

**PARSON AND PARISH**  
is published by  
**THE ENGLISH CLERGY**  
**ASSOCIATION**

**PATRON: The Right Reverend & Right Honourable**  
**The Lord Bishop of London**

Founded by the Rev'd EDWARD G. COURTMAN in 1938

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The English Clergy Association, as the successor to the Parochial Clergy Association, exists to support in fellowship all Clerks in Holy Orders in their Vocation and Ministry within the Church of England as by law Established; to uphold the Parson's Freehold within the traditional understanding of the Church's life and witness; to oppose unnecessary bureaucracy in the Church; to monitor legislative and other processes of change; and to promote in every available way the good of English Parish and Cathedral Life and the welfare of the Clergy.

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# **PARSON & PARISH**

*the half-yearly magazine of the  
English Clergy Association*

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# FROM OVER THE PARAPET

## *Editorial*

Our name, the English *Clergy* Association, and title of our magazine, *Parson and Parish*, may suggest that we exist purely to support clerical interests. Certainly, we have a membership of several hundred clerics, but equally we have lay members too, and it is particularly with the laity in mind that this issue of the magazine is concerned. After all, without the people, there would be no parson — and the very “parson’s freehold” we seek to uphold is more properly in the nature of trusteeship, by which the benefice property is held by the incumbent in trust for the people. In the language of Mr. Blair, we could say that we are truly “the people’s Church”.

Yet it is not only the parson’s freehold which is within the sights of reformers —but much of the way of parish life. Both Margaret Laird in the Association’s annual address, reproduced in this issue, and our Chairman in his column, remind us that the Churchwardens Measure made it to the statute book as only a shadow of its draft and former self, principally because it had been forgotten that churchwardens are also officers of the *people* of the parish, representing the people’s interests to the bishop.

One of the next concerns will be the question of pastoral reorganisation. A review has now begun of the Pastoral Measure, together with other related pieces of legislation, and the three Chair-officers of this Association have, on behalf of our Council, sent in a response to the Review Group’s questionnaire. (Copies are available directly from the Editor, upon receipt of a stamped addressed envelope.) As yet no specific proposals are on the table, and there has been a playing down of any suggestion that the parish system as we have known it is in any way “up for grabs” —even though the Review Group does ask, given the new ways of “being church” today (youth congregations, network and workplaces churches, for example), whether we continue to view the parish as the primary pastoral unit.

Nonetheless, there remains the possibility that, out of the Review, we may see a radical shake up of the parish system, with more centralisation, fewer mechanisms for consultation and —in short, less protection for the people, patrons and clergy of our parishes.

Margaret Laird spoke in the annual address of the dangers of greater centralised strategic control in matters of pastoral reorganisation, and in

our response to the Review Group we stressed the inadvisability of transferring the Church Commissioners' functions in pastoral reorganisation and in quasi-judicial matters to the Archbishops' Council.

One of the difficulties in responding to the Review is that the Group's terms of reference are couched in slippery words, its brief being "to ensure flexible and cost-effective procedures which fully meet changing pastoral and mission needs". But flexible for whom, and needs perceived by whom? The way in which the Review Group's consultation questionnaire is framed sees the Pastoral measure as "the main legislative vehicle for the Church's local organisation". There is little mention about protecting rights—rights, not only of patrons, clergy and PCCs, but of all Her Majesty's subjects for whom the Church of England exists as long as we are an established Church. And, on the subject of our Queen and Governor, the Association joins with the nation at this time in the Golden Jubilee celebrations, expressed in this issue by Lord Pilkington's homily preached on the fiftieth anniversary of Her Majesty's Accession.

But to return to Her Majesty's subjects and their rights. One of the principal strengths, we believe, of the present Pastoral Measure is its emphasis on *consultation*, and far from this being mission-inhibiting (as the Review's questionnaire tends to suggest), we consider that the very thoroughness of the consultation process helps to forestall problems which could arise in the future and which may prove to be an ever greater inhibition to mission. The mission of the Church is *not* one of an "instant fix" or meeting temporary targets and goals; as is sometimes said, "It takes time to be right".

