declaring that it was inappropriate to ordain sexually active homosexual persons or persons in a heterosexual relation outside of marriage. The Court was compelled to address this resolution in its decision and held it to be a “recommendation” only. (Resolutions passed by later General Conventions tended to show a trend towards a more liberal view of the matter.)

Mindful of the predisposition of the court for their failure to disqualify four of the judges, some of whom had publicly noted that they also should be on trial, it seemed to me that it might be better to have a bifurcated proceeding: namely, asking the court first to determine whether or not there was a doctrine prohibiting what the accused was charged with and later in a second proceeding, if such a doctrine did exist, consider whether it had been violated.

We drafted such a motion which we also argued at the Hartford hearing. Assured of their situation, no objection was offered by Bishop Righter’s counsel, so while the Court denied our motion to recuse, they did grant our motion to divide the issue. This was to be a significant decision by the Court. Bishop Righter was represented by Michael Rehill, the Chancellor of the Diocese of Newark, well known within the Episcopal Church. Mr. Rehill went on to handle other church cases with success.

There followed a discussion by the Court about the schedule for filing briefs and the amount of time needed for the trial itself. As I recall, the Hartford hearing was held in October 1995, and the trial was set for the following February. There was a large amount of press coverage, including reporters from England. The large turnout for the hearing and local press coverage was upsetting to the Bishop of Connecticut. He declared that he did not want the trial held in his diocese. As a result, Bishop Tennis, the Bishop of Delaware and a member of the Court, offered to have the trial in his cathedral in Wilmington.

We received a serious jolt a short time after the Hartford hearing when Mr. Rehill filed a motion to disqualify Bishop Wantland from trying the case for the Presenters on the thin grounds that he might be a witness in the case. While hard to imagine the worth of such a motion, the Court summarily granted it without argument. That was a wake-up call of the first order. I cannot recall when the Court disqualified Bishop Wantland, but it was close enough to the trial to cause the Presenters (and me) a major setback. Bishop Wantland was, of course, theologically trained, a lawyer, knew canon law, and a senior bishop in the Church.

There was little time to put a new team together, but God provides. My friend, the Rev. Charles Flinn, had been the County Attorney for Arlington County and had studied for the ministry over the years. An ordained priest in the Episcopal Church, he had retired from Arlington and was working on a doctoral degree at Catholic University. The

Rev. Dr. Stephen Noll had done doctoral studies in England and was now a professor at Trinity School for Ministry in western Pennsylvania. Both joined the team.

I will not detail the contents of the briefs that our side produced. They traced the development of church doctrine from the Bible, the teaching of the Apostles, and the epistles of St. Paul. They covered the ecumenical councils through the Reformation, the Articles of Religion, the Book of Homilies of Edward VI, and the current writings of theologians such as Wolfhart Pannenberg of Germany and Oliver O'Donovan of England. All of this was way over my pay grade (no pun), but it certainly opened my eyes to the world of theology and church history like never before.

The Church owes a great debt to Bishop Wantland, Rev. Charles Flinn and Rev. Steve Noll. They answered a call and did well. Bishop Wantland had served as a judge on some of the trial courts of Native American tribes and years later was appointed as Chief Justice of the Seminole Supreme Court.

We spent the night before the trial at a hotel in Wilmington. I didn't get much sleep. The next morning Sally prayed for me and anointed my forehead with oil she frequently carried in her purse. The ever-present press interviewed Fr. Flinn and me.

The hearing chamber was a large assembly room in the Cathedral. Attendance tickets had been issued, and the room was full. The Cathedral itself was open to an overflow crowd. I had tried to have our argument split between Charlie Flinn and

myself, but the Court refused, so two laymen were left to argue profound theological and biblical issues before a court of nine bishops.

We had learned that the Bishop of Los Angeles, a member of the Court, had participated in the ordination of a practicing gay person in his diocese in December. The Rev. Charles Flinn filed a motion to have him disqualified. It was not argued, and the bishop participated in the hearing.

I, quite frankly, have little recollection of exactly what I did or said. The process involved my going forward for two hours in the morning, and Mr. Rehill argued for two hours after lunch. I was given a few minutes for final rebuttal. I have read some press accounts of the argument which seemed to have focused on Christian marriage and whether same sex unions could be accepted and blessed by the Church. I do recall that I had opened with a few remarks about the authority of scripture but was promptly interrupted, and the questioning began. It was intense and severe. I quickly realized that our trial strategy on the question of doctrine took the focus away from Bishop Righter and placed it squarely on the Court. In a sense, the Court was on trial, or at least challenged, on a major issue of church doctrine. Considering all the circumstances, it was the best of a tough situation for the Presenters. That evening the Presenters and their supporters met for dinner. I believe most were satisfied with how the day went although little optimism was shown for the expected result. Additional post-hearing briefs were filed, and the Court reassembled back in Wilmington in May to render its decision.

The formal decision is lengthy. It began by stating what the Court was not deciding, namely, the morality of homosexuality or the propriety of same sex unions. The heart of the decision was that only “core doctrine” was prohibited by the holding and teaching canon and that core doctrine was limited to the issues of salvation through the crucifixion, death and resurrection of Jesus Christ. A breach of all other doctrinal issues had to be spelled out specifically in the disciplinary Canons to be the subject of a presentment. Bishop Righter was acquitted because he did not violate a core doctrine of the Church. The opinion noted that the Bishop of Los Angeles did not participate in the decision. Bishop Andrew Fairfield of North Dakota issued the lone dissent in a well worded opinion holding that the Church did have a doctrine based on clear Biblical teachings that prohibited the action taken by the accused. Two bishops filed a concurring opinion agreeing to the acquittal of Bishop Righter but stating that the Church had no right to allow ordination of persons in same sex unions without specific authorization from the General Convention.

Although the Presenters had a right to file an appeal to an appellate church court, they decided not to do so.

There was wide coverage of the decision in the press and the whole issue went on in several meetings of the General Convention. My own take was that the failure of four bishops to step down, the failure of the other five to insist that they do so, and the disqualification of Bishop Wantland have rendered the result not only wrong but also

tainted. The Presenters had raised a generous sum of funds which was more than I expected or deserved. They were brave and faithful to their calling and high office.

The fight for orthodoxy within the Episcopal Church continued but gradually came to an end with the election and consecration of Gene Robinson as Bishop of New Hampshire in 2003. The fact that Bishop Theuner, the Bishop of New Hampshire at the time, was a member of the Righter Court should not escape the eye of history.

AMERICAN ANGLICAN COUNCIL

Following the trial and acquittal of Episcopal Bishop Righter, the American Anglican Council (AAC) was created with Bishop Stanton of Dallas, one of the Righter Presenters, as its leader. From its founding in 1996 until the election and consecration of Gene Robinson in 2003, the American Anglican Council worked tirelessly for reformation within the Episcopal Church. The AAC had notable presence and witness, with hundreds of volunteers and delegates at the triannual General Conventions. They were able, in some cases, to slow the divisions within the Church. But the election and consecration of a same-sex partnered Bishop in 2003 signaled the end of efforts to reform within. The AAC shifted its strategy and its work to assisting clergy and congregations in coping with or actually leaving the Episcopal Church.⁹ In time, it came under the able

⁹ Orthodox bishops began to cross into dioceses headed by liberal bishops to perform confirmations and other episcopal acts. In one case, four retired Episcopal Bishops, Allison, Benitez, Dickson and Wantland, entered Ohio under cover and confirmed over one hundred candidates who had chosen not to be confirmed by their own bishop.

leadership of Bishop David Anderson and rose to national and international recognition. Bishop Anderson developed strong ties with the orthodox movement in the Church of England. Today it is led by the Rev. Canon Philip Ashey and offers leadership training to presbyters and bishops throughout the Communion and retains a leadership role in the ACNA.

FIRST PROMISE

One of the earliest gatherings of orthodox Episcopal Church leaders took place in Pawley's Island, South Carolina in 1997. There the Rev. Charles H. "Chuck" Murphy, III, Rector of All Saints Church, Waccamaw, SC, convened a group of clergy in Pawley's Island who signed a declaration entitled "First Promise"¹⁰ which stated a commitment to orthodoxy and threatened to withhold funds and refuse to obey bishops in situations where full orthodoxy was not steadfastly observed. It came very close to being a declaration of independence. Certainly, it was a fair warning.

That same year, in other parts of the Anglican world, rumblings began to take the form of thunderings. Anglican leaders meeting in Kuala Lumpur, Malaysia and in the Province of South East Asia issued statements and declarations decrying the harm done to the Anglican Communion by what was going on in the Episcopal Church, and

¹⁰ First Promise is a reference to ordination vows which state a clergy's allegiance is first to the Scriptures, then to bishops.

reaffirmed Biblical teaching on human sexuality and marriage in their *Kuala Lumpur Statement*. The year 1997 was a major turning point in the church's history.

