

– *“serving the people and their parishes”* –

## **PARSON AND PARISH**

is published by

**THE ENGLISH CLERGY ASSOCIATION**

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# PARSON & PARISH

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English Clergy Association*

— “*serving the people and their parishes*” —

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# FROM OVER THE PARAPET

## Editorial

### *“Being Church” in Changing Times*

There is, at the moment in the life of the Church of England, a sense that everything is “up for grabs”. Many dioceses, faced with reduced allocations of clergy and looming financial ruin, are involved in major “strategic” reviews (often with fanciful names) of the deployment of clergy and parochial, and central, structures. Once again, we are hearing of bishops imposing almost blanket, and often legally questionable, suspensions of livings — justified by the excuse of needing flexibility during the process of these reviews.

A clutch of recent reports has helped foster this sense of uncertainty in the familiar Anglican landscape. We have had Cray (*Mission Shaped Church*), Toyne (*Measure for Measures: In Mission and Ministry*) and the first salvo from McClean (*Review of Clergy Terms of Service*) heralding the way for an undoubted attack on the freehold when it reports on its second phase of work. Outmoded parish boundaries, mission initiatives, “new ways of being Church” — these are the phrases being bandied about. There is anxiety among many of the people and parsons of our parishes. Hence the title of this year’s annual address, *An Anxious Church?*, given in May and reproduced fully in this issue, in which Ian Garden magisterially negotiates a path through many of the questions raised for our Church by these reports.

Undoubtedly we stand at the cusp of some hugely significant changes for our Church — and not only in its resourcing and its deployment of clergy. The crisis of authority in matters of sexual ethics continues to build a head of steam, focused in these islands on the recent installation of the new Dean of St Albans. At the same time, and not unrelated, the Rochester Commission will shortly be reporting on the admission of women to the episcopate, while a “shadow” working party from Forward in Faith will be publishing, in October, its own weighty report *Consecrated Women?*, containing proposals for a structured solution. In a few years’ time some of our members may well be drawn from an additional province of the Church of England. We live in interesting days.

Yet we do not despair. Our Association’s conservative aims inevitably cast us into the role of supporting the status quo: upholding the freehold and promoting a “traditional understanding” of Church life. Our journal continues under the apparently quaint title of *Parson and Parish*. But we do not bury our heads in the sands of these shifting times. “Serving the

people and their parishes” is very much our watchword now, as we seek to encourage all who make up the rich texture of parish life: patrons, churchwardens and church council members, along too with the female and male clerics of our membership.

There *are* causes for anxiety. But there are some good things emerging too. Consider the Toyne Report, following the review of the Dioceses, Pastoral and related Measures. Certainly, we would oppose, in particular, its recommendation that livings be suspended simply on the ground that “a deanery, archdeaconry or diocesan plan for the deployment of stipendiary clergy of incumbent status is under consideration” (Recommendation 27 — and some bishops appear to be operating as if there were already a new measure on the statute books permitting this). But there are nuggets of goodness to be had as well. For example, Toyne draws attention to the need for dioceses to look at the possibility of shared administration. The review group also acknowledges the perception of an escalation in the number of suffragan bishops and the importance of questioning whether a vacant suffragan see should necessarily be filled. Further, Toyne makes the point that the present Pastoral Measure is not as constraining as some may think; there are innovative and creative ways of “being Church” under the *present* arrangements. At a time when there are controlling tendencies and signs, among bishops especially, of a too “territorial” approach, it is refreshing to find the Report reminding us that a benefice may comprise a number of parishes, isolated and detached from each other (para 3.17). The shape of the Church of England in the future — within deaneries, dioceses and, indeed, within provinces — may well be such that we need to grasp the principle of non-contiguity, as we seek to serve a changing Church with a “mixed economy” in matters of liturgy, morality and ministerial order.

From the McClean report, too, there are recommendations to applaud. In particular, there is the proposal of “common tenure”, and we welcome, in principle, the security which this would extend to the merely licensed clergy. Although the not-yet-activated provisions of the Clergy Discipline Measure 2003 bring some protection so that licences will not be revocable by the bishop on grounds of misconduct other than by going through the disciplinary tribunal, nonetheless the proposal of common tenure would mean licences in general no longer being revocable as at present, and loss of office being subject to rights of appeal and the jurisdiction of the Employment Tribunal. Yet there would be a cost in conferring this security: compulsory participation in a diocesan ministerial review scheme, and also subjection to “capability procedures” in which a cleric’s performance would be assessed and reviewed. These, naturally, are concerns close to our Association’s heart — not least as to what it means to fulfil the duties of an

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ecclesiastical office, what sort of “best human resource practice” criteria would be brought to bear and by whom, and whether a performance and targets-based professional model of ministry is really suitable for clerics surviving on a very modest allowance living and always accessible among their people. (In this respect, we record with gratitude Archbishop Rowan’s vote in the July General Synod in support of abolition of differentials, but regret the vested interests, a greasy pole mentality and a mistaken notion of professional remuneration structure which doubtless resulted in its easy defeat.)

What will emerge, in legislative form, from these and other proposals remains to be seen. At present, though, we need to remember that all this is *recommendation*. That is not to encourage complacency or wilful neglect of what is being proposed, for there is a debate in which we all, and this Association especially, need to continue participating. But we cannot act now as though new measures were already enacted. We can only engage with the world and the Church as we find them. Parish life cannot simply be put on hold while new measures are drafted or while dioceses carry out their reviews. While discussion rages on about mission initiatives and new ways of being Church, there is still the present need to “be Church” now, today.

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## AN ANXIOUS CHURCH?

*Ian Garden, in this year's Annual Address, finds cause for both anxiety and assurance in presently proposed reforms*

In her address to this Association in 2002 Margaret Laird posed a series of questions which by themselves illustrate well the anxious times in which we live. My purpose today is to rehearse again some of those questions and, in the light of a new archiepiscopate, and much work done over even the last two years or so, to explore some of the emerging issues in our present day context. Are we an anxious church in decline or is our anxiety the inevitable nervousness of a body of Christian people living in a fast-changing present and commissioned to be sent out into a future difficult to discern?

### ***Questions — and more questions***

The Association will remember the central anxiety of the 2002 Annual Address: is the Church in *reformation* or is it in a period of *innovation*? Will the Church of England emerge from the present era “reformed” or as a completely new and different Church? Will she abandon the long established parochial system? Will she abandon the checks and balances which have characterised the Church of England as we know and recognise her? In trying to come to terms with just a few of these questions, I regret I will be asking even more questions as I keep in mind the relationship tension which exists at the heart of the National Church Institutions, which tension, by itself, begs questions about power, authority and leadership. I have in mind the relationship of the Archbishops’ Council with the House of Bishops, the Church Commissioners and the General Synod. But I have also in mind what some may call opportunities, others may call threats, as represented in the work of Professor Toyne’s Review of the Pastoral and related Measures (a Review Group upon which I served) and the work of Bishop Graham Cray and his Group as he deals with issues of church planting and fresh expressions of church in a changing context — “Mission Shaped Church”. There are issues of resource which may link into the issues about power and authority and there are issues of detail close to home for clerical and lay members of this Association: the impact of Professor McClean’s Review of Clergy Terms of Service and, of course, the Clergy Discipline Measure. I can’t hope to cover all these things in depth in the course of the next half hour or so but even in trying to think through just some of this material I have in mind the working title of next year’s Ecclesiastical Law Society residential conference: “Mission Impossible”. The three areas — National Church Institutions, Toyne and McClean — represent three different areas of challenge: potential for tension

in the National Institutions and consequent risk in leadership and direction, risk in response to changing culture, and risk imposed by external legislative progress.

My perspective is that of an elected lay member of the Archbishops' Council where I have served for the last three and half years, as a member of the Crown Appointments Commission since 1997 (having had a hand in the appointment of the last 28 diocesan bishops), as a lawyer and, perhaps most importantly, I hope, as someone whose church life is seated most firmly on the organ bench of an ordinary rural parish, Sunday by Sunday, in West Lancashire.

