Journal of Anglican Studies (2026), page 1 of 17
doi:10.1017/S1740355326101272

CAMBRIDGE UNIVERSITY PRESS

https://www.cambridge.org/core/terms. https://doi.org/10.1017/S1740355326101272

RESEARCH ARTICLE

African Ecclesial Authority and GAFCON

Noel Cox

Independent Scholar, New Zealand
Email: noel.cox34@gmail.com

(Received 8 March 2026 UTC; revised 6 June 2026 UTC; accepted 8 June 2026 UTC)

Abstract

This article argues that the current Anglican Communion crisis is best understood as constitutional erosion: the weakening of shared norms that historically mediated disagreement through recognizable form, restraint and reception. Doctrinal and moral disputes function as triggers, but the deeper driver is the loss of a common grammar of legitimacy, so that procedurally valid provincial actions can be constitutionally unintelligible to other provinces. The article interprets key African and Global South interventions not primarily as theological or cultural reaction but as contested constitutional reasoning rooted in episcopal guardianship, communion discipline and inherited catholic order. It analyses the Global Anglican Future Conference and Global South instruments as substitute constitutional documents generated by the incapacity of the Instruments of Communion to secure effective restraint and proposes a minimal inter-provincial accord: clarified instrument authority, operationalized reception, limited covenantal discipline and a standing advisory process for communion impairment.

Keywords: Anglican Communion; constitutionalism; covenant; GAFCON; Global South; reception; synodality; Windsor report

Introduction

Most accounts of the contemporary Anglican Communion crisis treat doctrine, discipline or culture as the determinative explanatory variables. There is some truth in each, but the explanatory priority is frequently misplaced. The argument advanced here is constitutional: the crisis concerns the weakening of shared norms that once mediated disagreement through recognizable form, restraint and reception. Where those mediating norms erode, provincial autonomy is able to produce procedurally valid decisions that are nevertheless constitutionally unintelligible to other provinces. In that setting, the Instruments of Communion are asked to do work they were not built to do, and alternative instruments are generated by those who judge the official ones to be ineffective.

This thesis describes a mode of ecclesial order that has operated through convention, custom, office and institutional memory, underwritten by a catholic

© The Author(s), 2026. Published by Cambridge University Press on behalf of The Journal of Anglican Studies Trust.

Check for updates

https://doi.org/10.1017/S1740355326101272

account of episcopal responsibility. The point is constitutional and ecclesiological: when disagreement is mediated by recognizable forms of restraint and reception, disciplined fellowship may survive deep dispute; when mediation fails, disagreement becomes jurisdictional conflict, and jurisdictional conflict becomes rival claims to represent the 'real' communion. Contemporary debates around the Global Anglican Future Conference (GAFCON) and Global South instruments display this pattern precisely.[1]

The article proceeds in five steps. First, it offers a working account of 'Anglican constitutionalism' that is narrow enough to be falsifiable and deep enough to explain institutional behaviour. Second, it re-interprets the recurrent appeals from African and Global South provinces as constitutional reasoning, not merely as conservative moral reaction. Third, it analyses the way the Instruments of Communion have been re-defined from sites of restraint into sites of consultation and the resulting incentives towards unilateralism. Fourth, it treats GAFCON and Global South covenantal texts as substitute constitutional documents. Finally, it sketches realistic reforms that could restore mediation without requiring implausible centralization.

Thus, constitutional framing is offered as a heuristic capable of integrating theological, sociological and legal insights without collapsing any of them into the others.

The argument is limited in scope but not thereby modest in significance. It does not attempt to settle the substantive disputes that precipitated the crisis. It asks a prior question: what institutional and theological conditions are required for Anglicans to remain in recognizable communion while disagreeing about matters they do not regard as trivial? If this question is ignored, any substantive settlement will remain unstable because the same incentives towards unilateralism and alternative oversight will doubtless recur. A constitutional minimum cannot future-proof the Communion; it can only make immediate rupture less rational when new disputes arise.

Anglican Constitutionalism as Constitutional Mediation

'Constitutionalism' in this context names the set of norms that determine what counts as a recognizable exercise of authority within an ordered fellowship. In secular constitutional theory, the point of constitutionalism is not merely to allocate power but to constrain it by rule, convention and legitimacy.[2] Anglican polities have not only analogous phenomena – constitutions and canons, yes – but also shared patterns of recognition, restraint and reception, by which provinces treat one another's acts as capable of being received as Anglican.

This mediation is not reducible to legal positivism. Doe's comparative work demonstrates that Anglican canon laws are diverse and that there is no single globally binding corpus; yet Doe also shows the striking recurrence of shared juridical concepts across provinces, and he argues for the existence of global

[1]Global South Fellowship of Anglican Churches, 'Covenantal Structure' (adopted 11 October 2019) (PDF).

[2]Albert V. Dicey, *Introduction to the Study of the Law of the Constitution* (London: Macmillan, 1885); N.W. Barber, *The Principles of Constitutionalism* (Oxford: Oxford University Press, 2018).

https://doi.org/10.1017/S1740355326101272

'principles' implicit in Anglican canon law.[3] That is a constitutional claim: it locates the Anglican order in a combination of enacted rules and inherited principles, rather than in pure autonomy or pure centralism.

Avis and Chapman, from different angles, underline the same structural point. Anglican authority is not simply 'Scripture plus reason' as a slogan, nor episcopal charisma; it is a composite structure in which scripture, tradition, episcopacy, synodality and local reception interact in an evolved pattern.[4] Sykes's treatment of Anglican 'integrity' is similarly instructive: the integrity at issue is not uniformity, but coherence. Williams's account of moral decision-making at Lambeth and Ramsey's emphasis on Anglican brokenness suggest the same caution. A language of communion can moderate instability, but not abolish it.[5]

We can state the constitutional hypothesis more precisely. A Communion remains a Communion when the following conditions are substantially met: (1) provinces can identify one another's official acts as ecclesially intelligible; (2) provinces accept that certain disputed actions should be deferred, restrained or offered for wider reception; and (3) there exists at least one institution or process through which contested acts can be tested, interpreted or negotiated without forcing immediate separation. The Instruments of Communion have historically served, imperfectly, as the third condition. They now struggle to do so, partly because their authority has been persistently re-defined as advisory.