Indeed, in our response we dare to suggest that the procedure for consultation should be *further strengthened*, and for the nature of "consultation" (inadequately defined in the present Measure) to be set out with greater precision. Many of us have heard of horror stories in which rights of people, patrons and PCCs, have been trampled underfoot as a diocesan strategy is forced through—and not least in the matter of proposed suspensions of the right of presentation. Simply as a mild example, on the editorial desk at the moment lies a letter from the secretariat of the Diocese of Chichester revealingly headed up "For information only". It is addressed to a churchwarden, telling him that the Bishop intends to suspend for five years under the Pastoral Measure, "to provide a time for reflection and consultation" (no mention of any pastoral scheme in the wind). The letter expresses the hope that the churchwarden "will feel able to accept consultation by exchange of letters" but then—grudgingly, almost—he is told that he can ask for a meeting if he so wishes. This is only a modest instance, but it is not quite the consultation envisaged by the

legislation and hardly fulfils the understanding set out in the Measure's accompanying *Code of Recommended Practice*.

Again, one of the purposes of the Pastoral Measure is to protect *all* of Her Majesty's subjects, for all parishioners are involved (and all patrons, for that matter —not simply the one whose turn it may be). The Church of England is a national Church, for the people of our land, whether or not they lighten or darken her doors. If, following this Pastoral Measure's Review, it is recommended that existing rights of representation and consultation are to be reduced, then there exists the prospect of Parliament's Ecclesiastical Committee declaring any proposed reforms as "inexpedient". Remember the Churchwardens Measure.

We encourage lay people in sympathy with the aims of our time honoured and distinguished Association to complete the application form inside the rear cover of the magazine and join today.

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## **REFORMATION OR INNOVATION?**

***Margaret Laird, giving the Association's annual address, considers parallels between the 16th century and issues facing today's Church***

In 1965, Bishop John Robinson published *The New Reformation?*, in which, as the title suggests, he considered whether or not in his own words “We were trembling on the verge of a new Reformation”. Certainly this idea was mooted in the ecclesiastical and religious journals of that time and John Robinson quotes from several articles which clearly supported this view. An otherwise cautious Canon of Winchester wrote, “The prospect of a new Reformation is clearly in sight”; and in 1964, Professor Torrance stated in *The London Quarterly and Holborn Review*, “Without doubt we are in the midst of a new Reformation”. These two quotations present us with a further question — if a new Reformation has taken or is taking place, when did it begin? For Canon Lloyd “it was clearly in sight” but Professor Torrance believed that he was already “in the midst of it”.

But how long does a Reformation take? Historians have not yet managed to agree on a termination date for the English Reformation of the 16th century. Christopher Haigh has argued that the process was “slow rather than rapid”, which led Peter Marshall in his book on the subject, published in 1997, to ask, “How slow was slow?” Whereas in the 1960's, it was generally thought by historians that the Elizabethan Religious Settlement brought it to an end, more recently, revisionist historians have done much to demolish the idea that there was any such thing as Anglicanism as we know it, until the time of the Restoration. Certainly, Thomas Traherne writing in the early years of Charles II, seems to have accepted what he describes as “The National Church” and sees that with all its disadvantages, it is an advantage – “Praise God,” he concludes, “for the advantage of our disadvantages”. He lists what he describes as the “heavenly treasures” of a national Church “religion established by laws, monarchs and magistrates turned from paganism, and the freedom of the Gospel”.

I mention all this because *if* we are in the course of a new Reformation, it is not yet clear whether we are living at the beginning, the middle or the end of the process. As I am neither a professional historian nor theologian, I would not dare to give answers to the questions I have posed. What however I shall attempt to do, is to comment on the striking similarities between the issues and problems raised in the 16th century and those which demand our attention in the life of the contemporary Church. My own observations are based mainly on twenty years as a member of the General Synod (ten of which I served on the now extinct Standing Committee), on

my 11 years' experience as the third Church Estates Commissioner, when I was closely involved with the various Committees which brought about so many changes between 1980-2000AD and, last but not least, as the wife of an incumbent and aware of how those changes have affected parish life.

### ***Calls for disestablishment***

The first issue we need to address is naturally that of establishment — or the concept of a national Church, a subject as hotly debated today as it was in the 16th century — although of course, for entirely different reasons. In the General Synod, there are those who will call for disestablishment whenever the opportunity arises and a recent *Church Times* survey brought to light that only 36% of the younger clergy and, of the 1300 clergy canvassed, only 42% continue to support the Queen's role as Supreme Governor — and now even some bishops are calling for the disestablishment of the Church of England.

