

Communiqué Compliance Office

Report No. 6

**A Report to the Anglican Communion Primates on
The Episcopal Church's Compliance with the
Dar es Salaam Communiqué:
September 10, 2007 – October 10, 2007**

**By the American Anglican Council
October 11, 2007**

INDEX:

- I. Bishops' Responses to Communiqué
- II. Top Episcopal Leadership
- III. Rites for Same-sex Blessings
- IV. Litigation & Other Punitive Actions

I. Bishops' Response to Communiqué

Communiqué Requests

1. "(The HOB) make an unequivocal common covenant that the bishops will not authorize any Rite of Blessing for same-sex unions in their dioceses or through General Convention...There appears to us to be an inconsistency between the position of General Convention and local pastoral provision ... we understand that local pastoral provision is made in some places for such blessings."
2. "(The HOB) confirm that the passing of Resolution B033 of the 75th General Convention means that a candidate for episcopal orders living in a same-sex union shall not receive the necessary consent; unless some new consensus on these matters emerges across the Communion."
3. "...the Pastoral Council and the Presiding Bishop invite the bishops expressing a commitment to 'the Camp Allen principles' or as otherwise determined by the Pastoral Council, to participate in the pastoral scheme... in consultation with the Council and with the consent of the Presiding Bishop, those bishops who are part of the scheme will nominate a Primatial Vicar, who shall be responsible to the Council... the Presiding Bishop in consultation with the Pastoral Council will delegate specific powers and duties to the Primatial Vicar."
4. "The Primates urge the representatives of The Episcopal Church and of those congregations in property disputes with it to suspend all actions in law arising in this situation."

House of Bishops' Response

1. "We, the members of the House of Bishops, pledge not to authorize for use in our dioceses any public rites of blessing of same-sex unions until a broader consensus emerges in the Communion, or until General Convention takes further action...it is important to note that no rite of blessing for persons living in same-sex unions has been adopted or approved by our General Convention. In addition to not having authorized liturgies the majority of bishops do not make allowance for the blessing of same-sex unions. We do note that in May 2003 the Primates said we have a pastoral duty 'to respond with love and understanding to people of all sexual orientations.' They further stated, '... [I]t is necessary to maintain a breadth of private response to situations of individual pastoral care.'"
2. "We reconfirm that resolution B033 of General Convention 2006 (The Election Of Bishops) calls upon bishops with jurisdiction and Standing Committees 'to exercise restraint by not consenting to the consecration of any candidate to the episcopate whose manner of life presents a challenge to the wider church and will lead to further strains on communion'...The House acknowledges that non-celibate gay and lesbian persons are included among those to whom B033 pertains."
3. "We affirm the Presiding Bishop's plan to appoint episcopal visitors for dioceses that request alternative oversight. Such oversight would be provided by bishops who are a part of and subject to the communal life of this province. We believe this plan is consistent with and analogous to Delegated Episcopal Pastoral Oversight (DEPO) as affirmed by the Windsor Report."
4. No response

Analysis of HOB Response

1. The HOB's statement is accurate in saying "no rite of blessing for persons living in same-sex unions has been adopted or approved (by General Convention)." However, same-sex blessings continue to occur on the local level without repercussion and in the spirit of General Convention's 2003 resolution C051 which states, "...we recognize that local faith communities are operating within the bounds of our common life as they explore and experience liturgies celebrating and blessing same-sex unions." The HOB considers itself compliant because there is a loophole for private pastoral responses and no official church "rite of blessing" has been adopted. An example of this can be found in the Diocese of Los Angeles where its bishop, John Bruno, claims no same-sex blessings have occurred with his consent. However, several documented same-sex blessings have taken place, the most recent one occurred during the HOB meeting. The HOB also limits their compliance "until General Convention takes further action" which could be as early as 2009. Nowhere in the HOB response is there an acknowledgment that Lambeth Resolution 1.10 is the standard of Communion teaching on human sexuality.
2. The HOB clarified Resolution B033 as applying to "non-celibate gay(s) and lesbian(s)"; however, the bishops agree only to "exercise restraint." B033 does not prevent the ordination of non-celibate homosexuals as deacons or priests.
3. The HOB endorsed Presiding Bishop Schori's "Episcopal Visitor" program and claims it is consistent with DEPO. The Pastoral Scheme was suggested by the Primates precisely because DEPO is inadequate. With Episcopal Visitors, the Presiding Bishop retains control by having authority to appoint those with oversight; the "Primate Vicar" scheme called for those bishops who are part of the scheme to **nominate** a Primate Vicar. Also, unlike the proposed Primate Vicar scheme, the Episcopal Visitors will be responsible solely to the Presiding Bishop and not to the Pastoral Council. The Episcopal Visitor program does not provide for any Alternate Primate Vicar Oversight.
4. No lawsuits have been suspended since the Communiqué and new suits have been initiated by TEC bishops.