Ross's recent study of authority and polity strengthens the point. He insists that the province and the metropolitical structures that hold provinces together are not mere administrative conveniences but the historical locus where Anglican interdependence is negotiated. A Communion of provinces is therefore not simply a network; it is an order that depends upon recognizable channels of authority and restraint. When those channels break down, alternative structures will be built because the underlying need for interdependence does not vanish.[6]

Two features of Anglican constitutionalism deserve emphasis. First, authority is mediated through office-bearing and synodical structures, not through an unqualified plebiscitary will. That does not deny differences between provinces, such as the Church of England and The Episcopal Church, or make lay consent merely ornamental. It means that an Anglican decision is not constituted by numerical preference alone but by offices, orders, synods, canons, formularies and received ecclesial roles. Second, office is normally exercised in council, episcopal, clerical and lay. Constitutional mediation therefore requires a credible account of both office and conciliar deliberation. If either collapses into managerialism or majoritarianism, the constitutional order weakens. Consensus is important.

[3]Norman Doe, *Canon Law in the Anglican Communion: A Worldwide Perspective* (Oxford: Clarendon Press, 1998); Norman Doe, 'Common Principles of Canon Law in Anglicanism', in Kenneth Stevenson (ed), *A Fallible Church: Lambeth Essays* (London: Darton, Longman & Todd, 2008), pp. 86–121.

[4]Paul Avis, *In Search of Authority: Anglican Theological Method from the Reformation to the Enlightenment* (London: Bloomsbury T&T Clark, 2014).

[5]Stephen W. Sykes, *The Integrity of Anglicanism* (London: Mowbray, 1978); Rowan Williams, 'On Making Moral Decisions', *Anglican Theological Review 81.2* (1999), pp. 295–308; Michael Ramsey, *The Gospel and the Catholic Church* (London: Longmans, Green & Co., 1936).

[6]Alexander Ross, *A Still More Excellent Way: Authority and Polity in the Anglican Communion* (London: SCM Press, 2020).

https://doi.org/10.1017/S1740355326101272

Constitutional Pluralism, Convention and Reception

Anglican constitutionalism is best approached as a species of constitutional pluralism. The Communion does not possess a single sovereign legislature nor a supreme judicial body; it has no *magisterium*. Instead, it operates through multiple provincial legal orders that overlap within a claimed fellowship. In secular terms, this resembles a federation without a federal government. The stabilizing work is therefore done by conventions: patterns of behaviour treated as obligatory because they are constitutive of the relationship. Dicey's classical account of convention is useful precisely because it distinguishes legal enforceability from constitutional necessity.[7] In Anglican polity, much that is constitutionally necessary is not legally enforceable across borders.

Reception is the central convention. It is not mere politeness, nor retrospective ratification, but the ecclesial process by which the wider church tests whether a putatively authoritative act is capable of being received as faithful, edifying and coherent with inherited identity. A province cannot meaningfully offer an innovation for reception if it has already decided that non-reception will make no difference. Reception must include the possibility that a decision may be delayed, qualified, restricted or, in the strongest case, rescinded. Otherwise, it becomes a courtesy title for unilateral action. Modern Anglican politics has often treated reception as optional: a province consults others if it wishes but proceeds if it judges itself justified. That transforms reception from a constitutive norm into a discretionary courtesy.

Podmore's account of 'two streams' within Anglican ecclesiology helps explain why this shift is so destabilizing. Where Anglican identity is imagined in a more catholic key, communion is inherently interdependent: one church's exercise of authority must be recognizable to others, and bishops are guardians of a received order. Where Anglican identity is imagined in a more democratic-procedural key, the legitimacy of decisions is located primarily in the local synodical process. Each stream can coexist while mediation operates. When mediation weakens, procedural legitimacy becomes a substitute for catholic recognisability, and the streams pull apart.[8]

The historical reference is deliberately layered. The usable Anglican inheritance is not Whitby, Norman monarchy, Tudor supremacy or imperial expansion taken in isolation. It is the repeated habit of answering disputes through institutional forms: synods, canons, formularies, conferences, provincial constitutions, episcopal jurisdiction and conventions of recognition. Those forms have often been unevenly received, especially in imperial and post-colonial settings. Yet they show that Anglicanism has not usually imagined authority as either papal centralism or congregational voluntarism. Its characteristic pattern is local but not self-contained, episcopal but not merely personal, synodical but not plebiscitary and provincial but not indifferent to wider recognition.

[7]Albert V. Dicey, *Introduction to the Study of the Law of the Constitution* (London: Macmillan, 1885).

[8]Colin Podmore, 'Two Streams Mingling: The American Episcopal Church in the Anglican Communion', *Journal of Anglican Studies 9.1* (2011), pp. 12–37 (published online 14 September 2010).

https://doi.org/10.1017/S1740355326101272

The Instruments of Communion and the Constitutional Turn to Consultation

The Instruments of Communion – the Archbishop of Canterbury, the Lambeth Conference, the Anglican Consultative Council (ACC) and the Primates' Meeting – are typically described as consultative rather than juridical.[9] That description is historically understandable, but it has become constitutionally unstable. When the Communion confronts disputed innovations that function, in practice, as boundary-marking acts, purely consultative instruments generate an incentive structure in which provinces calculate that the costs of unilateral action are manageable because the instruments lack effective means of restraint.

The Windsor Report is a landmark in this shift. It sought to articulate a communion ecclesiology in which autonomy is real but interdependent, and it proposed processes of restraint and reception. Yet the subsequent reception of Windsor itself illustrates the problem it diagnosed: provinces variously treated it as a persuasive theological essay, a policy proposal or an interference.[10] A constitutional instrument that cannot secure a common reception of its own authority is a warning sign that the constitutional ecology is failing.