Let's remind ourselves of the terms of reference for the Archbishops' Commission on the Organisation of the Church of England, commonly called Turnbull: "To review the machinery for central policy and resource direction in the Church of England, and to make recommendations for improving its effectiveness in supporting the ministry and mission of the Church to the nation as a whole." If these were the opening words of the review the closing statement has to be found in section 1 of the National Institutions Measure 1998: "There shall be a body to be known as 'the Archbishops' Council' whose objects shall be to co-ordinate, promote, aid and further the work and mission of the Church of England."

### ***The Archbishops' board of directors?***

We know that the Archbishops' Council is a largely elected body with four elected representatives from the two non-episcopal Houses of Synod, two elected bishops from their House and, *ex-officio*, the two Archbishops. That it is an elected body, comprising in its membership the leading figures in each of the synodical houses, together with appointed expertise, gives it a certain eminence and implies certain expectations. Here is a senior, representative body apparently mandated to focus work and get things done. It has the feel, sometimes, of a board of directors sitting on top of a multi-million pound company. In a superficial sense it is just that: the common employer of some 300 staff distributed across the National Institutions of the Church. Further, the Turnbull recommendations gave the proposed Council a "top of the hierarchy" feel to it. The Council should provide a focus for leadership and executive responsibility; it should act as an executive serving the Church, helping the Church at national level to work as one body, taking an overview of the policy and resource issues, issues which might properly require resolution at national level. The new Council, it was argued, was to analyse issues and take responsibility for proposing new strategies for dealing with them. If we stay with the board



of directors model for the moment, a board is the focus of power and authority and is the leadership body for an organisation. But is that really where the Church is? In a hierarchical organisation the board of directors model might work. But the Church is not hierarchical. Instead there is a mutuality upon which each of the constituent parts of the body depends: the whole people of God working in concert for the coming of the Kingdom. It is proper to ask therefore, what of individual bishops in their dioceses, what of the House of Bishops, what of the General Synod, what of the parishes within the dioceses? Who leads? Who serves? Where is power? Where is authority? Within the law, and subject to the continuing support (or do I mean authority?) of their shareholders, a true board of directors will create policy and execute it within the resources available to it. But, the statutory functions of the Council are to be found in the verbs “coordinate”, “promote”, “aid” and “further” the work of the Church. Is there room in that language, knowing of the existence of and functions of the other constituent parts of the organisation (and principally I mean the House of Bishops and the church in the representative General Synod) is there room to establish for the Council a role as a top of the hierarchy lead policy maker? True, it was the vision of the Council’s founders that the Council “would for the first time provide a single focus of leadership and executive responsibility within the church” but that lofty aspiration was qualified heavily in the very next sentence of the report: “the object of the Council is to enhance the operation of episcopal leadership and synodical government within the Church not to supplant them.”<sup>1</sup>

Immediately, we have to respond to the question: what is episcopal leadership? I can’t resist quoting St Augustine of Hippo: “[The Bishop is] to rebuke agitators, to comfort the faint-hearted, to take care of the weak, to confute enemies, to take heed of snares, to teach the uneducated, to waken the sluggish, to hold back the quarrelsome, to put the conceited in their place, to appease the militant, to give help to the poor, to liberate the oppressed, to encourage the good, to endure the evil, and — Oh — to love them all.” Canon C18 and the Ordinal are a little more prosaic. As the Cameron Report on Episcopal Ministry explained, the bishop holds an office which at once is personal, collegial and communal. Thus, episcopal ministry, a ministry of oversight and leadership, is, of its essence, a shared ministry.<sup>2</sup> Mutuality or hierarchy?

### ***Authority and power***

The bishop is the symbol and representative of the Christian family which constitutes his diocese. He is the chief pastor. So it is right to ask: does the Archbishops’ Council, with its avowed purpose as a body in leadership,

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diminish or complement the leadership role of the bishop? In an episcopally ordered church it is natural to conclude that authority lies with the bishop. It is the particularly Church of England qualification that the bishop's authority operates within the parameters of synodical government. But is there a separation of power from authority? Should there be a separation of power and authority? Does power lie with the parish — the rich parish, which withholds its parish share because of dissatisfaction over a particular senior appointment? Does power lie with the Church Commissioners in a proposal to shift the cost of episcopal ministry from themselves to the dioceses, and in turn, the hard pressed parishes? Does power lie with the Archbishops' Council in determining the formula and the amount to be paid from the Church's historic resources as selective allocations to dioceses? Does power lie with the incumbent who withholds his or her permission for innovative mission development within his or her benefice? Who sets agendas, who makes decisions?

Let me leave these considerations hanging in the air for a moment and turn to more specific matters.

### ***A “mixed economy” — in Church and society***

In his foreword to Bishop Graham Cray's report *Mission Shaped Church* the Archbishop of Canterbury says this:

“Many feel that, as various streams of development over the past decade flow together, we are at a real watershed. The essence of this is in the fact that we have begun to recognise that there are many ways in which the reality of “Church” can exist. One way is “Church” as a map of territorial divisions (parishes and dioceses) — a way that still has a remarkable vigour in all sorts of contexts and which relates to a central conviction about the vocation of Anglicanism. The ministry to every blade of grass. But there are more and more others, of the kind the Cray report describes and examines. The challenge is not to force everything into the familiar mould: but neither is it to tear up the rulebook and start from scratch. What makes the situation interesting is that we are going to have to live with variety: the challenge is how to work with that variety so that everyone grows together in faith and eagerness to learn about and spread the Good News.”<sup>3</sup>

In other contexts the Archbishop has talked about a mixed economy church. In his Presidential Address to the Synod in July 2003 he spoke forcefully about the value of a parochial system which, largely is, in his judgement, working well but he spoke also about the increasing awareness of the contexts where the parochial system simply does not make an impact; where

something has to grow out of it or alongside it in order to answer questions that the parish system was never meant to answer.

One challenge is to acknowledge and resolve a tension between rights as parishioners and clergy, attaching proper weight to those rights, and our wider obligation to a church which needs to flourish in a secular and arguably post-Christian age, and not allowing our rights to stifle re-formation or inhibit sound innovation. Put another way, how does the Church respond to present need and at the same time ensure good order and accountability?

It is a truism that we live in a fast changing world. Even in the last twenty years there have been significant demographic, sociological, cultural, ethnic, political and institutional changes. Headlines from the Government publication "Social Trends", in its 2003 edition give us the flavour: housing changes, employment changes, mobility (here's a useless statistic, the latest annual figure for the distance covered by cars and vans in the UK is 624 billion kilometres!) Our secular society has changing expectations in patterns of family life and how changed is the way we use our free time and how we relate to voluntary organisations and activity. As Cray says, with all this activity, mobility and time, people, and even Christians, no longer see Sunday as special or as "church time" and on Sundays children are more likely to be playing sport than being in Sunday school or church.

Professor Toyne's review has had to respond to the complex and varied nature of the Church and come to terms with a changing culture. Let me remind you of the Review Group's terms of reference:

" ...To review in consultation with the dioceses, the Church Commissioners, the Dioceses Commission and other interested parties the provisions of the Dioceses Measure 1978, the Pastoral Measure 1983, the team and Group Ministries Measure 1995 and related Measures, in order to ensure flexible and cost-effective procedures which fully meet changing pastoral and mission needs...."

The evidence gathered in our consultations gave diverse views as to how the Pastoral Measure 1983 has been received and how well it has served its purpose. The Ecclesiastical Law Association made the point that the Measure, properly understood and used, provides a mechanism for facilitating desirable change. It enables a wide variety of new formations of parishes and benefices to replace the more traditional "parish and parson" model of Christian presence. Some thought it to be a cohesive and thorough code of law providing, for example, for proper consultation with appropriate checks and balances with a wide variety of options for dealing with a wide variety of circumstances. Others though (but not the lawyers) thought precisely the opposite: too prescriptive and bureaucratic, processes too slow and convoluted and that the measure was inflexible,

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unsuited to modern church needs and a differing developing ministry and especially cross boundary ministry both at parochial and at diocesan level.