Individual Bishops' Responses

- "We stated that we will wait to discern the will of General Convention regarding authorized rites for the blessing of same sex unions, and in the meantime we will allow for a breadth of response to situations of individual pastoral care, as the primates themselves encouraged us in 2003."
- **The Rt. Rev. Larry R. Benfield, Diocese of Arkansas** ([View Source](#))
- "My own goal – and that of many bishops – was to do NOTHING at this meeting. That is, our goal, in response to the Primates, was simply to state where we are as an Episcopal Church, not to move us forward or backward. Sometimes, 'progress' is to be found in holding the ground we've already achieved, when 'Moving forward' is either untimely or not politically possible...On the issue of same sex unions, I argued that our statement be reflective of what is true right now in the Episcopal Church: that while same sex blessings are not officially permitted in most dioceses, they are going on and will continue to go on as an appropriate pastoral response to our gay and lesbian members and their relationships... Let me also state strongly that I believe that the Joint Standing Committee of the ACC and Primates MISunderstood us when they stated that they understood that the HOB in fact 'declared a 'moratorium on all such public Rites.' Neither in our discussions nor in our statement did we agree to or declare such a moratorium on permitting such rites to take place. That may be true in many or most dioceses, but that is certainly not the case in my own diocese and many others. The General Convention has stated that such rites are indeed to be considered within the bounds of the pastoral ministry of this Church to its gay and lesbian members, and that remains the policy of The Episcopal Church."
-**The Rt. Rev. V. Gene Robinson, Diocese of New Hampshire** ([Open letter to the GLBT community, October 9, 2007](#)) ([View Source](#))
- "...I think the message for gay and lesbian Episcopalians is that the Episcopal Church is not going back; that our movement towards greater and greater inclusion of gay and lesbian people in the life and leadership of our church is continuing

forward. It may not be going as fast as we would like, but its there. It is heartfelt. Even, it's interesting, even some of the conservatives today in our closed session said we know where this is going. We know how this is going to turn out. Even they see it. I think they are just arguing pastorally that it needs to be at a pace that their people can absorb. So I don't think there's been any change in where we're going. We're only talking about how long it takes us to get there...."

-Public Broadcasting Service interview with the Rt. Rev. V. Gene Robinson, Diocese of New Hampshire, September 28, 2007 ([View Source](#))

➤ "We acknowledged as well that 'the majority of bishops make no allowance for the blessing of same sex unions.' Of course that means some bishops do. I am one who makes allowance for such blessings, and I intend to continue the current pastoral approach we have in place in the Diocese of Vermont for the blessing of holy unions. This was clearly addressed and understood in the House of Bishops...We in the Diocese of Vermont have not authorized any public rites for the blessing of same-sex unions. That is the work of General Convention, and I long for the day when the Episcopal Church adopts a public rite for the blessing of same sex unions."

- The Rt. Rev. Thomas C. Ely, Diocese of Vermont (Letter to diocese of Vermont on HOB meeting, September 29, 2007) ([View Source](#))

➤ "Because each and every one of us is an only begotten child of God; because we, as the church, are invited by God to see all of creation as having life only insofar as it is in God; because everything, without exception, is the living presence, or incarnation, of God; as the Diocese of Northern Michigan, We affirm the full dignity and autonomy and interdependence of every Church in the Anglican Communion and reject any attempt of the Primates to assume an authority they do not have nor have ever possessed; We affirm the sacramental gift of all persons, their Christ-ness, especially those who are gay and lesbian, and reject any moratorium on the blessing of samesex unions and consents of gay bishops, as it would compromise their basic dignity."