The Anglican Covenant process made the point even sharper. As Quinn observed, covenantal form sits uneasily in Anglican habit precisely because Anglicanism has preferred constitutional mediation through practice and convention rather than through a formalized disciplinary compact.[11] Yet the covenant attempt also revealed that the Communion had reached for a more explicit constitutional device because the existing conventions were no longer sufficient. Thompsett's lay perspective is especially valuable here: it shows how questions of authority and recognition were already being perceived as questions of communion identity, not merely governance technique.[12]

In constitutional terms, the covenant process failed not because it was misguided in principle but because it required a shared willingness to accept a limited constraint for the sake of wider recognisability. Where provinces insisted that their decisions were exclusively internal, covenantal restraint was read as illegitimate. Where provinces insisted that a contested innovation had already impaired communion, covenantal patience was read as complicity. The result was a constitutional 'fork': either communion becomes a purely relational network with no effective restraint, or it becomes a confessional federation requiring discipline and boundary maintenance.

[9]Anglican Communion Office, 'Instruments of Communion' and associated pages (Anglican Communion website, accessed 4 March 2026); Anglican Communion Office, 'Primates' Meeting' (Anglican Communion website, accessed 4 March 2026).

[10]*The Windsor Report 2004: The Lambeth Commission on Communion* (London: Anglican Communion Office, 2004); Darren C. Marks, 'The Windsor Report: A Theological Commentary', *Journal of Anglican Studies 4.2* (2006), pp. 157–76; Ian T. Douglas, 'An American Reflects on the Windsor Report', *Journal of Anglican Studies 3.2* (2005), pp. 155–79.

[11]Frederick Quinn, 'Covenants and Anglicans: An Uneasy Fit', *Journal of Anglican Studies 6.2* (2008), pp. 139–52.

[12]Frederick H. Thompsett, 'Inquiring Minds Want to Know: A Lay Person's Perspective on the Proposed Anglican Covenant', *Journal of Anglican Studies 10.1* (2012), pp. 42–51; *The Anglican Communion Covenant: The Ridley Cambridge Draft* (2009) (Anglican Communion Office PDF).

https://doi.org/10.1017/S1740355326101272

One practical indicator of constitutional failure is the increasing use of informal measures – invitation control, selective recognition and ad hoc relational sanctions – to do the work that formal processes cannot do. Informal measures may be unavoidable in emergencies, but they are constitutionally corrosive when they become routine, because they replace transparent norms with discretion. The Instruments thereby lose legitimacy precisely as they exercise more consequential power.

An additional complication is that provinces often disagree not only on substantive teaching but also on what kinds of questions count as Communion-wide questions. Some provinces argue that questions of doctrine and discipline are, by definition, Communion questions. Others argue that only mission coordination is Communion-wide, while doctrine is managed locally. The absence of a shared answer is itself constitutional incoherence, and it predicts the proliferation of substitute instruments.

The Modern Genealogy of the Instruments and the Limits of 'Advice'

The present framing of the Instruments as 'advisory' is not a timeless Anglican principle; it is a historically contingent settlement. The Lambeth Conference was deliberately presented, from 1867, as a meeting for counsel rather than for jurisdiction, partly to avoid colonial and legal anxieties. Yet the Communion steadily developed additional instruments – the ACC and the Primates' Meeting – precisely because counsel without coordination proved inadequate for a globalized fellowship.[13]

Kaye's editorial emphasis on argument and conversation is instructive here. Anglicanism has long relied on the disciplined practice of theological argument, conducted within recognizable institutional settings, to sustain a degree of unity without centralization. Yet argument presupposes shared criteria of intelligibility: common premises, shared authorities and a willingness to accept that some arguments are dispositive for common life. Once those conditions weaken, 'conversation' becomes a rhetoric of postponement, and the instruments become theatres of mutual signalling rather than mechanisms of settlement.[14]

Chapman's analysis of synodality in the Church of England exposes an adjacent difficulty: Anglican synodical structures often lack a developed theology adequate to the constitutional weight they now carry. When synods are treated as the sole locus of legitimacy, synodality becomes indistinguishable from parliamentary sovereignty. That is a category error in ecclesiology, but it is a predictable one when constitutional mediation is thin.[15]

[13]Anglican Communion Office, 'Instruments of Communion' and associated pages (Anglican Communion website, accessed 4 March 2026); Colin Podmore, 'Two Streams Mingling: The American Episcopal Church in the Anglican Communion', *Journal of Anglican Studies 9.1* (2011), pp. 12–37 (published online 14 September 2010).

[14]Bruce Kaye, 'Editorial: Communication, Argument and Conversation for Anglicans', *Journal of Anglican Studies 6.2* (2008), pp. 135–38 (published online 5 January 2009).

[15]Mark Chapman, 'Does the Church of England have a Theology of General Synod?', *Journal of Anglican Studies 11.1* (2013), pp. 15–31.

https://doi.org/10.1017/S1740355326101272

IASCUFO and the Current Reform Agenda

The constitutional diagnosis is strengthened by the fact that the Communion has itself commissioned reform work on its instruments. Inter-Anglican Standing Commission on Unity, Faith and Order's (IASCUFO) work on the Instruments, commissioned by ACC in 2023, was discussed with primates in 2024 and is to be carried forward to ACC in 2026.[16] Whatever one's view of IASCUFO's proposals, the mere existence of the project indicates an institutional recognition that the current settlement is not functioning as intended.

The Nairobi–Cairo Proposals document frames the question in terms of structure, decision-making and the character of communion. That is, it explicitly treats polity as ecclesiological. This aligns with the claim here: Anglican disputes are not solely about the content of teaching; they are about what institutional acts count as authoritative within the fellowship.[17] The proposals also show the limits of a purely consultative framing: the question being asked is not 'how can we talk better?' but 'what should the instruments be able to do?'