### ***The mantra of “flexibility”***

I know I’m not alone in my nervousness when I hear the phrase, oft repeated in a mantra-type way, “We need to be flexible,” the implication being, at worst, that we don’t need a legal framework or, no, even worse, we don’t need lawyers. It’s appropriate that I should turn to this Association’s response to the review Group’s consultation. The point was well made that even the terms of reference for the review begged questions. Flexible procedures, yes, but flexible for whom? Pastoral and mission needs, yes, but how are these to be discerned and perceived? The Association, in my personal view, was right to be critical of the Review Group’s apparently relaxed view of an essential aspect of the present Measure, ignoring the fact that its provisions “...also exist to protect rights: rights of patrons, clergy and PCC’s and indeed all Her Majesty’s subjects for whom the Church of England exists as long as we are an Established Church.” The Ecclesiastical Law Association reminded us that both the 1967 and the 1983 Pastoral Measures have served the Church well. The Measure’s strength is in its ability to deliver change that can be said to command the widest possible level of consensus and bearing in mind the fact that the Church of England is a national Church, then its parishioners have an entitlement to its ministry and a proper entitlement to a say in its affairs, whether they are active communicants or not. But here is the tension. If the Church embraces a ministry to the nation then the price to be paid is a complex legal framework which understands and incorporates the proper rights and interests of all concerned but which allows for opportunity and even risk-taking. The Board of Mission gave the group a quiet but important warning:

“Legislation cannot provide those values, attitudes and qualities that are necessary to provide the vibrancy, enthusiasm, depth of spirituality and soul that contribute to...mission...but good legislation can facilitate the development of such qualities, while bad legislation can drain the spirit and hamper considered initiative.”

And so a legislative balance needs to be struck between rights and opportunities. The inherent danger is that the language of flexibility could be the language of cutting corners and overriding rights.

### ***Corrective dynamic tension***

I commend for further study the theological contribution made to the Toyne review by Dr Malcolm Brown, presently Principal of the East Anglia

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Ministerial Training Course.<sup>4</sup> Dr Brown took us back to basics, reminding us that Anglican identity is found in the holding together of Scripture, tradition and reason with the addition, sometimes, of experience. The concept of holding together implies a dynamic or tension and allows for a theology of “corrective”. As Dr Brown says:

“Whilst a snapshot of the Church of England might suggest irresolvable civil war, a longer historical view will suggest a constant corrective dynamic in which reformation continues to require counter-reformation if the shadow side of reform is not to become devilish”.

For present purposes I make no apology for quoting Dr Brown at length.<sup>5</sup> He goes on to say:

“It is worth noting that the ability to hold the triangle (or quadrilateral) in tension has depended upon a number of structural safeguards and guarantees which ensure that neither the personal allegiances of those holding ecclesial power nor the vagaries of fashion can eliminate any of the traditions which embody the different emphases within the Church. Thus, whilst one or other tradition may fade from view, become defensive, uncreative or reactionary, it is protected within ‘the body’ so that revival from any of the four directions remains a possibility. That is one important argument against an excessively managerial understanding of the church, for bureaucratic neatness does not easily accommodate the diversity which a centuries-long perspective requires.”

There will be those who will criticise the Toyne report for being insufficiently radical. Especially in difficult times, there is always the hope that radical thinking will point an unequivocal way forward. The Review Group was bidden to be radical and, if by “radical” we mean being willing to think beyond the boundaries of convention, that’s what we did. But radicalism itself does not suggest any particular direction for change. Our discussions taught us that one person’s radicalism was another’s sell-out, whilst a different radicalism was construed by others as moribund conservatism. A central aim has been to facilitate experiment and open up possibilities in ways which do not eliminate other possibilities. Radical action inevitably leads us into uncharted territory and, perhaps, into anxiety — so it is imperative that, as a Church, we recognise that what looks good and radical from where we stand now can come to be revealed as flawed and in need of reform. We were wary of the kind of radicalism that so changes the lie of the land that there is no going back — no chance of repentance when we get it wrong. That seemed like a sound theological principle. As Dr Brown reminded us “...Sometimes to do familiar things in a changing context is to do something radically new.”

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I turn now to three specifics: mission initiatives, consultation and suspension of presentation.

### ***“Mission initiatives”***

The aim of the Review Group has been to promote an enabling Measure within a framework of order and moderation, not to undermine the existence or value of existing structures, nor to dictate the forms of mission models or impose particular structures. One size will not fit all. The Group proposes that there should be new provision to supplement the existing arrangements, on a permissive basis by an interim mechanism to provide space for experiment and as a means of accommodating new models of ministry and mission, including network, non-territorial churches. These are described collectively as “mission initiatives”. Authorised by the bishop, and meeting the needs of communities which cannot readily be defined geographically, they are intended to enhance the provisions of the parochial system, and bring such communities into a wider network of belonging and accountability. One concern, often voiced, has been that the mission initiative will eclipse the parish-based ministry. There has been uncertainty about whether mission initiatives are about modelling a future norm (in other words, abandoning the parochial system) or filling a present and future niche (growing alongside the parochial system). Put picturesquely, when we try to open the way to new ways of expressing and living out church life do we anticipate the “Orange” effect (“the future is bright, the future is completely Orange”) or is it the “Heineken” effect (“refreshes the parts other churches can’t reach”)?

One of the most difficult issues has been the question of definition. In the consultation there were quite differing views on what features were essential for a mission initiative and what merely desirable. Being too prescriptive could inhibit legitimate innovation so without being unduly prescriptive it is recommended that a mission initiative should be (a) authorised by the bishop and have a licensed minister, (b) should include a distinctively Anglican element, and (c) should seek the goodwill, but not need to rely on the consent of any underlying incumbents. Do I detect a problem here? It would be legislatively very simple to amend Canon C8.4 (*pace* the Ecclesiastical Committee of Parliament) but even a brief consideration of the ecclesial implications of such a move exposes the complexity of issues this would present to the Church. The middle course, advocated by this Association, may be the more constructive approach, that consent should be required but that it should not be unreasonably withheld. For my sins I find myself on the legislative drafting group and I will bear that in mind.

## *Consultation*

This point brings me to issues relating to consultation and in particular the role of the Diocesan Pastoral Committee. This Association was critical of DPCs generally, not least because they can be insufficiently objective, too closely associated with the bishop, overstuffed, and over-membered. The point was made, forcefully, that a good DPC needs to be sufficiently comprehensive of the Church of England and the breadth of its churchmanship. A core strength of the present Measure is the requirement for wide consultation although I suspect the Association will know of many stories where efforts at consultation have been less than happy. A clearly stated objective of the Review has been to ensure that any new procedures should command trust and confidence and ensure that those who are to be affected by proposals are heard. There is a need for transparency and due process and a common, comprehensive framework for inviting, listening to and considering views.

The Review has tried to evaluate the benefits of archdeaconry and deanery pastoral sub committees.

There is a growing role for deaneries in some dioceses in a range of matters, including the apportionment of the parish share, mission and pastoral care and deployment proposals. The Review Group considered whether there should be an explicit statutory role for deanery pastoral committees. On balance, the review was satisfied that there should continue to be provision for deanery and archdeaconry committees to be formally constituted as sub-committees of the DPC on a permissive basis. The Code of Practice will encourage deanery involvement in developing pastoral provision. However, my view is that a case ought to be made for local committees to be mandatory as an essential part of the formulation and consultation process — especially so, given the Report recommendation that the consultation process should be streamlined with the removal of the requirement to circulate the bishop's signed proposals ahead of drafting the scheme. The more streamlined the process the more important it is that the proposals leave the drawing board commanding the widest possible support. The gathering of that support at grassroots level seems to me to be an essential part of the exercise in ownership, and clergy and laity alike are more likely to have access to and influence in the local deanery based committee than the diocesan committee. They are also more likely to know, at first hand, of the real needs and opportunities within the community. As the Society for the Maintenance of the Faith submitted, a centralised authority militates against a system of checks and balances that have characterised the Church and which have contributed to the preservation

of its generous and comprehensive ethos. The Society went as far as to suggest that further centralisation: a powerful DPC and only *ad hoc* local participation, concentrates too much power in too few bodies and so alters the character of the Church as to impoverish it. I wonder perhaps if the Archbishops' Council and other National Church Institutions might take instruction from that observation?