SINGAPORE

I shall not attempt to document all of the drumbeats leading up to the serious fracture that followed, but one event caught the alarmed attention of the entire communion. On January 29, 2000 at St. Andrews Cathedral in Singapore, the Rev. Charles H. Murphy, III and the Rev. John D. Rodgers were consecrated as missionary bishops to provide episcopal ministry and oversight to Biblically faithful Episcopalians who could no longer remain within the Episcopal Church. Perhaps like the consecration of Bishop Seabury in the early days of the Episcopal Church, the consecration had some degree of irregularity but the intent and effect were clear. The co-consecrators were Archbishop Moses Tay of Southeast Asia, Archbishop Emanuel Kolini of Rwanda, Bishop John Rucyhana of Rwanda, and two retired Episcopal Bishops, Bishop C. FitzSimons Allison and Bishop Alex Dickson.

Bishop Murphy was to lead a missionary organization, the Anglican Mission in America (AMIA), under the auspices of the Anglican Church of Rwanda. Bishop Rodgers was to be a missionary bishop to the U.S. from Southeast Asia. He had recently retired as Dean and President of Trinity Episcopal School for Ministry. Initial reaction was mixed, even among the conservative movement within the Episcopal Church. The Dean and President of Trinity Episcopal School for Ministry issued a statement

expressing affection and esteem for the two new bishops but expressing concern that their consecration might lead to a division within the Church. The Rt. Rev. Robert Duncan, Bishop of Pittsburgh, noting that John Rodgers lived in Ambridge which was a part of his diocese, expressed his friendship, respect and affection for John Rodgers and his concern for the possible long-range consequences of his consecration, but went on to comment about the problems within the Episcopal Church of which he had often complained. The statement was carefully worded, but it was not too difficult to connect the dots. The consecrations were not done without reason.

Of importance to what was to come, AMIA had structure, loose as it was. It had subdivisions, leaders for each, and members who gathered annually for what was called their Winter Conference. Authority was vested mostly in Bishop Chuck Murphy who sat as a member of the Rwanda House of Bishops. Funds from AMIA were sent regularly to Rwanda. The Mission grew as Episcopalians were leaving their church in droves. Although he encountered some complicated problems later in his episcopacy, Chuck Murphy must be counted as one of the early heroes of the new Anglican Realignment. Bishop Murphy died of brain cancer in January of 2018.

O CANADA

The Anglican Church of Canada was close behind the theological departures of the Episcopal Church. Secular politics in western Canada were more liberal than in the east. In particular, the Diocese of New Westminster began experimenting with relaxing

marriage traditions and aligning itself with those supporting same-sex unions. It reached a point where orthodox clergy opposing the trend were the subject of ecclesiastical discipline. Finally, a group of orthodox clergy and leaders met in Montreal in June 1994 and issued a carefully organized statement to be known as the Montreal Declaration. Like the Baltimore Declaration and the later Jerusalem Declaration¹¹, these documents form a part of the heritage of the new order that evolved. The ACNA rests on a firm foundation carefully thought through by wise men and women. In short order, as in the United States, Canadian orthodox Anglicans began to form groups of dedicated folks of like belief and commitment: first, Anglican Essentials, later the Anglican Network in Canada. The Canadians were among the founding members of the ACNA. Bishop Don Harvey of Newfoundland assumed early leadership and brought the Canadians into the North American Province that had been called for by the Jerusalem Declaration. He was followed by Bishop Charlie Masters of Toronto who now leads the ACNA diocese in Canada. Sadly, Canterbury continues to defend the Anglican Church of Canada and the Episcopal Church from the criticism of the entire Global South.¹²

FORWARD IN FAITH NORTH AMERICA

One of the remarkable combinations of events was the coming together of various different expressions of Anglicanism to form the ACNA. A strong force in this effort

¹¹ See page 54

¹² See page 48

was Forward in Faith North America (FIFNA), the Anglo-Catholic part of the Realignment. FIFNA has an interesting history. A brief version will be discussed here.

The Anglo-Catholic expression of the faith once delivered to the saints had its beginnings in the Church of England in the 1830s. A group of clerics and theologians began to express their concern that the Church of England had either abandoned or ignored the historic evangelical faith and Catholic order as observed in the Roman Catholic Church and the Eastern Orthodox Church. These thoughts and concerns were outlined and published in a series of tracts called “Tracts for the Times” and their authors were called Tractarians. The group was centered at Oxford University, and their efforts were termed the Oxford Movement. The enterprise was not without controversy within the Church of England with its earlier history of separation from the Roman Church. Some of the leaders of the Oxford Movement left the Church of England and were received into the Roman Catholic Church. Of note was John Henry Newman who ultimately became a cardinal in the Catholic Church. The main controversy over the Oxford Movement was the claim by other Anglicans that the Tractarians had grown too close to Rome. The Tractarians argued that there were three central branches of the Christian Church: The Eastern Orthodox, the Roman Catholic and the Anglican Church. They felt that Anglicanism would be enhanced by incorporating some of the practices of the other two. Despite the controversies attached to the Oxford Movement, it had some lasting effects on the Anglican tradition. These included influences in church architecture and church hymns. The Rev. John Mason Neale introduced many hymns

originating in other Christian traditions and wrote some himself which are part of Anglican hymnals today. His life is honored on August 7 in the Anglican Church calendar.

Most Tractarians remained in the Church of England but adopted some of the Catholic liturgical observances into the Anglican form of worship. The Eucharist became the Mass and many worship services were similar to some extent to those found in the Catholic Churches. The Oxford Movement as incorporated into the Church of England came to be known as the “High Church.”

Anglo-Catholicism found its way into the Episcopal Church in the 1840s. Bishop Jackson Kemper became the first missionary bishop in the Episcopal Church. He labored to extend the Church into the Northwest. He had a heart for Native Americans and established several missions among more than one tribe. He settled in Nashotah, Wisconsin where he founded Nashotah House in 1842—a seminary that continues to serve the Church to this day. Bishop Kemper supported the Oxford Movement but heeded the separation from Rome.

In time, Anglo-Catholic dioceses were formed within the Episcopal Church. Their firm opposition to the ordination of women began to create serious friction within the Episcopal Church. When the Episcopal Church changed its policy and authorized the ordination of women in the 1970s, many Anglo-Catholics began to leave and formed separate groups such as Coalition for the Apostolic Ministry which then became

Evangelical and Catholic Mission. In 1988, the Episcopal Synod of America was established and, in 1999, changed their name to FIFNA.

As a founding organization of the ACNA, FIFNA leaders played a significant role. FIFNA's first vice president, Rev William Ilgenfritz, became the first bishop to be consecrated in the ACNA. Father Lawrence Bausch, the current President of FIFNA, served with distinction on the Governance Task Force that drafted the Constitution and Canons of the ACNA. Dr. Michael Howell, a former university professor, was one of the lay people who testified before the 2004 Lambeth Commission which prepared the Windsor Report. Dr. Howell is the Executive Director of FIFNA. He has served on the boards of FIFNA, AAC and Trinity School for Ministry. Bishop Jack Iker, Bishop of Fort Worth, was a leader in the early beginnings of the ACNA. He was one of the original signers of the Network memorandum. Several meetings were held in his cathedral in Bedford, Texas, as was the gathering where the ACNA was launched. FIFNA continues to be a strong force within the ACNA.

THE REFORMED EPISCOPAL CHURCH

The Reformed Episcopal Church (REC) became a founding member of the ACNA in 2009 and became, to some extent, integrated into the ACNA. The REC came into being in 1873 when a segment of the Episcopal Church broke away to form the new church. It has functioned as a fully independent Anglican unit with its own bishops, dioceses and congregations. It has overseas missionary programs in Europe, Mexico and

Cuba. While it still functions as an independent church, the election of its bishops seeks the approval of the ACNA College of Bishops where REC diocesan bishops enjoy full voting membership. There have been some difficulties in reconciling its constitution and canons with those of the ACNA, yet the cooperative efforts of the leadership of both functions smoothly. The REC membership is about 14,000 residing in four dioceses within the United States and one in Canada. One REC bishop, Rt. Rev. Royal Grote, served on the Governance Task Force and helped put the ACNA together. Another Bishop, Rt. Rev. David L. Hicks, a seminary professor, served as chairman of the Task Force on Holy Orders which made an exhaustive study of the issue of the ordination of women. That group did not render its report until well after the ACNA was in full operation as a church. It concluded that while it could not find sufficient Biblical support to mandate the ordination of women, the current diversity of practice is to be honored.