External responses further confirm the constitutional nature of the argument. Reporting by Episcopal News Service summarized the reform impulse as an attempt to address differences through revised structures and decision-making.[18] GAFCON's subsequent criticism of the IASCUFO recommendations, whatever one thinks of its merits, is framed as a dispute about what should count as the Communion's foundations and how reform should be undertaken. That is constitutional contestation rather than a mere policy disagreement.[19]

Recent commentary in *Church Times* indicates that IASCUFO has continued to reflect on the Nairobi–Cairo proposals and their reception across the Communion. That public reporting illustrates the stakes: reform proposals are themselves now part of contested Communion politics, and they can become triggers for further fragmentation if they are perceived as either entrenching revisionism or entrenching coercion.[20]

Constitutionally, the risk is that reform becomes another symbolic exercise that fails to alter incentives. If provinces expect that, whatever the paperwork, disputed innovations will proceed and the instruments will issue only non-binding communiqués, then substitute instruments will continue to grow. Conversely, if reform is perceived as a mechanism for a narrow factional victory, it will be rejected as illegitimate. The necessary path is procedural: reforms that can be accepted as fair even by those who expect to lose particular substantive disputes.

That criterion – acceptability under anticipated loss – is standard in constitutional design. In ecclesial terms, it reflects the virtue of restraint: we accept a

[16]Anglican Communion Office, 'IASCUFO' page noting commission to explore Instruments (accessed 4 March 2026); Inter-Anglican Standing Commission on Unity, Faith and Order (IASCUFO), *The Nairobi–Cairo Proposals: Renewing the Instruments of Communion* (Advent 2024) (PDF).

[17]Inter-Anglican Standing Commission on Unity, Faith and Order (IASCUFO), *The Nairobi–Cairo Proposals: Renewing the Instruments of Communion* (Advent 2024) (PDF).

[18]*Episcopal News Service*, 'Anglican commission issues communiqué on instruments of communion report' (14 January 2025) (accessed 4 March 2026).

[19]GAFCON, 'The Future Has Arrived' communiqué (16 October 2025) (accessed 4 March 2026).

[20]*Church Times*, 'Anglican Communion body reflects on proposed reforms' (30 December 2025) (accessed 4 March 2026).

procedure because it embodies a commitment to communion that is prior to our present victory. Without such restraint, no reform can stabilize a divided fellowship.

African and Global South Interventions as Constitutional Reasoning

Accounts of the Communion crisis often interpret African and Global South interventions primarily through the lens of culture war, demographics or post-colonial politics. Those factors matter, but they are incomplete as explanations of the arguments actually offered. The constitutional reading begins from a different premise: these interventions are frequently cast as claims about episcopal guardianship, catholic order and the duty to maintain recognizable doctrine and discipline across a fellowship, precisely because the Communion lacks a central court or magisterium.[21]

On this reading, appeals to scripture and tradition are not merely doctrinal assertions but constitutional warrants: they identify the higher-order norms by which provincial innovations should be evaluated. That is why the rhetoric of 'received teaching' and 'boundary' appears so consistently. It is also why the critique is often directed not simply at a province's decision but at the Instruments of Communion for failing to name consequences. The complaint is constitutional: without consequences, the system cannot stabilize because every province becomes the sole judge of the effects of its own actions.

Zink's work on Nigerian Anglicanism is instructive precisely because it complicates any simplistic story of African Anglicanism as either derivative or merely reactive. He shows internal Anglican dynamics, charismatic influence and the realities of ecclesial competition, all of which inform how authority is conceptualized and exercised.[22] If constitutional mediation weakens, ecclesial ecosystems with high competition and high missional pressure will predictably prioritize clarity and boundary maintenance. That is not unique to Africa; it is a sociological pressure on any church. But it takes a particular form in Anglicanism because the Communion's constitutional mechanisms are comparatively light.

To avoid caricature, we should distinguish three claims that are often run together. First, a substantive doctrinal claim about scripture and moral teaching. Second, a jurisdictional claim that a provincial action has Communion-wide effects. Third, a constitutional claim that the Instruments must name consequences for actions with Communion-wide effects. One may dispute the first while conceding the second and third. Many contemporary arguments fail because parties treat disagreement over the first as automatically dissolving any possibility of agreement on the second and third.

On a constitutional reading, then, the core complaint is not simply that a province has erred but that a province has treated Communion as optional. That is why the debate frequently turns to the status of the See of Canterbury and to the

[21]Jesse Zink, '"Anglocostalism" in Nigeria: Neo-Pentecostalism and Obstacles to Anglican Unity', *Journal of Anglican Studies 10.2* (2012), pp. 231–50; Paul Avis, *The Vocation of Anglicanism* (London: T&T Clark, 2018).

[22]Jesse Zink, '"Anglocostalism" in Nigeria: Neo-Pentecostalism and Obstacles to Anglican Unity', *Journal of Anglican Studies 10.2* (2012), pp. 231–50.

https://doi.org/10.1017/S1740355326101272

https://doi.org/10.1017/S1740355326101272

conditions of communion. Those are classic constitutional questions: who is 'in', who is 'out' and who has authority to say so.

A Short Historical Control: Why 'Constitution' Is Not an Anachronism

To guard against anachronism, we should recall that Anglican global identity has been formed in constitutional moments: synods convened to stabilize doctrine and discipline across distance; ecclesiastical constitutions adopted to accommodate new political contexts; and inter-provincial conferences created to manage the tensions of colonial expansion. Hardwick's account of an 'Anglican British world' is relevant because it shows how ecclesial networks, voluntary societies and imperial communication channels helped constitute a transnational Anglican identity well before the modern Communion was formalized.[23]

The Lambeth Conference emerged in part as a response to jurisdictional disputes in colonial contexts, where questions of episcopal authority and discipline could not be managed by reference to a single established legal system. From the outset, then, Anglican global life has been shaped by the need to create 'soft' constitutional mechanisms capable of securing recognisability across diverse jurisdictions. The instruments are, in that sense, constitutional inventions designed to compensate for the absence of a central juridical authority.