No real change is recommended for the actual procedures relating to representations and the appellate function of the Privy Council save in one important regard and which enhances the rights of objectors. The Review Group recognised the value of having the quasi-judicial process of consideration of representations conducted at a remove away from the diocese. Such clear blue water is essential to maintain confidence in the process. But, I think for the first time, it is recommended that a bishop's response to objections should be made available to objectors. Objectors will also have a right to make oral representations before the adjudicating body and dioceses should have a similar right to attend and respond.

### *Suspension of presentation*

A brief word about suspension of presentation. We lawyers know what it means and no doubt clear advice is given to bishops as to when they can or can't suspend presentation, but in the parishes, and especially among patrons, there is some suspicion as to its operation. One senior priest in the Northern Province, when asked what factors his diocese took into account in reaching a decision on suspension replied "I wish I knew". In a significant move, in the interests of clarity and transparency it is proposed that the grounds for suspension be set out in the Measure and not relegated to the Code of Practice. Four admissible grounds for suspension are recommended:

- Where pastoral reorganisation or a deanery, archdeaconry or diocesan plan for the deployment of stipendiary clergy of incumbent status is "under consideration". I agree that the definition of "under consideration" will require close scrutiny and must not be used as a smoke screen catch all for blanket suspension policy;
- Where the DPC considers that suspension of presentation will make better provision for the cure of souls in the diocese as a whole, having regard to the mission, financial and ecumenical needs of the dioceses, as well as to the traditions, needs and characteristics of the parishes in the benefice in question;
- Where the post is deemed to be less than a full time one under a strategy devised by the DPC or other responsible body; I think there may be problems of definition there; and



■ Where the replacement of a parsonage is planned as a result of a minuted decision of the Diocesan Parsonages Board.

Importantly, the review Group emphasised the importance of the existing statutory requirement that patrons be consulted in the appointment of priests-in-charge.

It will be recalled that the National Institutions Measure provided for a process by which the functions of the Church Commissioners in relation to pastoral schemes be transferred to the Archbishops' Council. Time does not permit me to explore the issues here, but if there is time for discussion in a few moments it would be interesting to canvass the views of the association as to where central functions should rest. Without wishing to lead any discussion to any particular conclusion it seems to me that the jury is still out on the Archbishops' Council whereas the Commissioners have an excellent track record in the objective professional way in which they handle the issues.

Let me turn briefly to the third area challenge. That which arises by reason of external pressure on the Church. It is a paradox that as those within the Church clamour for a less rigidly regulated Church (that slippery word "flexibility" again) the secular world is more and more tied up by directive, regulation and law. That is not to say that such law is inherently unnecessary or bad. We can think, for example, of the Disability Discrimination Act, the Regulations prohibiting discrimination by reason of sexual orientation or religious belief and countless other examples. We in the Church must re-act and work with the developing secular law. So especially in relation to the burgeoning requirements of legislation relating to employment rights. Not before time, some might say.

### ***Employment rights and "common tenure"***

In response to the DTI discussion document *Employment Status in relation to Statutory Employment Rights* the Archbishops' Council set up Professor McClean's Group (and I quote the terms of reference) to review "the terms under which the clergy hold office to ensure a proper balance between rights and responsibilities, and clear procedures for resolving disputes which afford full protection against possible injustice ...to consider in this context the future of the freehold and the position of clergy in relation to statutory employment rights".<sup>6</sup> Priority has been given to treatment of clergy without the freehold.

The review has faced up to the difficult question: should clergy be employees? The answer is no. It seems that in achieving an answer has to

be a conscious effort to separate the being from the doing. A bishop, priest or deacon is called to be a bishop, priest or deacon, that is the being of the office. The doing of the task to which each is called is a separate issue. The concept of an employer/employee or master/servant relationship seems alien to the vocational nature of both the being and the doing. Of course, to settle on the office holder option makes it unnecessary to try to determine who an employer might be: parish, bishop or Diocesan Board of Finance. It is proposed that the rights which ordinarily might be enjoyed by employees should also be enjoyed by the clergy. One right calls for special attention: the right to a detailed statement of terms and conditions.

Professor McClean's group recommends future appointments of clergy without the freehold should be made on a new basis to be called common tenure. The aspiration is that the insecurity of non-freehold office will be relieved. Common tenure appointments will normally be open ended and be brought to an end only after a detailed investigation of any particular situation through a capability procedure. But if there is to be a capability procedure then there has to be standard by which capability can be measured and in my view it is this which is at the heart of what is proposed. With rights go responsibilities. Such was recognised in the initial Archbishops' Council response to the DTI: "The Church of England firmly believes that the clergy and all others who work for it are entitled to terms and conditions of service which protect their rights, recognize their responsibilities and provide proper accountability arrangements." It is perhaps as much for the protection of clergy as for anything else that a new approach to appointment is proposed, whereby clergy, already aware of those responsibilities which derive from their calling, their being, will have also a formal statement of the special requirements and skills to be exercised as they are called to a particular ministry in a particular place, their doing, to be understood in conjunction with, and let's not forget, the Ordinal, the Canons and the recently adopted Clergy Code of Professional Conduct. An illustration of what may happen arises from a recent development at the Confirmation of Election of Diocesan Bishops where the Archbishop gives to the new bishop a charge which draws heavily from the Diocesan Vacancy in See Committee's Statement of Needs.

For what it may be worth, my assessment of the proposals is that the non-freehold clergy will be in a stronger and more secure position than hitherto. However, ministry in practice will be open to much more rigorous scrutiny than hitherto, with clear standards to be met and with Bishops and PCCs better placed to make assessments of the effectiveness or otherwise of particular ministers and ministries.

### *And the freehold?*

Is the freehold under threat? I sense not, not least for two pragmatic reasons. First, the freehold is too bound up with difficult issues arising from property and patronage and, secondly, I can't help feeling that the Ecclesiastical Committee of Parliament would give any argument a good run for its money. The value of the freehold is the security of tenure which permits freedom in ministry. But it can be argued that the freehold is already subject to some control, for example by the operation of the Incumbents (Vacation of Benefices) Measure and soon, the "user friendly" Clergy Discipline Measure. We wait to assess the impact of that Measure. I have no crystal ball but I would hazard a guess that as Professor McClean's group considers freehold it will be easy for them to conclude that the capability procedure can be introduced to scrutinize the ministry of those with the freehold. We wait to see.

Finally, Where does all this leave us? Reformation, innovation or counter-reformation? Are we an anxious church with tension at the heart of the National Institutions, pressured to adapt in a changing culture to meet fast changing needs? Do we have to abandon tried and tested methods of ministry and service because of pressure from external legislative progress? Where is authority? Where is power? There is no doubt that anxieties exist but perhaps our re-assurance comes in words easily borrowed from the Preface to the Book of Common Prayer and in the knowledge that the wisdom of the Church of England is to keep the mean between the two extremes, of too much stiffness in refusing and too much easiness in admitting. As Professor Toyne has said, his report does not put past behind us. But let Dr Brown have the last word:

"Uncertain times require that we are a church which maintains the conversation about what Christian identity entails — a conversation conducted not just in words but in action and ways of being community. The church needs structures which speak of its beliefs. The Toyne Review represents a cautious step forward, freeing the Church of England to become more structurally adaptable whilst retaining the virtues perceived to subsist in the structures it has already. That caution is a measured response to the uncertainty of the age and the difficulty of reading the times accurately in the light of the Gospel. Pleasing everyone is not only an unworthy ambition for a Christian, but perhaps it is a theological absurdity as long as the Church is alive and the Holy Spirit active amongst its members, for only in disagreement, debate and conversation can the church express the interdependence of the many parts of the one Body."

<sup>1</sup> *Working as One Body: The Report of the Archbishops' Commission on the Organisation of the Church of England.* CHP 1995.

<sup>2</sup> *Episcopal Ministry: The Report of the Archbishops' Group on The Episcopate.* CHP 1990.

<sup>3</sup> *Mission-shaped Church: Church Planting and Fresh Expressions of Church in a Changing Context.* CHP 2004.