We can be certain however that if steps towards disestablishment were to be taken, they would cause as many complications for both Church and State as the transfer of power from the Papacy to the King. Another certainty is that, as in the 16th century, the transfer of power would be a gradual process. Claire Cross in her study of the Reformation states that for many of Henry VIII's subjects, "The religious revolution countenanced step by step by Parliament was partly disguised by gradualism". She points out that there was hardly one instant when England remained in full communion with Rome and another when the tie could be seen to be cut irretrievably. "Instead," she concludes, "the break happened by stages as Acts were introduced into Parliament by degrees" —which is exactly what will happen if the Church is disestablished in our time.

Thirdly, we are all aware that transfer of power will not happen without conflict — and again, we can look back to a parallel situation in the 16th century. The Act of Supremacy by no means received universal approval and many of the clergy who *did* swear the oath of loyalty to the King, did so reluctantly. Professor Scarisbrick and Eamon Duffy in their research on this period, have demonstrated that in many of the parishes, the transfer of loyalty from Pope to King was not as easy going as we were once led to believe. Claire Cross too points out that those who took part in the rebellions and in the Pilgrimage of Grace were, amongst other matters, questioning whether a layman *could* be head of the Church. One hothead was heard to shout, "There should be no lay knave as head of the Church!" Others called for the healing of the breach with Rome. In *The Stripping of the Altars* and *The Voices of Morebath*, Eamon Duffy has clearly shown with



what speed, under Mary Tudor, the parishes returned to the Mass. Vestments and statues were dragged out of their hiding places in barns and cottages, illustrating that at the grass roots, especially in country parishes, Protestant reforms had not necessarily been received with enthusiasm.

### ***Financial worries***

A further issue common to both periods is that the work and mission of the Church was, and is, hampered by lack of money. Changes within the Church (or in the State for that matter) cannot be achieved without cost, even when they are made for the express purpose either of producing more money or of distributing it more equably. It was hoped in 1976 that the Endowments and Glebe Measure would help to solve the Church's financial problems. Then, more recently, that the establishment of the Archbishops' Council would prove to be a cheaper way of administering the Church because finance would be controlled by "one body" out of "one pot". Yet still "quotas" and "parish shares" increase — crippling the parishes both in urban and rural areas.

The 16th century too was not without financial problems. Many were hopeful that, with the abolition of Peter's Pence and with the money acquired from the confiscation of monastic lands, Church life and the education of clergy and laity would benefit. Originally too this seems to have been Henry VIII's intention. Influenced by Renaissance humanism, he was concerned with education at all levels and social justice. He wrote of his desire that "by the conversion of monastic wealth, God's word might be better set forth, children brought up in learning, clerks nourished in the universities, old servants to have living and houses for poor folk to be sustained....."

However, Professor Scarisbrick in his study of Church taxation during this period, claims that Church people paid about threefold the amount they had hitherto paid to King and Pope combined — "Popery," he concluded, "was cheaper if nothing else". Henry VIII's re-endowments from the suppression of the monasteries after paying pensions to some of the abbots and monks, *did* finance six new bishoprics and five new Regius Professorships. He also increased the endowments of certain colleges and founded new educational institutions but "it seems clear," writes Scarisbrick, "that the Continental Reformation preserved a considerably higher proportion of monastic wealth for educational and charitable purposes". Much of the money Henry acquired was spent on war and royal palaces. Some parishes like Bolton, Malmesbury and Malvern actually found that they had to buy back their abbey churches for parochial use. The King

seemed so desperate for money that Claire Cross records that some of the parish priests feared that the King would deprive them of their livings and confiscate their stipends. Certain parishes, in order to meet the obligations imposed by the Crown, were forced to sell off their church plate and furnishings. In Morebath, for example, the churchwardens in order to meet the royal demands, sold off their silver cruets.

Translating the Bible and the Liturgy into English was certainly advantageous to the English people but even that proved costly to the parishes. Injunctions were issued in the reign of Henry placing an obligation on each parish to purchase an English Bible and “a chain to ensure its security”. In 1541, a royal proclamation imposed a fine of 40 shillings a month on parishes without a copy of the Great Bible. In 1549 in the reign of Edward VI, there were further injunctions requiring parishes to purchase a copy of the English Prayer Book, then a copy of Erasmus’ Paraphrases of the New Testament as well as a translation of the Psalter. Then, in 1552, yet another version of the Prayer Book had to be bought. Commissioners were employed to see that these injunctions were carried out — imposing even more expense on the parishes. The purchase of the Book of Common Prayer in 1549 for 4s 4d put the parish of Morebath in the red and by 1553, after buying the new edition, the parish had debts of over £6. 0. 0. and no obvious way of meeting them. There was no doubt that for the 33 families of that parish in Devon, religious changes were extremely expensive.