Once this historical control is acknowledged, the contemporary crisis looks less like an unprecedented collapse and more like an intensification of long-standing tensions, now amplified by speed, media and global polarization. The novelty is not that Anglicanism has disputes, but that the old practices of deferral, restraint and negotiated reception are less able to operate, partly because contested innovations are framed as matters of justice requiring immediate enactment and partly because contested rejections are framed as matters of orthodoxy requiring immediate discipline.

Substitute Instruments: GAFCON and Covenantal Constitutionalism

Similarly, Zink's account of the 'Five Marks of Mission' foregrounds how Anglican global identity has been negotiated by instruments and statements that do real work despite their formally non-binding status.[24] That is the constitutional paradox: Anglican instruments act by persuasion, but their persuasiveness depends on the prior existence of shared conventions. When those conventions weaken, the same instruments are experienced as empty ritual.

GAFCON's Jerusalem Statement is not merely a confessional manifesto. It functions as a constitutional document: it offers criteria of recognition ('what counts as Anglican'), and it justifies alternative oversight where the recognized instruments are judged to have failed. The Statement's claim to free churches for 'clear and

[23]Joseph Hardwick, *An Anglican British World: The Church of England and the Expansion of the Settler Empire, c. 1790–1860* (Manchester: Manchester University Press, 2014).

[24]Jesse Zink, 'Five Marks of Mission: History, Theology, Critique', *Journal of Anglican Studies 15.2* (2017), pp. 144–66.

certain witness' is simultaneously missional and constitutional.[25] Its logic is that a fellowship without enforceable restraint cannot sustain a coherent witness because it cannot say, in practice, what it is.

Joseph's analysis of GAFCON's challenge to unity is valuable, not least because it makes explicit the constitutional dilemma: GAFCON both depends upon and contests the Communion's existing structures.[26] Condie's response highlights the same ambiguity from the other side: the claim that the Communion's leadership has forfeited its role is itself a constitutional claim, but one which requires a shared constitutional forum to test. In the absence of that forum, the claim becomes a self-justifying warrant for separation.[27]

Dalwood's study of GAFCON's politics of subjectivity illuminates another constitutional feature: the construction of 'orthodoxy' as identity is not only theological but also institutional. When common mediation fails, identity politics becomes a substitute for constitutional settlement because identity offers a simpler mechanism of recognition: one is either 'with us' or 'against us'.[28]

The Global South Fellowship of Anglican Churches' (GSFA) 2019 Covenantal Structure is even more explicitly constitutional. It describes a fellowship 'in full communion with one another' grounded in scripture and patristic teaching, and it proposes conciliar structures. Whatever one thinks of its content, its form signals a constitutional diagnosis: official Communion instruments are perceived as inadequate for maintaining recognizable communion, so an alternative covenantal instrument is supplied.[29]

It is important, however, not to treat covenantal form as inherently puritanical or coercive. The Anglican Covenant proposals were attempts – however imperfect – to name what had previously been assumed: that provinces owe one another duties of consultation and restraint. The Canadian Church's posting of the final covenant text in December 2009 is a reminder of how institutional churches framed the covenant as an ecclesial, not merely political, project.[30]

Likewise, the GSFA 2019 Covenantal Structure should be read not only as a reaction against western innovations but also as an attempt to supply conciliar mechanisms. The fact that it is framed as a fellowship 'in full communion with one another' signals that, constitutionally, it is attempting to define an inner ring of

[25]GAFCON, 'The Jerusalem Statement' (Jerusalem, 2008), published online at GAFCON (accessed 4 March 2026).

[26]Keith Joseph, 'The Challenge of Gafcon to the Unity of the Anglican Communion', *Journal of Anglican Studies 20.1* (2022), pp. 3–21.

[27]Rodney Condie, 'Response to Bishop Keith Joseph's "The Challenge of Gafcon to the Unity of the Anglican Communion"', *Journal of Anglican Studies 20.2* (2022), pp. 139–49.

[28]Chris Dalwood, 'Orthodoxy and the Politics of Christian Subjectivity: A Case Study of the Global Anglican Future Conference (GAFCON)', *Journal of Anglican Studies 18.2* (2020), pp. 235–50.

[29]Global South Fellowship of Anglican Churches, 'Covenantal Structure' (adopted 11 October 2019) (PDF); Global South Fellowship of Anglican Churches, 'The Cairo Covenant' material (American Anglican Council portal, accessed 4 March 2026).

[30]Anglican Church of Canada, 'Final text of Covenant released' (18 December 2009) (accessed March 2026); *The Anglican Communion Covenant: The Ridley Cambridge Draft* (2009) (Anglican Communion Office PDF).

https://doi.org/10.1017/S1740355326101272

mutual recognition. That is precisely the move one would expect when a wider federation cannot maintain a single standard of recognisability.[31]

Parallel Jurisdictions as Constitutional Facts on the Ground

The constitutional analysis must take seriously the fact that substitute instruments are no longer only textual. They are producing parallel jurisdictions. In Australia, the creation of the Diocese of the Southern Cross under GAFCON auspices illustrates the move from protest to alternative polity. Whatever one's evaluation, a parallel diocese is a constitutional fact: it claims the power to ordain, licence and exercise oversight independent of, and in competition with, existing provincial structures.[32]

Parallel jurisdictions reveal the real stakes of constitutional mediation. If the Communion cannot provide a recognized mechanism for judging when communion is impaired, actors will create mechanisms that supply the missing determinations. They also raise hard questions for Anglican ecclesiology. The Chicago–Lambeth Quadrilateral makes the historic episcopate, locally adapted, central to Anglican self-understanding, yet Anglican provinces differ widely in the appointment, election, confirmation and jurisdictional expression of bishops. If episcopacy is a sign of unity, it is also a sign whose modes of unity are contested.