<sup>4</sup> *A Measure for Measures: In Mission and Ministry: Report of the Review of the Dioceses, Pastoral and related Measures.* CHP 2004.

<sup>5</sup> *Ibid.* Appendix 1.

<sup>6</sup> *Review of Clergy Terms of Service: Report on the first phase of the work.* CHP 2004.

*Canon Ian Garden gave this address to the Association and members of the Patrons Consultative Group on 17<sup>th</sup> May 2004 in the Church of St Giles-in-the-Fields.*

## **LORD CHANCELLOR'S LIVINGS**

### ***What your Association's Council submitted in written evidence to the Parliamentary Select Committee on Constitutional Affairs***

So far as the ecclesiastical remit is concerned, and patronage of livings in particular, we would take the view that the livings for which the Lord Chancellor has been responsible should, if and when the Office is done away with, be dealt with by the Prime Minister in the same way as other Crown livings. Should that option not be preferred by Her Majesty's Government, then we should like to see the livings in the hands of the Universities of Oxford and Cambridge or of the existing private patronage societies. We do not think the livings should go to the bishops, or archbishops, as their share is now already very large indeed, and variety in diocesan church life is somewhat compromised thereby. As a final resort, we would suggest that livings, were the patronage disposed of, go in each case to a patronage board made up of a representative of the patron of each and every contiguous living, except the bishop, or the nearest living in non-episcopal hands. This sounds complicated, but could be made to work satisfactorily enough. Our over-riding principle is the maintenance of a proper breadth of diversity in the Church of England.

*The Rev'd John Masding, Chairman, for the Council of the English Clergy Association.*

# PATRONS CONSULTATIVE GROUP

## *Paul Kent reviews the past year*

The year 2003 has been a troublesome time for the Church of England both within (Reading) and without, in the wider Communion (New Hampshire), making even greater calls on those ordinary members who hold to its traditional beliefs and values.

With the strong conviction that patrons, though a small component of the Church, have an important part to play, in helping to uphold those qualities the Patrons Consultative Group continues to extend its help and support. The Group works through the representatives of patronage trusts and recently has widened its composition to include those with experience of collegiate patronage. It is not a membership society, but it maintains a circulation list of individual patrons who wish to receive information or advice. In 2003 its name has been shortened to reflect the wide interest.

At last year's Conference [at the English Clergy Association's annual gathering] Sir John Owen and the Rev'd Dr Andrew Macintosh spoke. The need for understanding and co-operation were paramount, especially with multiple component or neighbouring benefices. Many patrons appreciate the need to maintain contact with parishes between vacancies arising and to be abreast of public feelings. Amongst matters raised from the floor, it was noted that individuals, as well as numerous patronage boards, had made representations to the Archbishops' review body about the revision of the Pastoral Measure. Increasingly parishes were interested in the possibility of re-creating their own endowment or making a local discretionary trust beyond outside control, and the procedure for doing so was discussed. Arrangements for giving general advice were outlined both from a panel of advisers and via the English Clergy Association's website ([www.clergyassoc.co.uk](http://www.clergyassoc.co.uk)).

"Perpetual suspension" continued to give much concern, and when pastoral organisation was the reason given, *parishes should insist of being provided with details in writing of the scheme (or the thinking behind it) and its time scale.*

During the year, the Group published various articles, and it is envisaged that the "Green Book" of advice to patrons (*Exercising Patronage in the Church of England*) will be updated in 2004/5. Matters remitted in the 2003 Conference included the disposal of parsonage houses as well as locating suitable candidates to fill vacancies.

*The Patrons Consultative Group includes representatives of Church Society, Guild of All Souls, Society for the Maintenance of the Faith, Church Union, Cost of Conscience, and English Clergy Association.*

*The Secretary is Mr Arthur Leggatt, 42 Beaminster Gardens, Barkingside Essex IG6 2BN (tel: 020 8551 5386) from whom further information can be obtained.*

*Paul Kent is Chairman of the Patrons Consultative Group (previously the Private Patrons Consultative Group) and the above is drawn from his Chairman's Report for the year past. The English Clergy Association has been delighted, in recent years, to welcome the Patrons Group at its annual gathering in St. Giles-in-the-Fields when there has also been the opportunity for members of the Group to confer themselves.*

**Have you visited the ECA's website?**

**[www.clergyassoc.co.uk](http://www.clergyassoc.co.uk)**

**contains details of the Association's news and events, our work among churchwardens and patrons, our charitable help to clergy through holiday grants, and the latest *Parson & Parish*.**

## IN ALL THINGS LAWFUL AND HONEST

*Alex Quibbler, Parson & Parish's legal agony uncle,  
responds to some recent questions arising in parish life*

**QUESTION:** I am the rector of a small and rather beautiful church which is often in demand for weddings. A large church in a neighbouring parish is presently undergoing major restoration work and, although the church is still being used for Sunday and midweek services, the sheer quantity of scaffolding and general appearance reduce its appeal to bridal couples. I'm being put under pressure by a couple who live in this other parish. They are desperate to book up their wedding reception and, with the encouragement of their parish priest, they want to get married in my parish church. I have to say that I don't particularly want to take this marriage service and, even if I did, I'm not sure that I'm legally entitled to. How do I stand, please?

There is, under Section 18 of the Marriage Act 1949, the provision that, where a church "is being rebuilt or repaired, and on that account is not being used for divine service" then banns may be called and marriage may be solemnised (if the bishop hasn't licensed anywhere else in the parish) in the church of an adjoining parish, with the registers of the "disused" church being used as though it had happened there. If, however, the church is still being used for divine service — whatever unsightly scaffolding may be outside or inside the building — then I can't see that this provision comes into operation. The section speaks three times of a "disused" church. We are talking about the temporary *closure* of a church, not unsuitability or difficulty. (see *Anglican Marriage in England and Wales — A Guide to the Law for Clergy*, produced by the Archbishop's Faculty Office, which regards this provision as about temporary closure, paras 4.7 and 17.2). I do think that, when bridal couples come to arrange their wedding, parish priests should explain, particularly if the wedding is planned for over a year's time, that there can never be any undertaking or implied term that the church will be scaffolding-free. Arranging for a couple to be married in your church is not, ultimately, a contract anyway, even if they use the language of "booking". Maybe a sentence or two in our churches' wedding literature could help spell out that the nature of historic buildings, often in need of emergency repairs, and vulnerable to vandalism and arson, means that no guarantee at all can be made that they will form a beautiful backdrop to forthcoming nuptials. Furthermore, the provision from the Marriage Act is only permissive — another, adjoining parish church, in these circumstances "may" be used for calling banns and for the marriage. Even if the church of an adjoining parish were temporarily closed/disused, you still could not

be compelled to accept the marriage in your church, unless, of course, one of the parties were already baptised and, following six months' habitual worship, he or she applied for entry on the church electoral roll which would then give them, assuming the other conditions for marriage were fulfilled, the same rights as a resident parishioner.

**QUESTION:** I'm getting rather annoyed with my Vicar and PCC about a matter that I want raised at the meetings. I've sent the Secretary to the PCC a long letter, clearly setting out the position and I've asked that it be read out at the meeting, but the Vicar — who probably thinks I'm undermining her — just won't allow it to be read, so I gather from inside sources. I thought that under the agenda item "Correspondence" any letters received by the Secretary had to be read out. How can I get my point of view properly heard at the meeting? I am, after all, a member of the church electoral roll.

Well, the short answer to getting your views heard fully must be by getting yourself elected to the PCC! Please, just reflect for a moment. If people wanted to disrupt or hijack the business of the PCC — and, although you're not trying to undermine things, there are those who do sometimes take a perverse delight in this — then all that would be necessary would be to write huge wads of letters to the Secretary. There is, in fact, no requirement that items of correspondence be read out at the meeting. That said, neither the Chairman nor the Secretary should be stifling matters and if correspondence has been received by anyone in his or her capacity as a member of the PCC then it should be brought to the meeting's attention, with a brief comment on its main gist. If the members of the meeting were particularly keen to hear the letter read in its entirety then so be it. Elected PCC members, though, are representatives rather than delegates; they are not the mouthpieces for others. If there are points of view which you would like expressed in your own terms, then there is no substitute for offering yourself as a candidate for election.