This is a principle with which parishes in the contemporary Church are well acquainted as they struggle not only to maintain their buildings but also to pay their contributions to the “Common Fund”. Yet the General Synod passes new Measures, calls for reviews and revision groups, and sets up commissions, some of which put forward recommendations which are never acted upon — all this without sufficient regard to the financial implications upon the parishes. Yes, religious change means cost!

### ***Liturgical parallels***

The mention of the Books of Common Prayer leads on to the subject of liturgy and there is no doubt that liturgical change in both word and practice is another factor common to the Church in both periods. The first changes in the 16th century had to be made immediately after the declaration of the Royal Supremacy when in June 1535 a proclamation spelled out the implication of “the abolition of the abuses of the Bishop of Rome, his authority and jurisdiction”. Clergy were commanded to teach the Royal Supremacy to their people “to cause all manner of prayers, rubrics, canons in Mass books and all other books used in Churches when the said Bishop

of Rome is named (or his presumptuous, proud pomp and authority preferred) — utterly to be abolished, eradicated and erased out and his name and memory to be never more remembered”. Bishops’ officials were even employed to see that clergy carried out these instructions.

This must have been a similar exercise to that of recent years when efforts have been made to ensure the use of inclusive language in prayers, liturgy and theological writings — without however Bishops’ officers to enforce it. However, the demands of the feminist camp been equally effective.

As a result of the break from Rome, Henry VIII opened his country to the influence of the Continental Reformers. “Thus,” writes Professor Scarisbrick, “partly unwittingly but none the less decisively, Henry VIII brought the Scriptures in the vernacular to his people”. England became exposed to the theology and immense creative energies of Continental Protestantism. This resulted in a new liturgy and in the Prayer Books of 1549, 1552 and after the return of the Mass in the reign of Mary, that of 1559 introduced by the Elizabethan Religious Settlement. Four major liturgical changes in 10 years, so perhaps we should be grateful for only two in 20 years! It has to be admitted therefore, that without doubt, liturgical change is another common factor to both periods.

### ***Furniture-moving***

Liturgical changes in *word* inevitably lead to changes in liturgical practice and to the management of church furnishings, and this can radically affect the appearance of the interiors of our churches. In the middle of the 16th century, rood screens, statues, candlesticks and vestments gradually disappeared and in 1550, an injunction ordered stone altars to be removed and replaced by wooden tables. Once again, inspectors were sent around to see that this order was carried out. Eamon Duffy tells us that the Churchwardens’ accounts record that in 1551, the people of Morebath duly complied: “John Lowsmore being paid 3/- for taking away the altars and rood loft and the Wardens sold off six great altar candlesticks of brass at 3 1/2d per pound — scrap metal prices, their weight 80lbs.”

Similarly, partly as a result of the influence of Vatican II, and the introduction of the ASB, changes in liturgical practice in our own time have been accompanied by the re-ordering of our churches. The more informal approach to worship has once more led to the removal of many rood screens, to the introduction of nave altars and to the westward facing celebrations of the Eucharist. Pews have also been re-arranged or replaced in order to accommodate what has been described as a more

“domesticated” liturgy to suit all ages. The contemporary refurbishment of our Churches has not been enforced by injunctions but by the influence of fashion, which can be just as effective. No incumbent likes to be described as “old fashioned”. Traditional, yes — but unfashionable, never!

### *Disposing of property*

The mention of church interiors leads me to the subject of Church and Ecclesiastical buildings in general. The most disastrous effect of the 16th century Reformation was doubtless the suppression of the monasteries — not only because of the contribution which monastic life made to the culture of our land but also because so many of the greatest works of mediaeval architecture were destroyed, leaving us with what Dom David Knowles describes as “bare ruined choirs”. Others were sold or adapted to “new uses” — a phrase very familiar to modern planners. Later generations have also been deprived of the *contents* of the monasteries and I well remember Professor Scarisbrick giving a most moving description of the cartloads of ecclesiastical treasures — works of art, chalices, silver plates, candlesticks, stained glass and tapestries — being transferred to the Royal Treasury to be sold or, in the case of precious metal objects, melted down, mainly to finance the King’s wars.