GAFCON's own rhetoric of 'reordering' the Communion, as in the 2025 communiqué, is therefore more than a metaphor; it is a constitutional programme. It asserts that the existing centre has failed and that an alternative order is being constituted. That is precisely how constitutional replacement is described in secular contexts: where the old order is said to have lost legitimacy, the new order claims constituent authority.[33]

Parallel jurisdictions expose a hidden asymmetry in the Communion's historic polity. The traditional expectation was territorial: one bishop, one diocese, in a defined geographical area. That expectation is embedded in much Anglican self-understanding, even where it is not legally absolute. A parallel diocese therefore injures more than administrative tidiness; it challenges the catholic claim that episcopal ministry gathers rather than duplicates the eucharistic community in a place.

The same caution applies to primacy. There is no separate order of ministry called 'archbishop'. Primatial authority is derivative of episcopal office and provincial recognition. Where a primate is detached from diocesan responsibility or imagined as a free-floating executive officer of the Communion, episcopacy risks becoming administrative rather than pastoral and territorial. This matters ecumenically: Anglican claims to visible unity have often relied, implicitly, on the territorial principle as a sign of catholic order.

[31]Global South Fellowship of Anglican Churches, 'Covenantal Structure' (adopted 11 October 2019) (PDF).

[32]*The Living Church*, 'GAFCON Australia Launches Parallel Anglican Jurisdiction' (19 August 2022) (accessed 4 March 2026); *The Guardian*, 'First diocese of Australia's breakaway Anglican church officially launched' (17 August 2022) (accessed 4 March 2026).

[33]GAFCON, 'The Future Has Arrived' communiqué (16 October 2025) (accessed 4 March 2026).

https://doi.org/10.1017/S1740355326101272

https://doi.org/10.1017/S1740355326101272

Once parallel jurisdictions become normalized, Anglicanism shifts towards a denominational market model in which territorial coherence is sacrificed for confessional alignment. Such jurisdictions will tend to entrench themselves through seminaries, disciplinary structures and patterns of recognition, making later reintegration costly even if theological convergence becomes possible.

From this perspective, parallel jurisdictions are symptoms of a deeper disease: the absence of a credible Communion-wide process for naming consequences and enabling restoration. Without that process, every crisis tends to end in a structural duplication that cannot easily be undone.

Confessionalization and the Risk of 'Constitutional Maximalism'

Substitute instruments, however, carry their own dangers. One is confessionalization: the tendency for a movement to define Anglican identity in a way that reduces the tradition to a checklist, so that communion becomes the product of subscription rather than of shared catholic order. Joseph's critique of 'extra-doctrinal' material in the Jerusalem Declaration captures this risk: constitutional documents that are meant to stabilize recognition can, if overextended, exclude orthodox Anglicans who cannot assent to a movement's full programme.[34] Anglicanism has never, historically, been confessional in nature.

The Kigali Commitment continues this dynamic by reinforcing GAFCON's self-description as a reforming and reordering force within Anglicanism.[35] That may be intended as a faithful witness. Constitutionally, it also tends to elevate a movement into an alternative centre. The more comprehensive the movement's constitutional claims become, the harder it is to imagine its reintegration into a wider fellowship without some form of negotiated settlement.

Another danger is constitutional maximalism: the insistence that a contested innovation must automatically trigger the strongest possible response, such as immediate rupture or replacement. Maximalism is understandable in moments of perceived emergency, but it accelerates fragmentation by denying intermediate categories of communion impairment and partial reception. If Anglicanism is to avoid a permanent multiplication of overlapping jurisdictions, it needs credible intermediate categories and credible processes for moving back towards fuller recognition.

Counter-Arguments and Refinements

At this point, two clarifications are necessary. First, substitute instruments are not necessarily schismatic in intention; they may be presented as emergency measures designed to preserve catholicity. Second, whether they are schismatic in effect depends on what constitutional space remains for reconciliation. A constitutional order can sustain 'impaired communion' if it has agreed mechanisms for naming

[34]Keith Joseph, 'The Challenge of Gafcon to the Unity of the Anglican Communion', *Journal of Anglican Studies 20.1* (2022), pp. 3–21; GAFCON, 'The Jerusalem Statement' (Jerusalem, 2008), published online at GAFCON (accessed 4 March 2026).

[35]GAFCON, 'GAFCON IV – The Kigali Commitment' (21 April 2023) (accessed 4 March 2026).

https://doi.org/10.1017/S1740355326101272

impairment and for restoring full fellowship. The early church is full of such developments. When no such mechanism exists, impairment becomes a polite euphemism for separation, and separation becomes permanent.

A first counter-argument insists that Anglican constitutionalism is a retrospective myth. Anglicanism, it is said, has always been a pragmatic federation held together by sentiment, habit and a shared liturgical inheritance, with no real constitutional coherence beyond minimal formularies. If so, present fragmentation is not constitutional erosion but the unmasking of a historically thin fellowship. There is force in the objection, but it overstates the case. Even pragmatic federations require norms of recognition, and Anglicanism has in fact repeatedly generated instruments, conferences and advisory bodies precisely to stabilize recognition across distance. The existence of Windsor and covenantal proposals is evidence that most actors believe the Communion is meant to be more than sentiment.

A second counter-argument claims that the crisis is simply doctrinal: a church must choose between incompatible teachings, and constitutional mediation merely delays the necessary separation. Radner's account of division is helpful here precisely because it treats division as theologically weighty rather than merely institutional.[36] Yet even Radner's emphasis on the spiritual seriousness of division does not remove the constitutional question; it intensifies it. If division is grave, then the processes by which churches decide whether division is necessary should be capable of bearing that gravity. Constitutional mediation is, in part, a way of forcing churches to give reasons that are intelligible to others, rather than acting as isolated sovereigns.

The Politics of Decolonization and the Danger of Reductionism

A further refinement is needed on the relationship between constitutional argument and post-colonial critique. It would be naïve to deny that power, empire and race can and do inflect Communion disputes. Joslyn-Siemiatkoski's reflection on the future of Anglican Studies rightly presses the discipline to attend to the majority world and to decolonial critique.[37] Yet the constitutional approach cautions against reductionism in the opposite direction: if every African or Global South intervention is read as politics, we miss the theological–constitutional content of what is being said.