TREMORS FROM NORTH AMERICA

Two events caused major tremors throughout the entire Anglican Communion. The first was the authorization of the blessing of same sex unions by the Bishop of the Diocese of New Westminster in Canada, the Right Rev. Michael Ingham. His decision was in defiance of both the Kuala Lumpur Statement (1997) and the Lambeth Conference Resolution 1.10 (1998) upholding the Biblical definition of marriage and Biblical limits on human sexuality as the teaching of the Anglican Communion.

The second tremor was the election of Gene Robinson in 2003 as the next Bishop of New Hampshire. Robinson had divorced his wife and left his two children to take up a relationship with a man whom he eventually “married.” As required by the canons of the Episcopal Church, the election was approved by the House of Bishops and the General Convention in the summer following the election by the Diocese of New Hampshire. It was a significant event.

PLANO MEETING

Shortly after the election of Gene Robinson as bishop of the Episcopal Diocese of New Hampshire in 2003, the American Anglican Council and the Rev. David Roseberry, rector of a large Episcopal Church in Plano, Texas, organized a gathering of orthodox Episcopalians for a meeting in Texas. It was called the Plano Meeting, but as attendance grew, the meeting was moved to a larger convention center in Dallas.

At the Plano Meeting, several significant events occurred. The Archbishop of Canterbury, following the election of Gene Robinson in New Hampshire, had called an emergency meeting in London of the Primates of the entire Anglican Communion. The Plano meeting petitioned the Primates to do whatever they could to stop the consecration.

To consecrate a bishop-elect, the canons of the Episcopal Church required the approval of two-thirds of the bishops of the Church and normally two-thirds of the Standing Committees of each diocese within the Church. The required approvals were in

due course obtained at the General Convention that summer, and the consecration date was set by the Presiding Bishop.

The second event at Plano was a surprise written greeting and commendation to the gathering from Cardinal Ratzinger of the Roman Catholic Church. The reading of the greeting evoked the loudest of cheers and applause. Cardinal Ratzinger headed the Congregation for the Preservation of the Faith, the second most influential office of the Church in Rome. He later became Pope Benedict XVI. We were not alone.

The third event was the recognition of the rising leadership of the Bishop of Pittsburgh, the Rt. Rev. Robert William Duncan. Bishop Duncan later became the first archbishop of the ACNA.

THE PRIMATES MEETING IN LONDON, 2003

The Presiding Bishop of the Episcopal Church, Bishop Frank Griswold, was part of the 38 Primates emergency gathering that met in London at the call of Canterbury. He and all the others signed a strongly worded declaration denouncing the election and noting that if the consecration of Gene Robinson went forward the fabric of the Anglican Communion would be torn to its core. Bishop Griswold returned to the U.S. and within a few days publicly announced that the consecration would proceed as scheduled, notwithstanding the document which he had just signed in London. The consequences of the consecration, which took place on November 2, 2003, began a gradual disintegration

of the Episcopal Church. Conservative dioceses began to withhold funds from the national church. Conservative congregations began to withhold funds from dioceses with liberal bishops. Membership declined throughout the church. A few congregations began to separate from their dioceses, and this led to protracted and costly litigation over the ownership of church property. The American Anglican Council began to advise these congregations and provide exit strategies. The Episcopal Church entered a period of serious distress.

Many have sought to analyze how the Episcopal Church lost its moorings. The seminaries were blamed for adopting liberal, non-Biblical teachings into a receptive atmosphere, and discouraging students of a conservative bent from applying or succeeding if they gained admittance. The argument has valid support. Nonetheless, a direct left turn could only have taken place with the consent of the Church's leadership—its bishops.

The Ordinal, the liturgical basis for ordaining deacons, priests and bishops was part of the liturgical reform going back to the 16th century and was included in the *Book of Common Prayer*. All deacons, priests, and bishops, as a condition of being admitted to their office, must affirm their belief that the Holy Scriptures contain all doctrine required as necessary for eternal salvation through faith in Jesus Christ. Priests and bishops are required “with faithful diligence, to banish and drive away all erroneous and strange doctrine contrary to God's Word.”

These critical affirmations remained in the Episcopal Ordinal through the term of the 1928 *Book of Common Prayer*. In the early to mid-1970s the Episcopal Church began a revision of its *Book of Common Prayer*. Several “trial use” revisions were published for study by the Church at large and were used in public worship by many of the congregations. One version of the Ordinal for the ordination and consecration of bishops omitted both the affirmation in belief of the Holy Scriptures and the commitment to “banish and drive away all erroneous and strange doctrine.”

When the dust settled and the 1979 *Book of Common Prayer* was made official for the Episcopal Church, this latter requirement to rid the Church of erroneous and strange doctrine was no longer applicable to its new bishops.

“Woe to the shepherds who scatter the flock” says the prophet Jeremiah. Four of the nine bishops that sat on the court for the trial of Bishop Walter Righter had themselves ordained practicing homosexuals, and yet they refused to recuse themselves. The remaining bishops did not require their recusal, and the outcome was clear before the trial took place.

Abortion, same-sex marriage, allowing the consecration as bishop of a man who divorced his wife and openly lived with and eventually married a homosexual partner are all laid at the feet of a controlling majority of the Episcopal bishops.

As noted above, the Archbishop of Canterbury, alarmed by the New Hampshire election and its approval by the General Convention of the Episcopal Church, had taken

the unusual step of calling an emergency meeting of the full leadership of the Communion. The Primates of all Anglican Provinces throughout the world gathered in London. At their meeting in London in October 2003, the Primates expressed their concern and objections. In addition to noting that if the consecration of Robinson went forward it would tear apart the very fabric of the Communion, they also passed a directive to the Archbishop of Canterbury calling for the appointment of a special commission to consider the legal and theological implications of the actions of the Episcopal Church and the Anglican Church of Canada which had recently authorized rites for the celebration of same-sex marriages. The requested study also asked for practical recommendations to restore unity to the Communion.

The directives from the Primates called for the appointment of what came to be known as The Lambeth Commission to be headed by Archbishop Robin Eames, Primate of Armagh, Ireland.

The American Anglican Council sent Mike Woodruff, Chancellor of the Falls Church, and me to England as part of a larger group headed by Bishop Duncan and The Rev. Martyn Minns, Rector of Truro Church, to see what could be done by our English counterparts if the consecration went forward. Mike and I had met in Oxford with John Rees, chief legal adviser to Canterbury, and Norman Doe, a leading professor of canon law at Cardiff University in Wales. As it happened both Rees and Doe ended up as part of The Lambeth Commission. We were shown a draft of a proposed statement by

Canterbury commenting on the pending consecration. It was couched in “churchy” language, but in large measure, we thought it appropriate and adequate for our needs. We were cautioned that it was only a draft and there were no assurances that it would be issued by Canterbury. We were nonetheless stunned a few days later to read the final statement which stated that the Diocese of New Hampshire had acted within its canonical authority and that the election took place in good order. Months later we were told that the Canterbury statement may have been prepared and suggested by an American Episcopal bishop. The American influence over Canterbury could not be denied.

The delegation from the Plano gathering met in Oxford where we struggled to prepare our own statement and were in consultation with Archbishops Peter Akinola of Nigeria and Drexel Gomez of the West Indies over what they were planning. Mike and I went on to London for what was to follow. While there, we attended evensong at St. Paul’s Cathedral. Mostly older men, veterans of WWII, were there to remember Britain’s fallen warriors. It was All Saints’ Day. The next day Griswold consecrated Robinson.

THE NETWORK

Later the Plano delegation met in London with Archbishop Akinola to consider what type of organization the American Anglicans might form to oppose what was to come. Disagreement among the Plano folk over authority and structure was troublesome to Akinola who, at one point, left the meeting in disgust.

In time, a short memorandum was agreed upon by the attending bishops and the meeting produced a sketch of the Network of Confessing Anglicans. The Rev. John Guernsey was an important member of that gathering. He was later consecrated a bishop by the Church of Uganda.

In January 2004, at a meeting in Christ Church, Plano, TX, a formal Network organizational document was put together. The effort might have failed over the issue of the ordination of women had it not been for Tad Brenner, the lawyer for the Anglo-Catholic Diocese of Quincy, who produced agreeable language to the effect that each side of that thorny issue would respect the rights and views of the other.

The Network had a basic operating structure, and it had a moderator and leader, Bishop Robert Duncan of Pittsburgh. It had a number of other bishops and leading clergy. Some of whom later became bishops in the ongoing Anglican Realignment. Later that year the Common Cause Partnership was created with Bishop Duncan as its Moderator.