**QUESTION:** I am a country parish priest, holding three benefices in plurality under a pastoral scheme. There have been some pastoral problems in one of the parishes caused, in my view, mainly by the hostility of certain people, but I accept that, in this one parish, the particular "chemistry" of priest and people hasn't quite worked and, to that extent, I suppose I acknowledge that I must be partly responsible. What I have agreed with the diocese, through the archdeacon, is that I should give up the incumbency of this one parish, but continue with the others (where everything seems to be working very well) on a reduced stipend of 0.75. The difficulty, and this is really my question, Alex, is that the diocese maintains that I would have to be priest-in-charge in the remaining two



**parishes because it is not legally permissible to be an incumbent and not be full-time. I have to say that I'm very reluctant to sign away the other two incumbencies — not just for my security, but for the sake of the parishes. One of the livings which I'd like to keep has a private patron who's also very concerned. What do you think?**

My own view is that the diocese is wrong. Let's deal, first of all, with this "full-time" question. I know that we often speak these days about "half-time" posts, and dioceses' have their own formulae for assessing whether a particular post is, say, 0.85 or 1.15. That said, the fact remains that there is no set-in-stone definition of the number of hours required to be put in by a stipendiary priest. As long as the statutory duties (daily offices, Sunday services, feast days, pastoral offices, work with schools, visiting the sick, and so forth) are being met then the ecclesiastical office is being fulfilled, whatever hours it takes. Your archdeacon, above all, should know this as in the past, of course, many archdeacons were rectors or vicars of benefices — in a word, clerics who did many other things besides, including being archdeacons!

As for the stipend, it's formed of two bits. There's the inalienable bit (the guaranteed annuity, which is often just a few hundred pounds, together with the fees, and any trust income). For many parish priests this amounts to just a few thousand pounds. On top of this the larger part of the stipend is discretionary, called the Diocesan Stipends Fund Augmentation, which decided upon by the bishop, in consultation with the diocesan synod. There is, legally, absolutely no reason why someone should not hold a benefice provided that he or she receives only the inalienable element of the stipend. We are so frequently told about "new ways of being church" these days; we perhaps need to remind the diocesan structures that there are new ways of being parson, too. Inevitably the future Church of England will look increasingly to non-stipendiary ministers to staff the parishes, and, again provided they receive the guaranteed annuity and the fee income, there is no reason why they, too, should not be beneficed.

In short, fight on. Resist the call to relinquish the two remaining livings. Encourage your active patron to make representations. Don't sign anything!

*Readers are invited to continue sending in their questions about parish law and practice to the Quibbler in forthcoming issues of the magazine. All names and addresses are, of course, withheld. Whilst every effort is made by Alex to ensure the accuracy of his responses, advice should be taken before action is implemented or refrained from in specific cases.*

# LETTERS TO THE EDITOR

## *Not a knacker's yard*

*From Fr. Arthur Lewis:*

Sir,

For most of us growing old is not an option. What we have to decide is how we are going to spend our later years.

The Church of England Pensions Board makes excellent arrangements. It will provide you with a house or, alternatively, a place in a home for older clergy.

What then is the need for the College of St. Barnabas, perhaps the best known *independent* establishment for retired Anglican priests? The answer is that it provides *everything* for retired clergy and their wives, provided you come early enough.

St. Barnabas is not a knacker's yard. It is not for men (or women) with one foot in the grave. Newcomers should not have hung up their cassocks. It is a place for men in their late sixties and their seventies who can take a turn at celebrating the daily Eucharist and officiating at the daily Prayer Book Office. If you have wider interests, so much the better. You will find plenty of scope and plenty of opportunities. Instead of struggling with the kitchen, cutting the hedge and mowing the lawn, you will have the freedom to read, to study (we have a good library), to write and to go out to take services if you wish. You have the independence to follow your own inclination as well as your own life of prayer. There are plenty of country walks, and provision is made for shopping trips into the nearest town (East Grinstead). Trains run frequently to London. If you have your own car you have a whole countryside to explore and lots of National Trust properties.

On top of all this we have first-rate medical facilities and the assurance that when we grow really old we shall be looked after to the end.

The thing to do is to come and see for yourself. Write to the Reverend the Warden at the address below.

Or, of course, you may choose to miss the bus!

ARTHUR R LEWIS

The College of St Barnabas,  
Lingfield,  
Surrey  
RH7 6NJ

## *Clergy, cycle clips and correct form*

*From the Rev'd Peter Millam:*

Congratulations on another splendid edition of *Parson & Parish*! John Masding's article, "Revered Sir" brought back happy memories of the late Bishop Cyril Bowles' biennial lectures on clerical etiquette when he was Principal of Ridley Hall, Cambridge. These were a real hoot and attended by many outside the College for the fun they engendered.

Aspiring clergymen were instructed how to eat peas at dinner parties with a fork properly held with the tines facing downward — "*Never* scoop them up as if the fork were a spoon." "Always dismount from a bicycle when addressing a lady, but it is not necessary to remove your bicycle clips." As only a few years previously one always dismounted from a horse when addressing a lady, presumably the etiquette still held.

When Cyril came to the subject of clerical attire, "slip in" clerical collars were not yet on the market, but I think he probably would have had apoplexy at the slovenly way in which many a clergyman dresses today. "Dog collars should *never* be worn with a sports jacket. A dog collar is a *formal* garment of attire, a sports jacket an *informal* garment of attire." As to the black scarf, Cyril Bowles was dismissive of those who were too lazy to fold their own neck creases in the vestry before a service, but bought "those horrible sewn scarves in order to save a few seconds — they never look right!" *Clean* black shoes were "de rigueur", as were "clean hands and a pure heart."

Cyril Bowles made the same points that John Masding did in his article, and many more, particularly with reference to the correct forms of addressing ladies. "Where there are several maiden ladies living in the same household, the eldest is 'Miss Smith', then 'Miss Alice Smith' and so on." He was most insistent that when addressing an envelope to a married couple, the husband being a clergyman, or a military officer, the correct form was "The Rev'd P. and Mrs. Smith", *not* "The Rev'd and Mrs. P. Smith." Married ladies were *always* addressed by their husband's Christian name, even when widowed or divorced, *unless they were actively seeking a second husband*, in which case they use their own Christian name. (How many ladies realise this today, but the latest Debrett's *Forms of Title and Address* maintains the same!) University degrees below a doctorate should not be appended and he was scathing of Ph.D.s as "being only half a proper doctorate."

Cyril always maintained that the correct abbreviation of "The Reverend" was "The Rev'd", with an apostrophe replacing the elided letters. "Rev."

was short for “revolution.” “Only *The Daily Telegraph* observes these normal rules. Alas, *The Times* has succumbed to slovenliness.” However, we noticed that he could not bring himself to abandon *The Times* for *The Telegraph*. Perhaps the latter’s crossword was too difficult. Cyril also gave us the correct forms of ending one’s correspondence — such as “Never sign just your surname; this indicates you are a peer of the realm.” There were countless other “correct” endings too numerous to mention here, but I seem to remember that “tradesmen” were expected to, “have the honour to be, your humble and obedient servant....” Tell that to a plumber today!

However silly it may seem, Cyril’s lecture stood my wife and me and good stead, for within a few years we found ourselves in “Government House” and “Embassy” circles where strict forms of etiquette and codes of dress were expected. How thankful I was that I heeded Cyril’s advice when having my visiting cards “printed from a plate made by the best stationer in the neighbourhood, by whom you will be advised as to the correct size and style.” As a consequence I have never visited anyone and been “sorry to find you out”!

Yours etc

PETER J. MILLAM

22 Willowhale Avenue,  
Aldwick,  
Bognor Regis,  
West Sussex  
PO21 4AY

# LETTER TO THE CHAIRMAN – AND A HYMN

*From the Rt Hon the Lord Dean of Harptree PC:*

Dear John,

Over many years now you have been our celebrant at services in our country parish in the Chew Valley in Somerset.