But surely, nothing to be compared with the destruction of the monasteries has happened in the present era — it cannot be claimed that this is an issue common to both periods — but think again! It is true that there is no way in which a listed building can be demolished — especially churches because in the case of redundancy, they would probably be passed to the Churches Conservation Trust or if in use, propped up by grants from English Heritage. There are however many ecclesiastical buildings other than churches, which have been demolished, sold or adapted to change of use. Let me give you some examples.

I grew up in the City of Truro — where the Cathedral itself still dominates that city — but when I was a child, there was also a Cathedral School (now closed, sold and the building turned into secular offices). There was a flourishing Diocesan Teachers’ Training College, now closed and demolished and the site sold and developed for housing, except for the Chapel which is used as a parish hall. There was an impressive convent but when the nuns moved to smaller premises, the convent building was sold and converted into a splendid hotel where wedding receptions now take place in the beautiful Chapel. One of the three Church primary schools no longer exists, two mission churches on the outskirts of the city have been demolished and I heard recently that consideration is being given to the closure of three of the City’s parish churches. We all know why this has happened

but when one considers that a similar policy has been pursued in countless towns and cities throughout the land, the overall picture is extremely depressing. We *do* need to ask from time to time whether the disposal of so much property is always the wisest course of action.

Consider too the Church's policy with regard to vicarages, some of which are architecturally the most beautiful and interesting of English houses. Other people have made far more profit from re-selling them than the Church, who originally owned them. Letting and leasing, as one member of Synod recently pointed out, can be a wise way of practising stewardship. It is true that old houses are expensive to maintain but it must also be admitted that some of the early "green guide" replacement houses have proved inadequate and inflexible and have caused unexpected financial problems for dioceses.

In dealing with ecclesiastical property therefore, the policy of the contemporary Church has not been beyond reproach, although it must be admitted that financial gains from the sale of property have been put to far more worthy use than most of the money acquired by Henry VIII as a result of the suppression of the monasteries.

### ***Changes in patronage***

Yet another common issue is that in both periods the patronage of many ecclesiastical livings has changed hands. Ecclesiastical patronage, like political patronage, can be used for many reasons: to gain support for a new policy; to change the balance of power and, in the case of the Church, to influence churchmanship. Certainly in the 16th century, after the suppression of the monasteries, the patronage of about a third of the livings in this country passed to the Crown. Many were then gifted or sold to influential subjects for their support of royal policy and consequently, in the reign of Henry VIII, some of the most powerful laymen gained an entrenched interest in the abolition of monasticism and by implication, in the maintenance of the royal supremacy. Even before the Act of 1536 was passed, many saw their chance to acquire both land and the patronage of livings. Petitions poured into Thomas Cromwell and to illustrate this, I mention just a few of those listed by Dom David Knowles in *Bare Ruined Choirs*:

"John Whalley wants Burnham or Folkestone,"

"The Earl of Essex would like Beeleigh,"

"The Duke of Norfolk is unwilling to seem pushful but feels that where others speak he must too and asks for Bungay and Woodbridge,"

"Cranmer thinks that Shefford would suit his brother-in-law," and

"Lady Elizabeth Ughtred asks for one of those abbeys if they go down".

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Not of course for the same reason, nor by the same method, is the patronage of livings changing hands now, but nevertheless, it is happening. We are well aware that the reasons are both financial and because of the shortage of clergy; and that the method used by the establishment is of united benefices, team and group ministries and suspensions in many cases. In order to illustrate this, I shall briefly trace the history of one living: Little Berkhamsted.