I have touched on a few of the highlights of the ongoing movement, omitting, no doubt, much which will be covered by others who produce a more accurate account of events leading up to the Jerusalem meeting in 2008. Much of the time between the first Plano gathering, the consecration of Gene Robinson, and the Lambeth Emergency Meeting of the Primates, the Windsor Report, and Jerusalem 2008 was consumed by bitter battles over church property and the defrocking of orthodox clergy. In one day, the Bishop of Virginia deposed twenty of the finest clergy in the Episcopal Church. Millions

of dollars in legal fees were spent as bishops battled in court proceedings with congregations seeking to leave the Episcopal Church. Those leaving sought refuge in the aid offered by Anglican Provinces in Africa and South America. These so-called lifeboats offered an Anglican “hook” so that those departing remained part of the worldwide Communion.

THE WINDSOR REPORT

At the Communion level, events were also in motion. The Lambeth Commission held several meetings at St. George’s in Windsor, hence the title to its report. The Commission also held one meeting at Kanuga Conference Center in the hills of western North Carolina. It invited presentations from Network/Common Cause Partnership and the leadership of the Episcopal Church. Bishops Duncan and Minns spoke for the leadership of our side. Martyn Minns had become a missionary bishop from the Anglican Province of Nigeria under the leadership of Archbishop Akinola. Bishop Duncan was the acknowledged leader of the entire orthodox movement in North America. Three laity were also chosen as part of the team: Diane Knippers, Michael Howell and me. Presiding Bishop Griswold, Chancellor David Booth Beers and others represented the Episcopal Church.

Both John Rees and Norman Doe were there among the large composition of the Commission chosen by Canterbury from across the entire Communion. Our side went first. Archbishop Eames as the chairman was gracious and cordial. We were not cross

examined by members of the Commission and were not allowed to hear what the Episcopal Church had to say. I was asked by Eames to reduce my remarks to writing to be filed with the Commission as part of their record. When our side was done the chairman thanked us, assured us that we had been heard and let us know that in all probability their report would contain some things that we would like and some things we may not like. How right he was.

Some of the top Anglican theologians representing the Anglican Communion Institute submitted a comprehensive printed and bound document entitled *Communion and Discipline*. It was offered by Christopher Seitz, Ephraim Radner, Don Armstrong, Philip Turner, Andrew Goddard, and Peter Walker. Their carefully worded recommendations on discipline were ignored by the Lambeth Commission.

Archbishop Eames, charming as he was, was also a wise political operative. The composition of the Commission, coupled with the chairman's inclinations, offered little promise for the Duncan team.

In about a year after being formed, the Commission announced the intended release of its report. We went back to London to the crypt at St. Paul's Cathedral where we gathered to receive copies of the long-awaited Windsor Report. Upon reading the Report, Archbishop Akinola noted that the Report called for the Episcopal Church to express its regret and at the same time condemned orthodox bishops who had crossed jurisdictional boundaries to aid suffering congregations. In a published, detailed opinion

of the Windsor Report, the Archbishop noted that the Report unfortunately chose to rebuke equally “those who are subverting the faith” and “those who are trying to bring the Church back to the Bible.” He lamented that the Commission used “equal language for unequal actions in a bewildering imbalance.”¹³

The Windsor Report, largely at the suggestion of Professor Norman Doe, called for the further uniting of the Communion by a proposed Anglican Covenant, concluding that, if the call to future unity is ignored, “We shall have to begin to learn to walk apart.”

To date, efforts to create an Anglican Covenant have not been successful. Early drafts were widely rejected by Provinces which felt their independence was being curtailed and too much authority was being granted to Canterbury.

There is also a thoughtful and more hopeful reflection of the Windsor Report by the convener of Anglican Mainstream, Professor Philip Giddings. The much-awaited Windsor Report, comprehensive as it attempted to be, is now an effort of the past, noticeable for its comprehensive attempt to bring peace to the Communion but lacking the teeth many thought necessary to halt the trend towards walking apart.

In our entire efforts in England, very little could have been accomplished without the extraordinary help from one of the early leaders of the orthodox movement within the Church of England. The Rev. Chris Sugden was a priest in the Church of England. He

¹³ His comments can be found at www.english.religion.info/2004/10/21/anglican-communion-latest-developments-in-the-crisis-over-homosexuality/

formed the Oxford Centre for Mission Studies and, in 1994, became the secretary of Anglican Mainstream. Chris Sugden established a working relationship with the American Anglican Council and Bishop Anderson, and it was because of that union that Mike Woodruff and I were able to function in England.

Chris Sugden was a “can do” person. He got us access to the Bodleian Library in Oxford as well as the library at Lambeth Palace in London. He also introduced us to several professors at Wycliffe Hall, a Church of England Theological College at Oxford. One of these professors now teaches at Trinity School for Ministry in Ambridge. Chris also arranged for us to meet the Rev. John Rees in his Oxford office. He was the top canon lawyer in the Church of England. He arranged for a meeting with both John Rees and Professor Norman Doe. We also met with Professor Philip Giddings at Reading University. He was one of the most influential lay leaders of the orthodox movement within the Church of England and a leader of Anglican Mainstream.

I had several meetings with John Rees in England, once in his law office in Oxford and later, after the release of the Windsor Report, we met in London. He recognized that a major disruption within the Episcopal Church would be damaging to the Communion and hence, a major problem for the Archbishop of Canterbury.

John Rees surprisingly came to Virginia and requested that I assemble a group of lawyers to discuss his hopes of brokering a peace treaty within the Episcopal Church. I arranged a dinner meeting at a restaurant in Alexandria which lasted several hours. His

main theme was “you have more that unites you than you have that divides you.” The bitter and costly litigation that followed would question his efforts. John Rees was friendly with David Beers, Chancellor to the Presiding Bishop, and I learned that the two met during Rees’ same trip across the pond. His advice and urging to Beers and the Episcopal Church are unknown to me.

The Rev. Canon John Rees, once a missionary in Africa, became the Queen’s Chaplain and was awarded the Canterbury Cross by Archbishop Welby. John Rees is a very remarkable person, a peace maker who tried his best.

I had no formal canon law training. These contacts in England enabled me to see how the Church of England operated and was a helpful background to the work that was soon to be set before me. All of these contacts and library access enabled us to gain an appreciation of the complexity of the issues dividing the Anglican Communion. It was a bit difficult to untangle the subtleties operating within the Church of England, but we did find understanding and support among our English friends. Formal recognition of the ACNA by the Church of England may take time. The existing acceptance of the legitimacy of the Holy Orders of ACNA clergy is a start of that process.

THE ANGLICAN COMMUNION

The Anglican Communion is not easy to describe. In the mid-nineteenth century, a Canadian bishop wrote the Archbishop of Canterbury suggesting he convene the

bishops of the Anglican Churches throughout the world. This was the origin of the Lambeth Conference of Anglican bishops. It is convened every ten years, and the group gathers for fellowship and exchange of ideas. From the outset, it was made clear that its only authority was moral authority, and the conference had no controlling powers. The Archbishop of Canterbury was regarded as “first among equals” and every effort was made to distinguish the Anglican arrangement from what existed in Rome.

The Communion consists of 39 different “Provinces,” one Province per country, each with its own Archbishop or Primate.¹⁴ Each Province is a completely independent, self-sufficient church, free of oversight from any other jurisdiction or person. Their connection, of course, is based on their origins stemming from the missionary enterprises of the Church of England, especially during the end of the eighteenth century and the tremendous efforts during the nineteenth century.

Most Anglicans are African or Asian, far outnumbering English, American and Canadians. These latter are considered the Western Church. The vast majority remainder is considered the Global South. The overarching theology of the Global South is conservative, what some regard as the purer or more orthodox Anglicanism. Liberal theology predominates in the Western Church, but the Western Church also contains a diminishing remnant of the more orthodox thinking within Anglicanism.

¹⁴ Most recently a new Province in Chile has been created and authorized. Archbishop Tito Zawala is to be installed as Primate. Tito Zawala is a graduate of Trinity School for Ministry.

In 1998, the majority of bishops in attendance at the Lambeth Conference adopted Resolution 1:10 on human sexuality. It affirmed marriage as a life-long union of a man and a woman, it called for compassion for those struggling with issues of sexuality and stated it “cannot advise the legitimacy or blessing of same sex unions nor ordaining those involved in same gender unions.”

Although bishops from the United States and Canada were in attendance, Resolution 1:10 was completely ignored and later openly defied in those Provinces of the Communion.

The Archbishop of Canterbury bears the difficult task of trying to keep on good terms with both sides of this division. In the eyes of some, the recent Archbishops tend to favor the Western Church because of their liberal leanings. Others say that the Western Church with its strong financial power wields undue influential impact when critical issues appear, which they often do. This problem has become evident during the tenure of the last two Archbishops of Canterbury. This lenient tendency on the part of Canterbury has been the subject of public criticism from leaders from the Global South, particularly the African leaders.

The effectiveness of the early missionary enterprises from England, especially into Africa, cannot be overlooked or underestimated. Missionary societies formed in England sent countless evangelists with little support into unclaimed territories. In some places, they found hunger for the Gospel. In others, they encountered life-threatening hostility.