More concretely, the post-colonial frame can generate two contrary pathologies. The first is paternalism: western actors treat Global South provinces as sociological subjects rather than as constitutional agents. The second is romanticism: Global South assertions are treated as inherently authentic or emancipatory, immunizing them from critique. Kane's account of colonial legacies and tragic communion clarifies why mutual suspicion so readily displaces reasoned ecclesial hearing. A constitutional reading avoids both pathologies by focusing on the reasons offered and institutional effects produced. It insists that all parties be held to the same demands of intelligibility and justification.

[36]Ephraim Radner, *The End of the Church: A Pneumatology of Christian Division in the West* (Grand Rapids, MI: W.B. Eerdmans, 1998); Ephraim Radner, *A Brutal Unity: The Spiritual Politics of the Christian Church* (Waco, TX: Baylor University Press, 2012).

[37]D. Joslyn-Siemiatkoski, 'The Future of Anglican Studies', *Journal of Anglican Studies 20.2* (2022), pp. 216–47; Ross Kane, 'Tragedies of Communion: Seeking Reconciliation amid Colonial Legacies', *Anglican Theological Review 97.3* (2015), pp. 411–29.

https://doi.org/10.1017/S1740355326101272

A Practicable Path to Restored Mediation

A third counter-argument holds that enforceable restraint is incompatible with Anglican autonomy and would produce an un-Anglican centralism. The objection has force unless the proposed discipline is both minimal and recognizably Anglican. The aim cannot be a global canon law, still less an Anglican papacy. It must be a limited inter-provincial accord identifying the conditions under which a church remains recognizably Anglican for communion purposes.

Such an accord would begin with the Chicago–Lambeth Quadrilateral: Scripture, the creeds, the dominical sacraments and the historic episcopate locally adapted. To these must be added the habits without which those marks cannot operate institutionally: ordered synodical government, the threefold ordained ministry, common prayer as a constitutive discipline, mutual recognition of ministry and sacraments, reception and restraint in decisions with extra-provincial consequences and a process for naming and healing communion impairment. Doe's common principles of canon law supply the Anglican analogue to Rawls's secular question of minimum principles: what must be shared before disagreement remains constitutional rather than destructive?[38]

Four reforms follow. First, reasoned determinations about communion impairment should not be issued by the Primates' Meeting alone. A standing Communion forum of bishops, theologians, canonists and lay members should prepare short opinions on proposed or completed actions with likely Communion-wide effects. The Primates' Meeting and ACC could then receive, amend or decline those opinions by a defined process. This avoids treating primates as a quasi-magisterial college while making explicit what is now hidden in invitations, boycotts and informal sanctions.

Second, reception should be operationalized through timelines, consultation and clear expectations of restraint where reception is contested. Third, the Communion should return to a limited covenantal mechanism, not the full covenant project in its earlier ambition,[39] but a narrow discipline dealing with actions that claim Communion-wide authority or that effect a functional re-definition of Anglican identity. Quinn's caution about covenants as an uneasy fit should be heeded: the mechanism must be minimal and should preserve a presumption in favour of local governance.[40]

These proposals do not presume that every opposed provincial decision destroys communion. Some disagreements are compatible with full communion; some require reception and restraint; some impair particular forms of recognition; and a smaller class may make communion impossible unless the act is rescinded or resolved. The constitutional task is to distinguish these categories by reasoned

[38]Anglican Communion Office, 'Instruments of Communion' and associated pages (Anglican Communion website, accessed 4 March 2026); Norman Doe, *Canon Law in the Anglican Communion: A Worldwide Perspective* (Oxford: Clarendon Press, 1998); John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993).

[39]*The Windsor Report 2004: The Lambeth Commission on Communion* (London: Anglican Communion Office, 2004).

[40]Frederick Quinn, 'Covenants and Anglicans: An Uneasy Fit', *Journal of Anglican Studies 6.2* (2008), pp. 139–52.

process, not unilateral declaration. Procedure cannot guarantee agreement, but it can reduce the gains from strategic rupture.

Implementation: Making Modest Reforms Work

The reforms proposed above are intentionally narrow, but they require careful design. A determination process would need (a) a published trigger criterion, such as actions that purport to change teaching or discipline in a way affecting inter-communion recognition; (b) written submissions from the province concerned and from representative provinces; (c) theological, canonical, episcopal and lay participation; (d) a supermajority threshold for any formal consequence; and (e) publication of reasons. In other words, the process must resemble a constitutional tribunal without claiming universal jurisdiction.

Operationalized reception similarly requires institutional shape. The Communion could maintain a register of actions 'in reception', with an agreed period for consultation and a default expectation of restraint. Restraint is not passivity or suppression of prophetic witness. It is the discipline by which a province refrains, for a time and for reasons, from exercising a lawful power because doing so would strain communion recognisability. Windsor's language around restraint and consultation is the starting point, but its lesson is that exhortation is insufficient without procedure.[41]

Any limited covenantal discipline must avoid all-or-nothing ambition. One pragmatic approach would be an agreed protocol, attached to ACC membership, that defines the consequences of identified communion impairment in representative bodies. That would not bind provincial doctrine. It would, however, make explicit that participation in common instruments is conditional upon maintaining constitutional recognisability. Formalizing what now happens informally would reduce arbitrariness and make room for transparent disagreement.

Engagement with the Current Reform Moment

The present reform agenda, as reflected in IASCUFO's Nairobi–Cairo Proposals, creates a window for a modest constitutional reset.[42] The question is whether the Communion can articulate reforms that (a) are not merely symbolic and (b) do not require provinces to surrender autonomy in ways that their legal systems cannot sustain.