From the early part of the 13th century, the patron of the living was Lewes Priory. At the dissolution in 1538, it passed with the priory to Thomas Cromwell. At his execution, it was forfeited to the Crown and in 1576, Queen Elizabeth granted it to the Cecils. With them it remained until 1989, when a Pastoral Scheme created a United Benefice, combining it with Ponsborne, Bayford and Essendon. The Patronage was to be exercised on an alternate basis. The first and second turn for the appointment of an incumbent rested with the Marquess of Salisbury, the third with the CPAS, and the fourth turn with the Bishop. This meant that the really close link between Patron and Parish, which had been in existence for over four hundred years, was broken — for the Marquess could now only exercise his patronage rights very infrequently perhaps only once in his lifetime. Where “alternate” or “joint” patronage of livings is established, it is often the Bishop who nominates a candidate, approved these days by the parish. When patrons are no longer closely involved, they sometimes lose interest and so the valuable contribution many of them once made, tends to cease. Sole patrons too if they take their responsibilities seriously (and many of them do) may find that having nominated a candidate, their choice is overturned by parish representatives. If no agreement can be reached, the nomination eventually passes to the Archbishop, who more often than not, will then pass the responsibility back to the Diocesan Bishop. Thus lay patrons finding that they are unable to exercise their rights are less inclined to contribute financially — especially in cases where they disapprove of the incumbent’s churchmanship.

### ***Fewer legacies...***

This leads to another matter which is common to both periods — the drop in the number of bequests and legacies. The frequent changes in church life and the prohibition of Church ornaments and furnishings, were the main reasons for this in the 16th century. The incumbent at Morebath noted that the list of benefactors and benefactions which he compiled between 1540 and the 1550s, was a good deal thinner than for the twenty years leading up to 1540. He notes especially that in “Anno Domini 1548, Lucy Sely was High Warden of the Church and in her time, the Church goods were sold away and no gift given to the Church”.

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Similarly, in these days of church closures and redundancies, families less sure about the future of their buildings are unlikely to leave bequests in kind and fear that a legacy bequeathed to their local parish church may well be used for a more general purpose, which was not their intention.

### ***...and vocations***

Just one other matter which is worth mentioning, is that in both periods under consideration, there was a dramatic drop in the number of vocations to the priesthood. In the 16th century, there were two reasons for this. One was the lack of clerical confidence in the Church's future which seemed to be wavering between Catholic and Protestant, and the second reason was the flood of clerical labour released on the market by the dissolution, first of the monasteries and then of the chantries. For example, in the Exeter Diocese between 1535 and 1543, there were only *60* ordinations, whereas in the 20 years up to 1535, there were sometimes as many as *65* ordinations *a year*.

In the present era, quite apart from the secularisation of society, there is a fear on the part of "would be" ordinands, that the Church may not be able to afford to pay them and secondly, that with so many livings united and the establishment of groups and teams, the opportunity for clerical labour may be considerably reduced.

There are other common issues such as divorce and remarriage, and attempts to interfere with Church courts, that had I time and expertise, I would address, but these are matters better left to the ecclesiastical lawyers — some of whom are present today.

### ***The effects of change — on doctrine, parish system and constitution***

The most devastating effect of any major change or reform in Church life, is that it causes disunity. This was sadly the case in the 16th century and as we are well aware, it is certainly true as a result of changes in the Church today.

It must be admitted however that, despite the religious turmoil of the 16th and 17th centuries, the Church of England emerged from that period, reformed but still Catholic in the sense that she did not completely abandon the rock from which she was hewn and she was still held together by a common ministry. Will this I wonder, be true of today's Church when she emerges from another somewhat turbulent period in her history? —Or are we living through a time of Innovation rather than Reformation? In the

present time, the Church of England is no longer held together by a common ministry and in an article by Canon Edward Norman published recently in *The Daily Telegraph*, he expresses severe doubts about her doctrine:

“What we are seeing now is not so much a decline of religion as Christianity being reinvented... people are astonishingly ignorant of Christian teaching... They regard themselves competent to define religious positions for themselves without reference to the long established traditions of thought and practice and then put together an interpretation of Christianity either to relate to individual needs or to the great issues of material welfare. The Clergy who are trained not to instruct people in the faith but ‘to discuss’ are demoralised and anxious to clutch at any straw and too terrified of seeming illiberal, to tell those who aspire to Christianity that their invented religiosity is not Christianity at all.”

That is how Canon Norman sees it — and I leave that for your further consideration.