On the Conversion of St. Paul (25<sup>th</sup> January 2004) we sang a beautiful hymn [*reproduced below*] composed by your late wife Veronica almost on her death bed. In your sermon, we had your usual puckish humour — it is good that we can now laugh in church! You reminded us of two profound truths. First, that if other gifts fail, God compensates. A hymn of such beauty and feeling could not have been written by someone in possession of full physical capacity. You reminded us, too, that in our dark moments of life, and we all have them, God's sunlight dispels the darkness and makes us better people.

Yours etc.

1.

Christ we praise you for your glory.  
Here on our Patronal day,  
Help us learn the splendid story pious  
Of the man who preached the Way;  
Let us praise the name of Paul  
Claim'd by Him who's Lord of all.  
Christ we praise you for your glory  
Here on our Patronal day.

2.

Christ we praise you for you met him  
On his road to catch and kill;  
That, born out of time, you set him  
To Damascus for your will:  
You had planned for Paul to know  
How your Grace could reach your foe:  
Christ we praise you for you met him  
On his road to catch and kill.

3.

We give thanks for Ananias  
Who obeyed his Father's call,  
Went to Straight Street with feet  
Entered saying, "Brother Saul".  
Let the scales fall from our eyes  
As obedient we arise:  
We give thanks for Ananias  
Who obeyed his Father's call.

4.

Christ we laud you for Paul's fighting  
For your truth with Jew and Greek,  
For his journeys and his writing  
Making free men-all-too-weak;  
We who read Paul's words today  
Learn to trust and learn to pray:  
Christ we laud you for Paul's fighting  
For your truth with Jew and Greek.

5.

We would listen to Paul's teaching.  
On this day and every day,  
So that still Christ's grace is reaching  
All who need it on their way.  
Help your Church to spread abroad  
Paul's commitment to his Lord.  
We would listen to Paul's teaching;  
We would hear, and would obey.

*Words: A. Veronica Masding*

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Handwritten musical score for 'Hamstead' by Michael Sullivan, 1986. The score consists of four systems of two staves each (treble and bass clef). The music is in 2/4 time and features a simple, rhythmic melody with chords. The notation is handwritten and includes various musical symbols such as notes, rests, and bar lines. Below the fourth system, there are two empty staves and the handwritten initials 'M S'.

*Music: 'Hamstead',*

*© by Michael Sullivan, 1986. All rights reserved*

## CHAIRPIECE

### *John Masding on heresy courts, the new Ordinal —and Thirteen Theses*

First, a quotation from “Concerning the Service of the Church” (*Book of Common Prayer*):

THERE was never any thing by the wit of man so well devised, or so sure established, which in continuance of time hath not been corrupted: As, among other things, it may plainly appear by the Common Prayers in the Church, commonly called Divine Service. The first original and ground whereof if a man would search out by the ancient Fathers, he shall find, that the same was not ordained but of a good purpose, and for a great advancement of godliness. For they so ordered the matter, that all the whole Bible (or the greatest part thereof) should be read over every year; intending thereby, that the Clergy, and especially such as were Ministers in the congregation, should (by often reading, and meditation in God’s word) be stirred up to godliness themselves and be more able to exhort others by wholesome Doctrine, and to confute them that were adversaries to the Truth; and further, that the people (by daily hearing of holy Scripture read in the Church) might continually profit more and more in the knowledge of God, and be the more inflamed with the love of his true Religion.

But these many years passed, this godly and decent order of the ancient Fathers hath been so altered, broken, and neglected, by planting in uncertain Stories, and Legends, with multitude of Responds, Verses, vain Repetitions, Commemorations, and Synodals; that commonly when any Book of the Bible was begun, after three or four Chapters were read out, all the rest were unread. And in this sort the Book of Isaiah was begun in Advent, and the Book of Genesis in Septuagesima; but they were only begun, and never read through: after like sort were other Books of holy Scripture used. And moreover, whereas St. Paul would have such language spoken to the people in the Church, as they might understand, and have profit by hearing the same; the service in this Church of England these many years hath been read in Latin to the people, which they understand not; so that they have heard with their ears only, and their heart, spirit and mind, have not been edified thereby. And furthermore, notwithstanding that the ancient Fathers have divided the Psalms into seven portions, whereof every one was called a Nocturn: now of late time a few of them have been daily said, and the rest utterly omitted. Moreover, the number and hardness of the Rules called the Pie, and the manifold changings



of the service, was the cause, that to turn the book only was so hard and intricate a matter, that many times there was more business to find out what should be read, than to read it when it was found out.

These inconveniences therefore considered, here is set forth such an order, whereby the same shall be redressed. And for a readiness in this matter, here is drawn out a Calendar for that purpose, which is plain and easy to be understood; wherein (so much as may be) the reading of holy Scripture is so set forth, that all things shall be done in order, without breaking one piece from another. For this cause be cut off Anthems, Responds, Invitatories, and such like things as did break the continual course of the reading of the Scripture.

Yet, because there is no remedy, but that of necessity there must be some Rules; therefore certain Rules are here set forth; which, as they are few in number, so they are plain and easy to be understood. So that here you have an Order for Prayer, and for the reading of the holy Scripture, much agreeable to the mind and purpose of the old Fathers, and a great deal more profitable and commodious, than that which of late was used. It is more profitable, many things, whereof some are untrue, because here are left out some uncertain, some vain and superstitious; and nothing is ordained to be read, but the very pure Word of God, the holy Scriptures, or that which is agreeable to the same; and that in such a language and order as is most easy and plain for the understanding both of the readers and hearers. It is also more commodious, both for the shortness thereof, and for the plainness of the order, and for that the rules be few and easy.

After *thirty-nine* years in Holy Orders, I think that if I were drawing up any *Articles* illustrative of the pickle the Church of England has got itself into by its process of continual meddling with its structures and liturgy I would begin with a *gravamen* against what has happened to our worship. In the last seven years I have ministered in over forty churches, and in many of them the Prayer Book is hard to find, and the congregational or ministerial copies often unworthily, occasionally even disgracefully, tattered, and tatty. Yet the Prayer Book is very easy to use compared with *Common Worship*, to use which I have frequent recourse to the computer. I am sure that in working out what I am supposed to do I spend time and energy which would be better employed in doing it, and in preparing to do what I know I should before I do it. Good Master Cranmer would indeed find in *Common Worship* how right he was to have written that *the manifold changings of the service, was the cause, that to turn the book only was so hard and intricate a matter, that many times there was more business to find out what should be read, than to read it when it was found out.* And, of course, there are the Vicar's

local variations..... “Ah, well, here, actually, we don’t do that, and what we usually do is to insert.....” Yes. Yes, indeed.

Am I committing an offence against the laws of doctrine, ritual and ceremonial when I err and stray from the Synod’s enacted ways, if I am taking the modern service? And should not the *Book of Common Prayer*, like the Bible as distinct from a mere book of lections, be available in a central and focal way in each Church as implied by the Declaration of Assent to what is contained therein made by the Minister?

I have been looking at the Clergy Discipline (Doctrine) Report. The General Synod wisely threw it out on 10<sup>th</sup> July, with 12 bishops against the 27 who favoured it. That is an unusual “rocking of the boat”. The laity wanted the Measure by 3 to 1, but a small majority in the House of Clergy was sufficient to stop it — for now! It’ll be back. Control-freakery is probably here to stay, and there are people, it seems, who misguidedly but sincerely and desperately want this Measure, or something like it. Watch this space. The price of liberty is eternal vigilance. Why were bishops and other clergy to be treated so differently? Why were they to be treated so differently from the way they would be treated under the present law, the Ecclesiastical Jurisdiction Measure 1963?

At present, proceedings against clergy for their purely ecclesiastical crimes in matters of doctrine, ritual or ceremonial follow a straightforward pattern which does not require public accusation and lobbying for a majority, whether of a PCC or a Bishop’s Council: simply, a complaint is made against a clergyman by either a complainant authorised by the bishop or by six persons on the church electoral roll or by the incumbent; against a diocesan bishop by a person authorised by the provincial archbishop, or by five incumbents and five lay members of synod in the diocese. For complaints against an archbishop or suffragan the system is broadly the same — not therefore impossibly difficult. Complaints can, of course, be dismissed, and need not be referred to an examiner, who decides whether there is a case to answer, and if there is then it is he who specifies what the offence to be charged is. If a bishop is being complained against, the thing goes not to an examiner but to a committee assisted by a legal assessor.