- Diocese of Northern Michigan September, 2007 Newsletter ([View Source](#))

➤ "From my perspective, the statement honors the immediate concerns of the Primates of the Anglican Communion while being faithful to the fullness of the life of our church."

- The Rt. Rev. J. Neil Alexander, Diocese of Atlanta (Statement, September 28, 2007) ([View Source](#))

➤ "The statement that we produced is our attempt to answer those two questions succinctly and transparently. We have said nothing new. Those who were dissatisfied with B033 for going too far or not going far enough will be equally dissatisfied with the present statement. However, what we have said as a House arises in the context of renewed hope for a conversation with our Anglican partners that honors all members of our Church."

-The Rt. Rev. Tom Briedenthal, Diocese of Southern Ohio (Message to Diocese on HOB meeting, September 27, 2007) ([View Source](#))

➤ "On the contrary, we significantly clarified with unprecedented specificity, as was requested, the meaning of General Convention Resolution B033. We also articulated, again as requested, the fact that this church has never authorized the blessing of same gender unions. We spoke clearly to the fact that a majority of dioceses already function on this matter in the way that we do in this diocese. We also made reference, as the Primate of Australia suggested we do, to the fact that the Primates themselves have affirmed that pastoral care for our gay and lesbian brothers and sisters requires the Communion 'to maintain a breadth of private response to situations of individual pastoral care.'"

- The Rt. Rev. Duncan Gray, Diocese of Mississippi (Letter to Diocese, September 27, 2007) ([View Source](#))

➤ "Still, the goal of full inclusion is closer than it was before and we now have a better chance of being one people united in Christ when we get there."

- The Rt. Rev Kirk Smith, Diocese of Arizona ([View Source](#))

➤ "We restated and reconfirmed actions taken by our General Convention 2006. We did not make new statements which would compromise the role of priests, deacons,

and lay people in our church's polity. We quoted the Primates in their May 2003 statement saying that we have a pastoral duty, 'to respond with love and understanding to people of all sexual orientations. They further stated,... 'It is necessary to maintain a breadth of private response to situations of individual pastoral care.' This will be honored in the Diocese of Rochester and I believe in many dioceses throughout our church. Finally, we struggled for clarity amidst our differences. We worked hard not to lose ground and to stand as firm as we could. Let us continue the struggle to that end."

- **The Rt. Rev. Jack M. McKelvey, Diocese of Rochester (Letter to Clergy and Lay Leaders, September 28, 2007) ([View Source](#))**

- "Our position on full inclusion in all parts of church life for all the baptized has not, and will not, change."
- **USA Today interview with the Rt. Rev. John Chane, Diocese of Washington D.C., September 19, 2007 ([View Source](#))**
- "...the House of Bishops and the Executive Council have made it very clear that the scheme offered by the primates in Dar es Salaam was a scheme that we could not incorporate or accept...For me, as one bishop, the issue is who's going to control the Communion. Who's in charge? Who has the power...The statement that was issued by the House of Bishops to the primates who had sent us the scheme from Dar es Salaam was very clear, you know. We are not going back to Egypt, and I think the gay and lesbian community, if they don't understand that, they need to understand that."
- **Public Broadcasting Service interview with the Rt. Rev. John Chane, Diocese of Washington, D.C., September 21, 2007 ([View Source](#))**
- "Only the most ardent homophobes are getting ready to bolt...and the separatist agenda is losing ground everywhere..."
- **Jim Naughton, Spokesman, Episcopal Diocese of Washington, D.C. (*The Boston Globe*, September 5, 2007) ([View Source](#))**
- "In the media briefing Bishop Bruno said the document in no way represented a 'turning back of the clock. Gays and lesbians are

fully enfranchised in our life.' There will be no going back on that, he stated."