Secondly, the 16th century Reformation, whether it lasted for a long or a short time, left us with one other advantage — a Church with its parochial system intact — a system which had existed from the time of Archbishop Theodore and which has continued to survive for the last four hundred years. Throughout its history, the parochial system has proved that it was capable of meeting the many demands which were made upon it, and of coping with an extraordinary number of crises and problems, including the drastic population changes in the 19th century. In a sermon preached in the Manchester diocese in 1997, the Archbishop of York said this in defence of the parochial system:

“Because of the historic context and the way in which inextricably the Church and the nation have emerged in this land, there is, thankfully, the perception still that we are not here for ourselves but rather to serve others — a Church which is available to all and for all — the parochial system which is the expression and embodiment of this availability in a whole variety of ways, is still to be cherished and valued. It is the *backbone* of our Church..”

“The backbone of our Church” —but, we must ask, for how long? In the light of a statement of Professor Toyne who claimed recently in the *Church Times* that “the current system no longer fitted the reality of where people are found”, we are led to ask whether we are living through more than a mere Reformation.

Thirdly, the developments which took place as a result of the 16th century Reformation left us with a Church who prided herself on checks and balances, on a dispersed and distributed authority or, to quote the Lambeth Conference of 1948, “a Church, having many elements which combine,



interact and check each other". For four hundred years the balance, interplay and checks, which have become the characteristics of the Church of England have been preserved - that balance which is between Church and State, bishops and clergy, clergy and people, has been maintained and the rights and duties of each, recognised. However, in the present era, the boat is beginning to rock.

Three things have recently threatened to disturb this situation: the Churchwardens Measure, the Clergy Discipline Measure and the call for the review of the Pastoral Measure. Fortunately, the Churchwardens Measure was declared inexpedient by the Ecclesiastical Committee of Parliament until Clause 9 was stripped from it. This, you remember, was the clause which would have given a bishop the power to suspend and replace a churchwarden of his own choice, overlooking the fact that a churchwarden is not simply a bishop's officer but also the people's, appointed by and answerable to the parish. Thus that clause would have undermined the rights of the laity.

Secondly, the Clergy Discipline Measure which as first drafted would have been contrary to Human Rights and would have undermined the rights of the clergy. This measure is still being considered.

Thirdly, the review of the legal procedures of the Pastoral Measure is underway and it is the Pastoral Measure which from 1967 has protected the rights of patrons, clergy and PCCs and all Her Majesty's subjects - every one of whom is a parishioner of a parish, wherever he or she lives in this land. It was the intention of the Turnbull Commission to transfer the Church Commissioners' Pastoral Measure functions to the Archbishops' Council, but this proved a controversial matter, especially for the Ecclesiastical Committee in Parliament who felt that it would undermine the rights of the laity. The Turnbull Commission wished to see greater strategic control of pastoral reorganisation and a *Church Times* article on the aims of the Review Group implies that this Group has a similar intention. If this were to happen and the Commissioners' functions did pass to the Archbishops' Council, diocesan proposals about reorganisation would be judged against some sort of national policy, and the policy of such a "plan"-led system would then become a major consideration in judging (representations against) draft pastoral schemes. No longer then would representations continue primarily to be judged (as they are at present) on the criteria of their *individual merits*. The "reasonableness" of a scheme would be seen in a different context - in an arena which is *solely ecclesiastical* - whereas the present arena is both ecclesiastical and representative of the English nation as a whole.

To transfer the quasi-judicial functions of the Church Commissioners to the Archbishops' Council would also be inadvisable. This function has benefited from the Church Commissioners' independence — in the sense of being impartial — and it would be a pity to take the risk of allowing ecclesiastical politics to distort the present arrangements. People wish to be satisfied that their representations are assessed on their merits and the Commissioners have, over the years, attracted the confidence of objectors and, when appropriate, the Judicial Committee of the Privy Council. To transfer this power from the Commissioners would undermine the *rights* of the parishes, the clergy and the patrons, by taking away their opportunity for a decision by an independent body.

Nor could a strategic plan-led approach work with church redundancies. Churches are “community” buildings, which exist not merely for the worshippers but for all the inhabitants of our towns and villages. In this area, the Commissioners work with Whitehall to the Church's advantage and procedures and financial arrangements have been devised, which are credible both to Parliament (which shows a protective attitude to church buildings) and to the Church.

So, in order to preserve and protect the rights of the laity, clergy and patrons, it is vital to watch carefully what changes the group reviewing the Pastoral Measure may propose.