The effect is that a complaint could be made easily, but none seem to be made. If a complaint were made, it would not necessarily be proceeded with. There is discretion. In other words, there is a filtration system. So why did the Report recommend making it so much harder for a complaint to be made?

In any event, the problem with the new and rejected Measure was going to be the curious, and unjustly anomalous, difference in the methods of

proceeding against a bishop compared with any other clergyman. With the latter, complaint might be made by a churchwarden or other person nominated by two-thirds of the lay members of a PCC: so an accused curate, say, could not be protected by the votes of his incumbent and fellow-curate. Against a bishop, however, complaint might have been made only with very real difficulty. Two-thirds of the Bishop's Council might nominate a complainant — and that two-thirds would have had to be achieved in the face of the votes of the bishop's staff and nominees on the Council — it is not two-thirds of the elected members, we note! This is quite different from the PCC provision. Why would the suffragan have been able to vote — but not the curate? Maybe those drafting the Measure sensed this difficulty, for alternatively one tenth of the Diocesan Synod might proceed, that is, one tenth of each of the Houses of Clergy and Laity; or thirteen or more persons of whom three or more shall be members of the Upper House of Convocation, and five or more from each of the Houses of Clergy and Laity of the General Synod. A complainant might appeal to the President of Tribunals if the complaint is dismissed by the bishop (or archbishop) after the bishop (or archbishop) has scrutinised the registrar's report on the complaint, but he first had to succeed in making a lawful complaint. That's a big stumbling block. Why so hard, when the bishop (or archbishop) can easily dismiss the merely frivolous or ill-founded, one of the many merits of the present law?

The Report itself says that it matters more that bishops should not transgress than it does that most other clergy should not. So why make it so much harder to call to account the bishop whose theological and liturgical integrity is so much more important than mine?

The Report itself repays careful reading. There are some interesting points laid out in the "Guiding Principles", including *there needed to be sufficient freedom to allow the understanding of Christian doctrine to "develop" while maintaining the cohesion of the Church around shared doctrinal beliefs*, which could be affected by ecumenical considerations; that *exploration and clarification (as opposed to denial) of belief should be allowed as a liberating process, although the context in which it took place was important*; and finally, amongst much else, the points that *the public position of those in the ordained ministry as office holders meant that it was important that what was said in public reflected the doctrine of the Church, and the constraints on publicly exploring doctrinal questions were greater for bishops and dignitaries than for other clergy*. It seems that university and other recognised theologians, and non-office holders, will be in a less constrained position when writing or speaking than other clergy, especially bishops and dignitaries. How this will all work out remains to be seen. We may find that Rowan Williams is

the last academic to be willing to accept episcopal, let alone archiepiscopal office?

We are now to have a new Ordinal, to go with *Common Worship*. The draft was approved by the General Synod in February and committed to a Revision Committee. Write in.

Some important points were made in the by no means uncritical debate, some speakers giving the Bishop of Salisbury, author of this New Sarum rite, quite a hard time. The Bishop of Woolwich said, “I do like the fact that they have now got a rubric that says that the bishop gives the Bibles, so we will get rid of the nonsense (which I fear the Bishop of Salisbury is addicted to) of having them only touch a Bible that is then carried on. Of course, it is possible to say that we know they already have a Bible before we give them one but, as has been pointed out by David Banting, there is still enormous value in the actual gift of one; and the verb there is much better even if the coaching is much worse. I am pleased to note that one.

“I distrust the extra ceremonies that he is bringing in. As the Bishop of Salisbury has mentioned practice in both Portsmouth and Salisbury, which has been happening illegally, it seems, up to now, and since he seems to be totally unbothered whether it is in the book or not, I do not see why he has to put it in the book now because obviously other people will do it.”

Aha! So that’s what the Measure is for? Then, Canon Jane Sinclair in February’s debate:

“There is much to be gained in the proposed flexibility on offer, but I want to sound a word of warning this morning. The people who have to use these rites and make them work well are bishops, precentors and, in the case of the ordination of priests in their parish churches, local parish priests. Without some very specific guidance about how and why to choose particular options among the many on offer — and that is especially true in the rites for priests and deacons — I fear that we may be in danger of losing the focus and simplicity which is the hallmark of prayerful and prayer-enabling liturgy.

I know to my cost what an indigestible act of worship can take place when a less than fully liturgically aware priest works their way through *Common Worship* Order One, including every possible alternative and option on offer. You need an Alka-Seltzer and a long walk afterwards to recover. Please do not let this happen with the ordination rites. Look again at the options on offer in each rite and ask whether this option enables the people of God to pray simply and well and creatively with and for the candidates for ordination. It is not just each individual

option; it is the combinations of options that need to be looked at. The Revision Committee may find that it needs to lose some options or recast them; it may wish to reconsider how the additional symbolic acts proposed in some of the rites — foot-washing in the rite of ordination of deacons comes to mind — should be handled or whether they should even be there at all. Then, once the options have been checked through carefully, and the Revision Committee is happy that we have the rites which will enable us to pray simply and well, please ensure that all three rites are prefaced by clear directions on how to weigh and choose between the options on offer.”

I agree. All this touchy-feely stuff makes me squirm. Which leads me to ask, are we now in the business of saving money by putting off people from offering for the Church’s ministry? So much is already against us, that I ask, do we really need, on top of all our other problems, so distasteful and unenglish an ordinal?

Here are my Thirteen Theses, as it were, enumerating some of our errors in this part of Christendom. (Thirteen? I did ring the bell thirteen times when I was inducted. At the time, I said it was a declaration of war against superstition. Superstition is always with us, and now has many potent allies):

1. Media aggression, and the fact that Church of England clergy in particular are usually represented as figures of fun or obscurantist;
2. The constant media assaults on the Royal Family;
3. Media selectivity — Royal residences and Bishop’s palaces are represented as an expensive luxury, obviously of the origins of these things and the nature, for example, of both the Crown Estate revenues for the Government and the diversions of funds which set up the Church Commissioners in the first place, coupled with an amazing reluctance to say anything about the cost of Chequers, Dorneywood, etc., let alone the ever-burgeoning No. 10 pseudo Presidency, and the environmental damage done by air travel and wars.
4. The Sport and Pop Idol Culture of the Celeb.;
5. Deregulation of Sundays;
6. Synodical follies — Common Worship suppressing rather than augmenting the Book of Common Prayer pretty largely in actual practice, with habits such as the handing-over of CW rather than BCP at ordinations, institutions and licensings etc;
7. Abrogation of the Rule of Law in Church life by crepuscular episcopality

and diocesan bureaucratic management — line management concepts etc., largely extra legal but hard for the fearful to resist;

8. Doubts about the clergy and a feeling that abnormality is increasingly becoming the norm, and that it is not P.C. to stand up for biblical values;

9. The sheer cost of the central machinery of the Church on top of the erosion of the real value of many Church investments and the need to maintain stipends above the poverty threshold if possible, which all leads to ever-increasing demands upon Churchgoers' funds;

10. The MothersUnionization of the Church, as it were — I am not opposed to women clergy, but the stipend is now so low that it is really a “job for women who depend mainly upon the husband's salary” as I prophesied in our 1992 issue;

11. Confiscation by Dioceses of local assets upon sale of churches and parsonages, which leads to a feeling that it is unsafe to give significant gifts;

12. Over-emphasis by the Press/TV on four or five Leading Church Figures, and Mr. Rentaquote, devaluing the standing nationally of everyone else and even eroding their local standing;

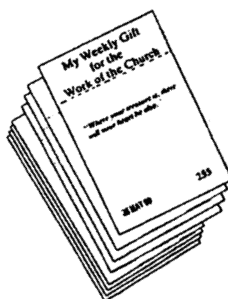
13. Lack of interest in Church matters in Parliament, esp. the contemporary House of Commons.

How do we recover? How do we change society from a Church base now so weak?

*J.W.M.*

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