A realistic programme would combine structural reform with a renewed discipline of Anglican argument. Here, Kaye's emphasis on communication and argument remains pertinent: procedural mechanisms require a culture that treats argument as capable of producing determinate outcomes for common life, not merely as an endless exchange of positions.[43] Institutional reforms without that culture will be captured by the same dynamics that hollowed out earlier instruments.

[41] *The Windsor Report 2004: The Lambeth Commission on Communion* (London: Anglican Communion Office, 2004).

[42] Inter-Anglican Standing Commission on Unity, Faith and Order (IASCUFO), *The Nairobi–Cairo Proposals: Renewing the Instruments of Communion* (Advent, 2024) (PDF).

[43] Bruce Kaye, 'Editorial: Communication, Argument and Conversation for Anglicans', *Journal of Anglican Studies 6.2* (2008), pp. 135–38 (published online 5 January 2009).

https://doi.org/10.1017/S1740355326101272

https://doi.org/10.1017/S1740355326101272

Any reform must also reckon with the fact that rival instruments already exist. Reform that assumes a unified Communion as the starting point will be ineffective. Reform must instead be framed as a way of making 'the greatest degree of communion possible' credible and then of building towards fuller communion by transparent processes of reception and restoration. That is an incremental stabilization strategy rather than a revolutionary redesign.

Communion Impairment as a Constitutional Category

One of the most persistent confusions in Anglican debates is the tendency to oscillate between two extremes: either full communion or schism. Ecumenical work has long resisted that binary by speaking of real but imperfect communion and by analysing 'degrees' of communion as a practical framework for sustaining partial fellowship while seeking fuller unity.[44] Anglicanism, ironically, has struggled to apply this ecumenical insight to its own internal disputes. Orthodoxy has long managed impaired communion without losing its unity.

Constitutionally, 'communion impairment' names the fact that a disputed action can affect mutual recognition without requiring immediate separation. It also disciplines rhetoric. A province alleging impairment should specify what forms of recognition are affected: Eucharistic hospitality, episcopal interchange, shared representation or mutual discipline. Conversely, a province denying impairment should explain why its action remains recognizable to those who judge it to be mistaken. The question is not simply whether provinces disagree but whether the disagreement touches the minimum conditions of recognisability.

In practice, the Communion has already operated with impaired communion, but largely through informal mechanisms: selective invitations, boycotts and informal 'walking apart'. The constitutional problem is that informal impairment lacks rules. It therefore tends to be applied inconsistently, and it tempts actors to use impairment language as a substitute for reasoned judgement. Not all of the claimed grounds for impairment have always been fairly categorized or articulated. Formalizing impairment through a published process would not eliminate disagreement, but it would require parties to give reasons rather than slogans.

Such a process also helps distinguish doctrinal seriousness from jurisdictional opportunism. A movement that creates parallel jurisdictions may claim that communion is impaired. The question is then whether the act of creating a parallel jurisdiction is itself proportionate to the impairment claimed. A reasoned determination process would force that proportionality question into the open.

A formal impairment framework creates a pathway for restoration. If the Communion can say, with reasons, why communion is impaired and what consequences follow, it can also specify what would need to occur for restoration. That is the constitutional equivalent of due process. Without such a pathway, impairment hardens into permanent separation because there is no agreed mechanism for moving back towards fuller recognition.

[44]Anglican–Roman Catholic International Commission (ARCIC II), *The Church as Communion* (London: Anglican Communion Publications, 1991) (PDF); World Council of Churches, *The Church: Towards a Common Vision* (Faith and Order Paper No. 214) (Geneva: WCC Publications, 2013).

https://doi.org/10.1017/S1740355326101272

An objection may be raised that impairment language invites politicization because factions will seek to label their opponents 'impaired' to gain leverage. That risk is real. The answer is not to abandon the category but to bind it to procedure and to reasons. In constitutional terms, the risk of abuse is mitigated by transparency, a high threshold and the publication of determinations. Where the category is used informally, politicization is more, not less, likely.

Properly handled, impairment can also protect minority conscience. A province that cannot in conscience receive a contested innovation should not be forced to choose between silent complicity and full rupture. A structured impairment framework allows a province to state, with reasons, the limits of its participation while remaining committed to dialogue and to restoration. That is, in ecclesial terms, a disciplined practice of patience.

Conclusion

The present Anglican crisis is commonly narrated as a moral disagreement or a culture war. Those descriptions are incomplete. The deeper driver is constitutional: a loss of shared mediation by which provinces could recognize one another's authority while disagreeing sharply. Where mediation is lost, alternative instruments are generated, and rival claims to represent 'real' Anglicanism harden. African and Global South interventions should be read as constitutional reasoning about recognizability, episcopal responsibility and the duty of restraint, not as mere political theatre. GAFCON and Global South covenants are intelligible, on this view, as substitute constitutional documents prompted by perceived institutional failure.[45]

One implication is methodological. Scholars and church leaders should resist accounts that treat polity as secondary to 'real' theology. In Anglican history, polity has carried theology because institutional forms embody judgements about authority, truth, catholicity and reception. Constitutional analysis is therefore not a distraction from theological seriousness; it is one way of making that seriousness operational.

Another implication is practical. The Communion cannot rely on charisma, sentiment or periodic gatherings to secure unity. If it wishes to remain a recognizable fellowship, it must undertake constitutional maintenance: naming the conditions of recognition, designing procedures capable of bearing disagreement and creating credible pathways for restoration after impairment. The alternative is not serene pluralism, but further multiplication of rival centres.

[45]Keith Joseph, 'The Challenge of Gafcon to the Unity of the Anglican Communion', *Journal of Anglican Studies 20.1* (2022), pp. 3–21; GAFCON, 'The Jerusalem Statement' (Jerusalem, 2008), published online at GAFCON (accessed 4 March 2026); Global South Fellowship of Anglican Churches, 'Covenantal Structure' (adopted 11 October 2019) (PDF).

Cite this article: Cox, N. (2026). African Ecclesial Authority and GAFCON. *Journal of Anglican Studies*. https://doi.org/10.1017/S1740355326101272