It is an amazing sight to view a gathering of African Anglicans in worship. The Church in Africa is strong. Its leaders are outspoken defenders of the Gospel and good theologians.

The Anglican Church of Nigeria is the largest Province in the entire Communion. As the crisis in the Episcopal Church in the U.S. grew, Archbishop Peter Akinola formed an extension of the Nigerian Church which became the Convocation of Anglicans in North America (CANA). He later saw to the consecration of the Rev. Martyn Minns, Rector of Truro Church in Northern Virginia as a Missionary Bishop of Nigeria in the U.S. I first met Archbishop Akinola in Martyn Minns' living room when the details of CANA were being put together. He was a most engaging and commanding person. Nigeria later consecrated David Anderson and Roger Ames as bishops to aid in the extension of the "lifeboat" he had created for Episcopalians leaving the Episcopal Church. Likewise, Archbishop Henry Orombi of Uganda saw to the consecration of the Rev. John Guernsey, Rector of All Saints Church in Woodbridge, Virginia, as a missionary bishop to care for 53 American churches that had joined the Church of Uganda. Archbishop Gregory Venables of South America received a number of congregations and several departing U.S. dioceses as part of his Province. These efforts permitted clergy and congregations leaving the Episcopal Church to retain their Anglican "hook" and membership in the Anglican Communion.

As departures began to escalate, leadership in the Episcopal Church retaliated. The Bishop of Virginia deposed approximately twenty of his top clergy in one single act of “defrocking.” Having recognized attachment to another Anglican Province was of significant support to those grieved by being separated from the Church into which they were ordained.

It is important to note that while the top leadership in the Episcopal Church has lost its orthodox Anglican moorings, the same is not true for many congregations within the denomination. Many have elected to stay in the Episcopal Church and simply look the other way on matters with which they do not agree. A whole generation of orthodox bishops has died or lost leadership roles. A small and diminishing group of Episcopal bishops, who cling to orthodox theology, have elected to remain in the Episcopal Church. They call themselves Communion Partners and represent much of what was once the former church. There is always hope for a new and better day. Time will tell.

The strength and support of non-Western Anglican leaders was demonstrated in other ways as well. Archbishop Maurice Sinclair of the Southern Cone, and Archbishop Drexel Gomes of the West Indies, among others, wrote and published scholarly essays and pamphlets pointing out the wayward ways of Western Anglicans, especially the Episcopal Church and the Anglican Church of Canada, and what action was needed to mend their departure from faithful Anglicanism.

The Archbishop of Canterbury continued to support the Episcopal Church and the Canadian Church in his efforts to keep the Communion together, but in doing so, he began to lose the support of non-Western Anglican leadership. This became quite visible when Bishop Robert Duncan was invited to some of the gatherings of Global South leaders instead of Presiding Bishop Griswold.

MORE PROBLEMS

The turbulence within the Communion which led to the appointment of the Lambeth Commission following the consecration of Gene Robinson took a different form in the United States. Congregations began withholding funds from their bishops and from the national office of the Episcopal Church. The strife between the congregations and their clergy with liberal bishops eventually led to an exodus from the church altogether. In time, much of the orthodox Episcopalians found themselves in expensive litigation over the ownership of their church buildings, schools and rectories. Clergy were being deposed by their bishops and foreign Provinces of the Communion in Africa and South America extended aid in the form of mission organizations. Lawyers representing the departing congregations formed a loose network within the American Anglican Council for the exchange of ideas and tactics. The Episcopal Church injected itself into the fights through its chancellor, David Booth Beers, and his law firm.

Some settlement negotiations were undertaken to resolve the many property disputes. In Virginia, the Rev. Dr. John Yates, rector of The Falls Church, headed a team

to meet with representatives of the Diocese of Virginia. The Bishop, Peter Lee, appointed Russell Palmore, his chancellor, to lead a group representing the Diocese. We held a number of useful meetings. Largely through the lengthy efforts of John Yates and Russ Palmore, a workable document was produced which gave promise for a peaceful solution to disputes within a number of Virginia congregations.¹⁵ An unfortunate change in Presiding Bishops from Frank Griswald to Katherine Jefforts Schori caused us to receive a terse message from the Diocese that there was a new sheriff in town and the deal was off. Russ Palmore died prematurely of a heart attack a few years later. He was a good man. Presiding Bishop Schori spent millions of dollars litigating with congregations all over the Country, including in Virginia.

Three Anglo-Catholic Dioceses, Quincy, San Joaquin and Fort Worth, along with their bishops, withdrew with most if not all their congregations. The Presiding Bishop appointed acting bishops for those dioceses to sponsor recovery litigation. Later, the Diocese of South Carolina withdrew with most of its congregations and was met with similar litigation.

¹⁵ Their protocol allowed a congregation (in the diocese) to leave the Episcopal Church with their property upon a 70% vote. The parties would engage in good faith negotiations to reach a financial settlement. Truro Church and The Falls Church, the two largest Episcopal Churches in Northern Virginia, voted by more than 95% to leave. They lost their property and their clergy were deposed.

THE TRUMPET CALL

In December 2007, a group of a few orthodox leaders throughout the Communion, having concluded that Canterbury was unlikely to be the source of leadership to take on the misdeeds of the Western Church, began to plan a worldwide gathering of orthodox Anglicans to deal with the ever-growing doctrinal disputes. Many Global South bishops had decided to boycott the Lambeth Conference scheduled for the summer of 2008 in favor of the proposed meeting.

A large gathering was carefully planned to meet in Jerusalem in June 2008, the very place where the Christian Church began. The gathering was called GAFCON, the Global Anglican Future Conference. In some respects, it was like the first Plano meeting of rebelling Episcopalians, but this time it was of worldwide scope and intent. Chris Sugden and Archbishop Peter Jensen of Sydney, Australia, were among the key organizers.

The gathering concluded with the adoption of the Jerusalem Declaration—a document worthy of careful study. The document established the need for a new Anglican Province in North America under the acknowledged leadership of the GAFCON Primates. These were the leaders of the major Anglican provinces represented at the meeting. Archbishop Akinola was chosen as their leader. The Declaration was a major event in historic Anglicanism. It was a certain sound of the trumpet, and North American Anglicans were prepared to respond and proceed.

The GAFCON meeting drew most of the leaders of the Anglican realignment. Among them, the Rev. Stephen Noll was prominent. He began his ministry as a curate at Truro Church in Northern Virginia, did graduate work in England, and, in time, became a professor and Academic Dean at Trinity School for Ministry in western Pennsylvania. Stephen Noll was appointed Vice Chancellor of Uganda Christian University and spent ten years of his life in Africa raising that institution to a very high academic level. He was of great help to the Presenting Bishops and to me during the trial of Bishop Walter Righter. He has written a number of books and pamphlets on a variety of subjects.

The Anglican “custom” had been that there should be only one Anglican Province in a separate nation. Since there was already a Province in the U.S. and another in Canada, this was a departure from “custom,” noted by Canterbury shortly after the Declaration was published. It was noted by some that in Britain there were two Archbishops, Canterbury and York.

A NEW PROVINCE

American orthodox Anglicans had previously banded together in loosely organized associations, first the Network and later the Common Cause Partnership. Bringing the Network together was not an easy undertaking.

Bishop Robert Duncan had served as the moderator of both the Network and the Common Cause Partnership and was the obvious choice to try to put together the new

Province called for by GAFCON, an incredible challenge, but he was God's man for the time and succeeded, as I shall try to outline.

Bishop Duncan's sense of order brought forth the establishment of a group of "task forces" to develop the basic elements of the new church. These included Liturgy for a new prayer book and ordinal, Catechesis for a new catechism, Holy Orders to consider the ministry of the Church, including the thorny issue of the ordination of women, a task force on Ecumenical Relations to assist in the proper association with other Christian forces, and a Governance Task Force to develop a constitution and canonical structure for the new Church.

Membership on each of these working groups included clergy and laity from across the whole spectrum of the founding entities of the new church, namely, the members of the Common Cause Partnership. These included The American Anglican Council, The Anglican Coalition in Canada, The Anglican Communion Network, The Anglican Mission in the Americas, The Anglican Network in Canada, The Convocation of Anglicans in North America, Forward in Faith-North America, The Missionary Convocation of Kenya, The Missionary Convocation of the Southern Cone, the congregations of the Church of Uganda, and The Reformed Episcopal Church.¹⁶

¹⁶ See Article II, ACNA Constitution

Every entity had a strong Anglican background. In numbers, most of the membership was former members of the Episcopal Church in the U.S. The so-called convocations were efforts by African or South American Anglican Provinces organized to provide a lifeboat or safe haven to congregations which had broken away from the Episcopal Church but who wished to retain an ongoing connection to their Anglican heritage. These assisting Provinces had authority to create their own missionary bishops, and a number of former Episcopal clergy were consecrated bishops in the African or South American churches and sat as members in the House of Bishops of those Provinces.