- **The Rt. Rev. John Bruno, Diocese of Los Angeles (*The Living Church*, September 25, 2007) ([View Source](#))**

- "My opinion is that the statement is most directed at the hope that we will stay in conversation as a larger Anglican Communion and commit to listening to one another even through this time of disagreement. No statement from a group as diverse as we are will ever make everyone happy; however, I think this lives up to where we currently are and provides a way for us to continue on our journey. I do not see it as moving us forward, but also not backward. "
- **The Rt. Rev. Greg Rickel, Diocese of Olympia (Pastoral letter to Diocese, September 26, 2007) ([View Source](#))**
 - "Rickel says he is comfortable continuing Bishop Warner's stance of letting individual priests decide whether to perform blessing ceremonies for same-sex unions."
- **Seattle Times report on the consecration of the Rt. Rev. Greg Rickel, Diocese of Olympia, September 15, 2007 ([View Source](#))** *NOTE: Bishop Rickel has not reversed his policy on same-sex blessings.*
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- "In my opinion, we did not fully comply with either of these requests, but we came much closer than I ever thought we would.... There is, however, an implicit acknowledgement that in some places private blessings are still being offered as part of the 'pastoral response' the Primates themselves said might be called for...I would characterize the decisions of the House of Bishops as being in partial compliance with what the Primates asked of us."
- **The Rt. Rev. John W. Howe, Diocese of Central Florida (*Central Florida Episcopalian*, October 2007) ([View Source](#))**
 - "Many are of course asking: Does the House of Bishops' statement honor the primates' specific requests? That isn't completely clear... As a matter of full disclosure, I should say that I argued on the floor of the House for the removal of the implicit recognition (which, I fear, could

be taken for approval) that some bishops authorize liturgies; but the consensus of the House moved in a different direction. Although I was not able to speak directly to the phrase 'or until General Convention takes further action,' I would have preferred that those words had been removed as well: the matter of liturgies for the blessing of same-sex unions is one that should involve the whole Communion, and not just our own province."

- **The Rt. Rev. Edward S. Little, Diocese of Northern Indiana (Letter to Diocese, October 1, 2007) ([View Source](#))**

- "...I think we must acknowledge that The Episcopal Church appears to be acting unilaterally with American disregard for our brothers and sisters in the broader Anglican Communion..."
- **The Rt. Rev. Robert Fitzpatrick, Diocese of Hawaii (Letter to Diocese, September 27, 2007) ([View Source](#))**
- "This final form of the second 'response' is unsettling in that it falls short of the clarity requested... But the final result, I must confess, is disappointing to me. I do not believe the answers requested by the Primates have been given. I do not believe we have moved very far – if at all – from where we were before this meeting in terms of the assurances sought. I certainly think that internally, the House of Bishops changed its dynamics in a number of ways that are welcome. But for all that, we still seem, as one bishop has said, 'stuck.'"
- **The Rt. Rev. Jim Stanton, Diocese of Dallas ([View Source](#))**
- "I also stated that I could not support it for the following reasons:
 1. It did not respond as requested to the three points raised by the Anglican Primates in Dar es Salaam.
 2. It did not provide alternative oversight that met the needs of those who asked for it.
 3. It placed the condition that our responses must be in keeping with our Constitution and Canons. The chaos we are in requires tremendous grace, not law.
 4. There is oppression of those not in agreement, often unaware to those responsible.
 5. Statements by our leadership saying that 95% of the Church was doing well or that

only a small percentage were affected makes discussion impossible. The Episcopal Church Foundation says we are in a systemic decline which is significant.

I believe that the impact of these days has produced the potential for us to move because this is the first time in my memory this has been revealed to the House face to face by members of the Communion. I am committed to continue to work for that day faithfully, but I cannot support the document for the reasons stated."

- **The Rt. Rev. Edward Salmon, Diocese of South Carolina (Report to Diocese on H.O.B. meeting) ([View Source](#))**

- "Genuine theological differences are another major contributing factor to the House's inability to offer a more clear response to the Primates' request. While the final statement made by the House of Bishops was much better than it started out, it fell far short of what I and several other Windsor Bishops had hoped for. It does however show the division within the House over the issues we are struggling with. Much of the apparent ambiguity in the response was actually an indication that the House is not all of one mind, but in fact is divided, despite various statements to suggest otherwise."
- **The Rt. Rev. Bill Love, Diocese of Albany (Letter to Diocese, October 9, 2007) ([View Source](#))**