There were also several groups of Africans, mostly from Nigeria, who had immigrated to the U.S. and had obtained membership in the Episcopal Church. These groups were served by Nigerian clergy who had been accepted into the Episcopal Church. When rifts began to occur within the Episcopal Church, the Nigerians were summarily dismissed from the clergy rolls of the Episcopal Church and were left without salary, pensions or medical benefits. In time, these groups were reformed into missionary dioceses of Nigeria and became part of the ACNA.

The various task forces went about their appointed responsibilities with diligence and with considerable expertise within their respective membership. For example, Bishop Ray Sutton¹⁷ was the chairman of the Ecumenical Task Force. He was a bishop

¹⁷ Bishop Sutton is now the Presiding Bishop of the Reformed Episcopal Church.

in the Reformed Episcopal Church which had left the Episcopal Church one hundred years earlier and had its own well-established relationship with other Christian churches. The Task Force on Holy Orders was headed by Bishop Hicks also of the Reformed Episcopal Church. He was a brilliant scholar and taught in a theological seminary.

I was appointed by Bishop Duncan as chairman of the Governance Task Force (GTF). While I had been a diocesan chancellor and deputy to the General Convention of the Episcopal Church, my knowledge of world-wide Anglican polity was slim.

THE GOVERNANCE TASK FORCE

The GTF had bishops, clergy and lay people, mostly lawyers, but we lacked expertise in the main arena of our assignment to create a viable Anglican entity. The Archbishop of Sydney (Australia), The Rt. Rev. Peter Jensen, had been one of the chief organizers of the GAFCON gathering in Jerusalem which had called for the creation of a new Anglican Province in North America. He graciously and at no cost to us, sent his chancellor, Robert Tong, to serve as a consultant. Mr. Tong was very helpful. He had been a member of the Anglican Consultative Council and understood the structure and workings of Anglican provinces.

As reference documents, we had the Canons of the Church of England, the Constitution and Canons of the Episcopal Church and the Constitution and Canons of several African Provinces, including Nigeria, Uganda, Kenya and Rwanda. Most of these

documents were lengthy, reflecting many years in their development. Their comprehensive nature was intimidating to say the least, and we quickly realized the enormity of our assignment. The essential Anglican structure was clear: episcopally led and synodically governed.

My first impression of the membership of the GTF was to acknowledge lots of talent and multiple divergent views and commitments. My first order of business was to appoint a chaplain from among the clergy and bishops. I chose the Rev. Phil Ashey who was at that time the Chief Operating Officer of the American Anglican Council (AAC). The AAC had been in the struggle for a very long time. I had known Phil Ashey back when he was an assistant rector in the church I attended in Fairfax, Virginia, Church of the Apostles.. Prior to joining the ministry, Phil Ashey was a prosecutor with Orange County, CA—most recently he received the Masters of Laws in Canon Law and is now the President and CEO of the AAC and Chair of the Governance Task Force.

We began every meeting with a worship service which sometimes included a homily by Phil Ashey.

Shortness of time was both a tyrant and a blessing. We held our first meeting in October 2008 with a deadline of early December when the GAFCON Primates were meeting in London. Our meetings were held in Northern Virginia; Wheaton, Illinois; Atlanta, Georgia; and Dallas, Texas. Bishop Duncan attended every meeting and sat next to me during all of our sessions. The Internet was also very useful for research. Secrecy

and security were critical to our work. We knew that no matter what we produced it would be subject to wide scrutiny and criticism.

At the outset, we adopted two principles of basic structure: minimalism and subsidiarity. By minimalism, we insisted that our documents contain no more than what was necessary to organize and govern. The standard of necessity resulted in exclusion of many proposals which, while desirable, were not regarded as crucial to the cause.

Subsidiarity meant that no assigned duty would be given to a higher authority than could be accomplished by a lower entity. For example, a primary and necessary goal of the Province would be mission. Mission, however, would be the chief work of the individual congregations and not of the Province or its several dioceses.

We tackled the writing of the Constitution first. It would state who we are, where we came from, what we believed, our main mission, and how we proposed to carry it out. Sound simple? Think about it—then look at the final result.¹⁸

There is an old saying, “You can take the boy out of the country, but it’s hard to take the country out of the boy.” In our case, it was hard to take the influence of the Episcopal Church out of the task force members. The first crack out of the box, so to speak, was the issue of ownership of church property. It was made clear that the individual congregations were to have exclusive ownership of their properties. The Rev.

¹⁸ See the Appendix for a copy of the Preamble and Fundamental Declarations of the Constitution of the ACNA.

Matt Kennedy, a member of the GTF, had been the rector of an Episcopal congregation in up-state New York that, like many others, had left the denomination. In the litigation that followed, they lost their church building and rectory where he and his growing family resided. The Episcopal Church sold the property to a Muslim group at less than half the price Kennedy's folk offered to buy it back. It was hard to do our work and put aside the bitter feelings shared by most on the Task Force.

To ensure that the congregations could retain their properties, a provision was made that any church or diocese could withdraw should there ever be a change of mind and change of constitutional guarantee of local ownership and no change to the constitution to prevent such withdrawals could become effective for a period of time.

In the midst of this effort, it was discovered that title to church property in several Anglo-Catholic dioceses was held in the name of the bishop as a corporation sole. A preserving exception was provided.

Without question, the Preamble to the Constitution and Article I which sets forth the Fundamental Declarations of the Province are the most significant provisions crafted by the Task Force. These are worthy of being widely broadcast among the laity of the Church as are the thirty-nine Articles of Religion originally adopted by the Church of England and incorporated among the establishing documents of all Anglican Provinces.

Mindful of draconian canonical provisions adopted by the Episcopal Church in the times and struggles that led to the departure of so many congregations as well as some

entire dioceses, the new ACNA Constitution included an article (Article VIII) setting forth the limit of Provincial Authority. This included a prohibition of interfering with the right of each diocese to have its own provision concerning the ordination of women to the diaconate and the presbyterate. Elsewhere in the canons setting forth the requirements for election of a bishop, was the provision that a candidate must be a male presbyter at least 35 years of age. The establishment of the episcopate for males only and the restriction against allowing interference with the right of a diocese to ordain women as deacons or presbyters did not come easily to the Task Force which had members on both sides with very strong views on this issue. Nonetheless, the strong commitment by all to get the job done carried the day on this and several other “sticky wickets.”

A critical part of our process was the wisdom of Bishop Duncan to arrange to have intercessors present at all of our meetings. Rose-Marie Edwards Tasker of Ohio headed up the group. Betty Mallory of southwest Virginia was often present. The intercessors sat quietly in a corner of our meeting room following our struggles with special insights and silent prayer. Often, when we would reach an impasse, we would adjourn for prayer or a much-needed break. The intercessors never quit. Tennyson was right when he observed “more things are wrought by prayer than this world dreams of.” I had figured that if we survived the problem of the ordination of women, we were on the home stretch. Not so. It was tough sledding all the way.

We met in Wheaton, Illinois, near Chicago in early December 2008 and sent a draft of the Constitution to the GAFCON Primates who were meeting in London. The document was also shared with the Archbishop of Canterbury. We had put together a very few proposed canonical provisions which, admittedly, were only an outline of what we hoped to complete at a later date.

The response of the Primates was encouraging. Canterbury and a few English canon lawyers tersely commented “inadequate.”

The council of the Common Cause Partnership served as the governing body and oversight team for our work. They were very helpful in that we had an expanded group of eyes beyond our membership on the Task Force to oversee our work.

When we were reasonably satisfied with our work on the Constitution, we began our work on the Canons. Again, we adapted minimalism and subsidiarity as our guidelines. In reviewing the Canons of other Provinces, including those of the Episcopal Church, we found that typically canonical arrangements fell into five distinct but related categories or “Titles”. These included: Title I-Organization and Administration of the Church, Title II-Worship and Administration of Sacraments, Title III-Ministers, Recruitment, Preparation, Ordination, Office Practice and Transfer, Title IV-Ecclesiastical Discipline, and Title V-Provisions for Enactment, Amendment and Repeal of Canons.

The wording of these titles was developed as their provisions were polished and agreed upon. We divided the membership into five subcommittees, each charged with producing initial draft proposals for a particular Title. Many members had laptops and our meeting places usually had printing services, so we were able to distribute working copies of all our efforts. Every member contributed. The disagreements among some were severe, yet the work was never hindered or significantly delayed. The intercessors prayed. In the end, by the grace of God, we concluded our work, and the documents were released to the public. We had many supporters and words of encouragement. The bloggers were quite active. We also had many critics and nay-sayers. Many predicted that the compromise over the ordination of women would bring about a downfall, even if initially adopted.

The Constitution called for a College of Bishops whose initial task was to elect an archbishop. The leadership of the Common Cause Partnership called a convening meeting to be held in late June 2009 at the cathedral in Bedford, Texas, the headquarters of the Diocese of Fort Worth. The main order of business was to be the adoption of the Constitution and Canons, the election of the Archbishop, and the institution or enthronement of the Archbishop.

The night before the opening session the leadership of the Common Cause Partnership met for the last time to place a final blessing on the Constitution and Canons. While there had been some prior comment concerning the language used in describing

the role of bishops in the Church as expressed in the Fundamental Declarations (Article I), the force of the opposition caught many of us by surprise. The wording is as follows:

We confess the godly historic Episcopate as an inherent part of the apostolic faith and practice, and, therefore, as integral to the fullness and unity of the Body of Christ.

At issue was how best to express the need for the role of bishops. The divide was between those who felt the absolute essential role (“*esse*”) and those who felt bishops were not essential but beneficial (“*bene esse*”).

The wording in the Fundamental Declarations was the same as that adopted by the Common Cause Partnership when, to my recollection, no one had objected. The debate went quite late, and, at one point, it looked as if a split was inevitable. A major factor in the dispute was the still recent recollection of the ways the bishops in the Episcopal Church had contributed to its demise. The compromise over the ordination of women went by without comment, but the episcopate issue did not. At the end, the present language was kept, unchanged, and those who were opposed accepted the vote of the vast majority.¹⁹

The time in Bedford was joyous and everyone was in a celebratory mood notwithstanding the temperature at 104 degrees. The Constitution and Canons were quickly adopted, the College of Bishops confirmed their choice of Robert Duncan as

¹⁹ It was noted during the argument that the historic episcopate was one of the four essentials of the Chicago-Lambeth Quadrilateral.

Archbishop, and he was installed in a very impressive ceremony overseen by Archbishops and their representatives from around the Anglican worldwide communion.

It is probably a mistake to single out a few members of the Governance Task Force since every member made significant contributions, but if I may—the Rev. Dr. Travis Boline undertook to become the recorder of all the working drafts, the amendments as well as the final results. It was an extraordinary undertaking. She became the Secretary of the ACNA at its founding and continues to serve in that role. Bishop John Guernsey blessed us with his remarkable skill in the use of precise language, a discipline greatly needed. Bishop Robert Duncan was the only bishop on the Governance Task Force who had been a bishop in a diocese of the Episcopal Church. His command of ecclesiastical order kept the membership from straying from the reason for our being. We profited from the assistance of Bishop Royal Grote of the Reformed Episcopal Church who brought experience in church structure.

The new church got off to a great start. Before the meeting in Bedford had even adjourned, the House of Bishops in the Church of Uganda—the second largest Province in the Anglican Communion—formally recognized the ACNA and then transferred Bishop John Guernsey into it, along with Uganda’s 53 U.S. churches and 140 clergy. Some of those churches formed the temporary Diocese of the Holy Spirit under Bishop Guernsey until permanent ACNA dioceses could be established, including the new Diocese of the Mid-Atlantic which elected Guernsey as its first bishop.

As former congregations of the Episcopal Church began to come together, new dioceses were formed and applied for membership in the ACNA. Their proposed constitutions and canons were reviewed by the Governance Task Force and recommended to the Council for acceptance into the new structure. The Church grew. Not all growth took place without some pain.

In putting ACNA together special provisions had to be made to accommodate the different characteristics of several of its founding members. The Reformed Episcopal Church was a fully functioning church over one hundred years in existence with a number of dioceses served by bishops united in their own House of Bishops. They continued to function as such, but their bishops sat in the ACNA College of Bishops with full voice and vote. Three Anglo-Catholic dioceses, formerly part of the Episcopal Church, were merged into the ACNA but title to church property remained with their bishops, including their successors. They did not ordain women and remained committed to that position. AMIA was a missionary arm of the Province of Rwanda with its primary financial support going to Rwanda and not to the ACNA. Its bishops were a part of the Rwanda House of Bishops, subject to their Constitution and Canons. They also sat in the College of Bishops of the ACNA. These special arrangements for the most part, held, largely because the total membership was committed to the cause of the ACNA.

A serious problem arose when AMIA decided to withdraw as a founding member and take a new, lesser status as a “Ministry Partner” under ACNA Canons allowing for a more detached role.

Bishop Murphy had advised the ACNA that the House of Bishops of Rwanda had made an official finding that AMIA’s status as a full member of the ACNA was in violation of the Canons of Rwanda. A review of the document setting forth the claim of violation and the circumstance surrounding its adoption raised concerns within the ACNA over the true motivation of Bishop Murphy as the AMIA bishop. Nonetheless, but with reluctance, the ACNA Council approved the AMIA request to reduce its status to Ministry Partner, and they ceased to be a full member of the organization they had helped create. This was a very painful time for the rapidly expanding ACNA and especially for Archbishop Duncan.

Not long after this unhappy event, Archbishop Kolini retired as the Primate of Rwanda, and a new archbishop took his place. The events that followed this change of command are subject to various interpretations, the details of which will not be covered here. Suffice it to say that AMIA underwent some substantial changes, even to a point of seeking affiliation with another African Anglican Province. Some AMIA groups remained with Rwanda, some left AMIA altogether and yet others regrouped into a different “mission” status. One group that remained with Rwanda became PEAR-USA, (Province de l’Eglise Anglicane au Rwanda). The Rev. Steve Breedlove became its

leader. In time, PEAR-USA was completely released from Rwanda, merged into the ACNA and became a separate diocese of the church, with Bishop Breedlove as its leader.

The AMIA congregations and some AMIA bishops rejoined the ACNA as full members thereof without other entanglements. Bishop Murphy eventually stepped down as head of the Revised AMIA residue and founded a new congregation in the Pawley's Island area. Despite the troubles within AMIA, Chuck Murphy remains one of the early prime movers of the Anglican realignment in North America.

All of the Episcopal Church dioceses that left to join the ACNA were the subject of protracted litigation over property ownership, many of them having to give up extremely valuable land, buildings and funds. The same fate was visited upon many former Episcopal congregations that left ECUSA for the ACNA. The litigation, extremely costly and lengthy, sapped much of the strength of those involved. Nonetheless, they stayed with the ACNA, enlivened and in many cases, emerged stronger than before.

MATURATION

In June 2014, the ACNA held its five-year Assembly at St. Vincent's College in Pennsylvania. The five-year term of Archbishop Duncan was up. Although eligible for a second term, he decided to step down. A conclave of the College of Bishops elected the Rt. Rev. Foley Beach, Bishop of the Diocese of the South, as the new Archbishop.

When the true history of the ACNA is properly written, the role of Robert William Duncan will be given its due honor. For me, my time with him on the Governance Task Force and serving five years as his Chancellor and Deputy Chair of the ACNA has become a significant part of my later life. He was, without doubt, the essential man, chosen by God, to lead a band of faithful orthodox believers into their new promised land. Most who know would agree that without his leadership it probably would never have come about. God is good—all the time—and we in the ACNA count ourselves richly blessed by Robert Duncan's extraordinary ministry and leadership.

With the close of the fifth anniversary of the founding of the Province and Archbishop Duncan not seeking reelection, I stepped down from the three offices I held: Deputy Chair, Chancellor and Chairman of the Governance Task Force. At that time the Province had 109,333 members, 952 congregations and 31 dioceses.

The gathering at St. Vincent's became a celebration of the fifth anniversary of the ACNA and Archbishop Duncan's ministry. John Yates, my Rector at The Falls Church Anglican, was placed in charge of the celebratory occasion. He called in a number of personal favors and the Assembly enjoyed the attendance and contributions of theologian J. I. Packer, celebrated authors Eric Metaxis, Os Guinness and others. The Falls Church Choir Director, Simon Dixon, with the church's portable organ, provided magnificent music. The evening of celebration and tribute to Bob Duncan ended with Scottish bagpipes and fireworks.

The next five years passed quickly. The new Archbishop Foley Beach, was selected as head of the GAFCON primates in 2018 in Jerusalem, a major event. The Liturgical Task Force worked diligently to produce a new *Book of Common Prayer* which was published in conjunction with the Tenth Anniversary.

One unhappy event took place which was disturbing to the entire Province. The Nigerian missionary effort consisted of three missionary dioceses: CANA East, CANA West, and the Diocese of the Trinity. CANA West and Trinity separated completely from the ACNA and remained entirely under the oversight of the Province and Archbishop of Nigeria. The separation was not peaceful and left some hard feelings which the two Archbishops attempted to repair.