II. Top Episcopal Leadership

Summary

- Presiding Bishop Jefferts Schori continues to assert that TEC is not going backwards and that “full inclusion” of gays and lesbians in all levels of church participation remains the goal.
 - *“The American Bishops spoke about inclusiveness as an utmost necessity within church life. Everybody, regardless of life style or sexual orientation or belief should enjoy full participation in church life.” – Observations of Presiding Bishop Mounier Anis on the House of Bishops meeting in New Orleans, October 4, 2007 ([View Source](#))*
- Bishop Stacy Sauls of the Diocese of Lexington, Kentucky, along with four other Episcopal bishops submitted a statement to the House of Bishops titled *The Constitutional Crisis*. The statement addressed issues of TEC’s polity and asserted that foreign primates had no authority over TEC. The group cited what they say is an unwritten constitution within the Anglican Communion. The statement also addressed the current crisis of theology in TEC and claims the church is reforming its theology. ([View Source](#))

Key Quotes

- PBS: In February you called for a season of pausing on gay issues so that a solution could be found. An openly lesbian priest is now on the list of nominees for bishop in Chicago. Is the season of pausing over?
KJS: I was especially talking about a season of reflection, a time in which people could reflect on their actions and their attitudes. The diocese of Chicago has every right to nominate anyone who is qualified in the church, and we do understand that gay and lesbian priests in relationships are qualified at this point. That's where it is.
-Public Broadcasting Service interview with Presiding Bishop, Katherine Jefferts Schori, September 21, 2007 ([View Source](#))
- “Jefferts Schori told the standing-room-only forum audience that the House of Bishops reiterated the stances of the General Convention, “not going backward, but willing to pause” in its consideration of full inclusion of lesbian and gay persons in the life and ministries of the Episcopal Church. ‘We reiterated our understanding that all gay and lesbian persons are deserving of the fullest regard of the Church,’ she said.”
-*Episcopal Life Online* article on Schori’s visit to San Francisco’s Grace Cathedral, September 30, 2007 ([View Source](#))
- “We believe...that the early church’s baptismal theology has been rediscovered and that this reform movement within the North American Anglican Churches seeks to bring that discovery to the church within our culture...”
- *The Constitutional Crisis*, pp. 6, The Rt. Rev Stacy Sauls et al. ([View Source](#))
- “If the Anglican Communion decides to read scripture literally or impose conformity to a single interpretation without attempting objective regard for critical scholarship, it will be a different church.”
- *The Constitutional Crisis*, pp. 11, The Rt. Rev Stacy Sauls et al. ([View Source](#))

III. Rites for Same-Sex Blessings

Summary

- Two Episcopal priests blessed a same-sex union in the Diocese of Los Angeles on September 23, 2007 at All Saints' Episcopal Church in Beverly Hills, California. (*New York Times*, September 23, 2007) ([View Source](#))

Key Quotes

- "It is morally wrong to prevent two committed adults from marrying each other just because they are of the same sex."
- Document calling for same-sex marriage in California, signed by the Rev. Scott Richardson of St. Paul's Episcopal Cathedral, San Diego, California (*San Diego Union Tribune*, September 27, 2007) ([View Source](#))
- "Same-sex blessings do not occur in my diocese with my permission."
- The Rt. Rev. John Bruno, Diocese of Los Angeles (*The Living Church*, September 25, 2007) ([View Source](#))
- "Same-sex blessings occur in the Diocese of Los Angeles all the time...We don't ask for permission because Bishop Bruno has told us that he cannot give it until General Convention approves an official liturgy. He has told us that we are free to exercise appropriate pastoral care."
- Rev. Susan Russell, Diocese of Los Angeles priest (*The Living Church*, September 25, 2007) ([View Source](#))
- "I believe that gay and lesbian clergy, living in monogamous, faithful and stable unions, are a wholesome example to the people of our churches."
- Editorial in *Cape May County Herald* by the Rt. Rev. George E. Councill, Diocese of New Jersey, September 13, 2007 ([View Source](#))
- "Integrity is confident that The Episcopal Church will continue to move forward," concluded Russell. "Integrity expects General Convention 2009 to be a tipping point for equality. We will be working hard in the months ahead to repeal B033 and to authorize development of a rite for blessing same-sex relationships as steps toward the goal of the full inclusion of all the baptized into the Body of Christ."
- September 25, 2007 Integrity Press Release by the Rev. Susan Russell, California priest and President of Integrity ([View Source](#))
- "In the meantime, Bishop Irish said she will continue to bless same-sex unions, acknowledging that there are "all kinds" of

restraints that she must follow to make those blessings happen. Those restraints include not doing the blessing during a Sunday service and making sure each person is a member of the church."

- ***Deseret Morning News* interview with the Rt. Rev. Carolyn Irish, Diocese of Utah, September 29, 2007 ([View Source](#))**

- "Consequently, again because resolutions are recommendatory, not mandatory, and because I could not presume that our clergy would cease from asking me for allowances to bless the union of gay or lesbian couples, I did not feel that in honesty I could voluntarily promise I would deny (though I have on occasion) such requests. Usually, indeed, I have granted permission if the vestry supports the priest in what is proposed, the priest agrees to make the marriage public in the parish, the priest has carried out the usual marriage counseling, and if, in my judgment, the union will prove to be a blessing to the church and the wider community as it usually has long already been. Because the Book of Common Prayer includes a rubric stating that 'for special days of fasting or thanksgiving, appointed by civil of Church authority, and for other special occasions for which no service or prayer has been provided in this Book, the bishop may set forth such forms as are fitting to the occasion,' I provide our clergy with 'A Rite of Commitment to a Life Together,' of which I was a co-author in 1996, and ask that they use it for the service."

- **The Rt. Rev. Charles Bennison, Diocese of Pennsylvania ([View Source](#))**

- "Bishop John Bryson Chane said that the Diocese of Washington does not have an authorized rite for blessing same-sex relationships. However, he added that the statement passed by the House of Bishops will allow such blessings to continue in the diocese."

-**Diocese of Washington D.C. October, 2007 Newsletter ([View Source](#))**

- "While I believe that the blessing of same-sex unions is an important and right evolution in the life of Christ's Church and I am formulating my own understanding of the topic for public teaching and critique, The Episcopal Church has not authorized such rites and we have no clear teaching (or even a mind of the House of Bishops preliminary report) on this matter. In keeping with this

statement, I will therefore not authorize such public blessings of same-sex unions in the Diocese of Hawai`i and I formally ask the clergy of this Diocese to refrain from officiating in any liturgies in our churches that might be construed by the reasonable outside observer as a formal public 'blessing' or 'marriage' of a same-sex couple."

- **The Rt. Rev. Robert Fitzpatrick, Diocese of Hawaii (Letter to Diocese, September 27, 2007) ([View Source](#))**

IV. Litigation & Other Punitive Actions

Summary

- The Diocese of Colorado's proposed budget for 2008 plans for "significant" legal fees. ([View Source](#))
- Bishop Steenson of the Diocese of the Rio Grande negotiated a settlement rather than suing departing St. Clement's parish. ([View Source](#))
- California Supreme Court agreed to hear parish property dispute case. ([View Source](#))
- Over 5,000 people signed the American Anglican Council's "TEC Legal Transparency Petition." ([View Source](#)) TEC has not released the information requested.

Key Quotes

- "...we operate in a different cultural context, and we don't want that context to move backwards in terms of the welcome we give to gay and lesbian people in our own church...**our response in the courts is a defensive measure. We didn't start that.** [*emphasis added*] We feel, though, that we have an obligation, to the people of the past who built those churches and to the people of the future who expect to have an Episcopal church in their community, to see that those churches belong to the Episcopal Church, so those legal proceedings are continuing...We are willing to say that we will exercise restraint in the consecration of any new partnered gay or lesbian bishops, and we have not authorized the blessing of same-sex unions on a national basis, and a majority of American bishops, I think, would not encourage those blessing in their own dioceses."
- **Public Broadcasting Service interview with the Rt. Rev. Peter Lee, Diocese of Virginia, September 28, 2007** ([View Source](#)) *Bishop Lee and TEC initiated lawsuits against 11 parishes and 200 plus individuals in February 2007. The individuals have been dropped from the suit. The trustees and parishes are still defendants.*
- "It is an acute sense of alienation from the Episcopal Church that has led St. Clement's to take these steps, and many in this diocese feel the same way."
- **The Rt. Rev. Jeffery Steenson, Diocese of the Rio Grande (Letter to the Diocese, September 2007)** ([View Source](#))