CANA East withdrew from Nigeria and became the Anglican Diocese of the Living Word, an independent diocese of the ACNA with the Rt. Rev. Julian Dobbs as its diocesan bishop.

Despite protracted litigation with strange results, the Diocese of South Carolina was admitted into the ACNA by the 2017 meeting of the ACNA Council and became the largest diocese of the Province. Bishop Mark Lawrence was the first graduate of Trinity School for Ministry to become a bishop. He was overwhelmingly elected by the Episcopal Diocese of South Carolina. Although this initial election was not approved by the House of Bishops of the Episcopal Church, he was reelected with impressive

determination on the part of the diocesan convention. This time the Episcopal bishops gave in.

In 2017, the Bishops of the ACNA consecrated a missionary bishop with the assignment of serving the orthodox Anglicans in England and Scotland. This was a shot across the bow that was not pleasing to Canterbury.

The 2018 GAFCON meeting marked ten years since its first gathering in Jerusalem. Two thousand Anglicans from around the world gathered to proclaim their commitment to carry the Gospel of Jesus to all nations. The GAFCON Primates elected ACNA Archbishop Foley Beach as the Chairman.

The tenth anniversary was celebrated back in Bedford and Plano, Texas. The College of Bishops re-elected Foley Beach as the Provincial Archbishop. The ACNA from its humble beginnings has grown into an established leadership position among the Anglican Church worldwide.

As I close this section of my writing, the ACNA membership has increased to 134,689, congregations to 1,062, while dioceses were reported at 29, due to certain consolidations for membership and geographical reasons. The churches finances had increased as well. In 2014, the budget was \$1.7 million while in 2019, it was \$2.48 million.

UNSUNG HEROES

The path to the creation of a new Anglican Province in North America required the leadership of many bishops and clergy who were totally and openly committed to the task before them. They were in the forefront and were exposed to constant visibility and criticism. There were others, however, mostly among the laity, whose activity went mainly unnoticed but were nonetheless an important part of the enterprise. I know it is risky to name some but not all because the foot soldiers were many and equally committed. I apologize in advance to those not mentioned here.

The first is not a lay person. The Rev. Dr. Travis Boline, the Rector of All Saints Church in Tallahassee, Florida, served on the Governance Task Force and did all the hard work of keeping the extensive paperwork and records in good order. She served on the board of the American Anglican Council and became the secretary of the ACNA at its founding.

Nancy Norton was an officer in the Diocese of Pittsburgh. She served as an assistant to Bishop Duncan as he led the Network. She became the founder and first executive director of the Anglican Relief and Development Fund.

Pam Norris arrived on the ACNA scene after it was formed and in motion. One of God's happy warriors, she took on the responsibility of handling the countless

arrangements for all ACNA meetings. Events began to run smoothly and with perfection. She is a saintly woman with a servant's heart who has done well in the vineyard.

Wicks Stephens, a successful California lawyer, attended Fuller Seminary with his wife Pam, went on the Board of Trinity School for Ministry, and resigned to join the administration of Trinity where his wife became the Director of Admissions. He became the Chief Operating Officer of the Network during its formative years. He served on the Governance Task Force and later went back on the Board of Trinity and became its Chairman.

Ron Speers, also a California lawyer, was an early leader and organizer of a group of congregations in the west that became the Diocese of Western Anglicans. He served on the Governance Task Force and became the parliamentarian of the ACNA. Ron undertook the responsibility to organize and personally finance Anglican House, the publishing arm of the ACNA. Anglican House has published many of the official documents of the ACNA, including *The Book of Common Prayer 2019*.

Scott Ward, another Californian, attended Yale Law School where he became editor of the Law Review. He enjoys an active practice at Gammon & Grange in Virginia. He served on the Governance Task Force, was Vice Chancellor and later the Chancellor of the ACNA. Scott became legal advisor to the Province of Nigeria and to its Archbishop. He was a behind-the-scenes brain power for the Church litigation in Virginia. He was a great help to Steffen Johnson, Esq. another great lawyer who led the

Virginia effort and assisted in litigation in several other jurisdictions as well. Scott helped organize the Anglican Diocese of the Mid-Atlantic and is its Chancellor, in addition to being the Chancellor of The Falls Church Anglican. He is an unassuming but extraordinary person and one of the most brilliant men I have known.

Bill Roemer was an executive banker in Western Pennsylvania. He oversaw the finances of his parish, St. Stephen's, Sewickley, the Diocese of Pittsburgh, Trinity School for Ministry, and the Anglican Church of North America. He served with distinction on the Executive Committee of the ACNA during its early years.

Talmadge "Tad" Brenner was an Abe Lincoln-type solo lawyer in Illinois and Chancellor of the Diocese of Quincy. He was involved in pulling the Network into a viable organization and served on its Executive Committee. He was one of the many lawyers who participated in the extensive litigation over church property and one of the very few who, on his own, defeated the entire legal arm of the Episcopal Church and kept church property in the hands of the original owners. He was a member of the Executive Committee of the ACNA.

CONCLUSION

So, what does all of the foregoing tell us? First, that God will not allow the Church of Jesus to self-destruct. There is still hope for the Episcopal Church. In its earlier, better days, the Episcopal Church made mighty contributions to the advance of

Christianity and the Anglican cause both in the United States and other parts of the world and deserves our prayers for restoration. Second, that the Anglican way is as close as any other to follow the teaching of the Apostles and preserving the faith once delivered to the saints. Finally, and not surprisingly, God calls on those He wishes to carry out His objectives, even the unexpected and unprepared, but always with a carefully chosen leader.

There are probably a thousand hymns whose verses could be useful in closing this work. I have chosen two:

Like a mighty army moves the church of God.
Brothers (and sisters) we are
Treading where the saints have trod.

And

Lift high the cross, the love of Christ proclaim.
Until all the world adore his sacred name.
Pax and Amen

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APPENDIX

THE CONSTITUTION OF THE ANGLICAN CHURCH IN NORTH AMERICA

PREAMBLE

In the Name of God, the Father, the Son and the Holy Spirit, Amen.

We are Anglicans in North America united by our faith in the Lord Jesus Christ and the trustworthiness of the Holy Scriptures and presently members of the Common Cause Partnership. We know ourselves to be members of the One, Holy, Catholic, and Apostolic Church. We are grieved by the current state of brokenness within the Anglican Communion prompted by those who have embraced erroneous teaching and who have rejected a repeated call to repentance. We repent ourselves of things done and left undone that have contributed to or tolerated the rise of false teaching, and we humbly embrace the forgiveness that comes through Christ's atoning sacrifice.

We are grateful for the encouragement of Primates of the worldwide Anglican Communion who gathered at Jerusalem in June 2008 and called on us to establish a new Province in North America. We affirm the Global Anglican Future Conference (GAFCON) Statement and Jerusalem Declaration issued 29 June 2008.

We believe that this Constitution is faithful to that call and consistent with the Historic Faith and Order of the Church, and we invite the prayers of all faithful Anglicans as we seek to be obedient disciples of Jesus Christ our One Lord and Savior.

ARTICLE I: FUNDAMENTAL DECLARATIONS OF THE PROVINCE

As the Anglican Church in North America (the Province), being a part of the One, Holy, Catholic, and Apostolic Church of Christ, we believe and confess Jesus Christ to be the Way, the Truth, and the Life: no one comes to the Father but by Him. Therefore, we identify the following seven elements as characteristic of the Anglican Way, and essential for membership:

1. We confess the canonical books of the Old and New Testaments to be the inspired Word of God, containing all things necessary for salvation, and to be the final authority and unchangeable standard for Christian faith and life.
2. We confess Baptism and the Supper of the Lord to be Sacraments ordained by Christ Himself in the Gospel, and thus to be ministered with unfailing use of His words of institution and of the elements ordained by Him.
3. We confess the godly historic Episcopate as an inherent part of the apostolic faith and practice, and therefore as integral to the fullness and unity of the Body of Christ.

4. We confess as proved by most certain warrants of Holy Scripture the historic faith of the undivided church as declared in the three Catholic Creeds: the Apostles', the Nicene, and the Athanasian.

5. Concerning the seven Councils of the undivided Church, we affirm 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.

6. We receive The Book of Common Prayer as set forth by the Church of England in 1662, together with the Ordinal attached to the same, as a standard for Anglican doctrine and discipline, and, with the Books which preceded it, as the standard for the Anglican tradition of worship.

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 belief.

In all these things, the Anglican Church in North America is determined by the help of God to hold and maintain, as the Anglican Way has received them, the doctrine, discipline and worship of Christ and to transmit the same, unimpaired, to our posterity.

We seek to be and remain in full communion with all Anglican Churches, Dioceses and Provinces that hold and maintain the Historic Faith, Doctrine, Sacraments and Discipline of the One, Holy, Catholic, and Apostolic Church.