### ***Reformation — or Innovation?***

But — we must now return to the original question — Reformation or Innovation? Will the Church of England emerge from the present era “reformed” or as a completely new and different church? Will she emerge as a Church which is gradually detaching herself from her traditional doctrine and, as some claim, from the historic ministry? Or as a Church anxious to liberate herself both from the State and from the long established parochial system? Or as a Church ready to abandon the checks and balances which have characterised the Church of England as we know and recognise her?

In addressing the Ecclesiastical Law Society in 1997, the Archbishop of York commented that “if we are truly to discern some sense of direction for the future, my response would be that we need also some sense of connectedness and continuity with the past.” —a response very similar to the warning once issued by Professor Chadwick to the General Synod that “Nothing is sadder than someone who has lost his memory and the Church which has lost its memory is in the same state of senility”. The Church of England neglects that memory at her peril.

And finally, it has been said that “Management that wants to change an institution must first show that it loves that institution”. Let us hope that those who are promoting changes in the Church of England love her sufficiently to make the right changes, so that when she emerges from this era, she will not appear in a form beyond our recognition.

*Margaret Laird, Deputy Chairman of the English Clergy Association, delivered this annual public address on 13<sup>th</sup> May AD 20002 at St. Giles-in-the-Fields, London, prior to the Association’s Annual General Meeting.*

**IN DEFENCE OF MONARCHY**  
*Lord Pilkington of Oxenford preaches  
on the fiftieth anniversary of the  
Accession of Her Majesty Queen Elizabeth II*

A hereditary monarchy embodies a sense of the history and continuity of the community of which it is head. On a personal level it seems hard for me to believe that when the present Queen acceded the throne I was still at school, only months before I went up to Cambridge. We have to admire the devotion and conscientiousness of the present Queen over the last fifty years. Even critics of the institution accept this as a fact.

The strongest argument for an hereditary monarchy is that it stands above the present transitory political scene and reminds us of eternal and deeper values, of a long history which has made us what we are. It is a gentler and more unifying structure than those States who find their historical foundations in a great revolution. It must be remembered that the French State was deeply divided for over one hundred and fifty years between those who believed in the revolution and those who detested all that it represented — most marked in the bitter battles between Church and State.

In this secular world many find the religious connotations of the English hereditary monarchy disturbing and anachronistic. The English monarch is anointed at the Coronation, reminding us that the State owes duties to the ideals of Christianity. The monarch, as a symbol of all the activities of the State, acknowledges a duty to preserve justice, to protect the weak, to promote the ideals of our Lord and the teaching of the early Church as embodied in the Epistles. Even in this irreligious age I feel it still has value that a State should have ideals over and above preserving order and promoting prosperity.

In the sixteenth century Archbishop Grindal reminded Elizabeth I that her power was in the end responsible to the ideals embodied in the Bible: “Remember Madam you are but a mortal woman and one day will have to answer before the judgement seat of God.” Or remember when David was rebuked by Nathan for arranging the death of Uriah the Hittite so that he could possess his wife Bathsheba. In the anointing of our Queen we are reminded that those who exert power have the duty to fulfil higher ideals. Surely it is better that the ultimate ideals of the State are embodied in an anointing within the Sacrament of the Eucharist rather than a parade in Red Square or a pragmatic constitution? It is interesting that the representatives of other faith communities all value this religious element in our State.

Even those who cannot believe in the doctrines of a revealed religion can see some use in the ideals of Christianity being embodied within the structure of the State. It is noticeable in the House of Lords that when prayers are said many who are not practising Christians attend. They are reminded of the ideals that we ought to serve. It is rare for prayers to be said in continental legislatures.

So tonight we give thanks for our Queen and devotions to her office. But also for the institution which reminds us of our history, our need for unity and our need to serve ideals beyond our selfish desires.

*Lord Pilkington of Oxenford, a member of the House of Lords, is on the Council of the English Clergy Association. The sermon reproduced above was preached at St Mary's, Bourne Street, on 6<sup>th</sup> February, AD 2002.*

## **HONORARY TAX CONSULTANT**

The Reverend Brian Rice has acted as Honorary Tax Consultant to the Association and its Members since the death of Father Borland in 1983 when he took over the Clergy Tax Service which the latter founded in the 1960's.

This is a *service* to clergy: advice is freely and gladly given. Clergy wives, widows and families are also assisted. If Members have income tax problems or need advice or practical help, they may contact the Reverend Brian Rice direct, mentioning the E.C.A.

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## THE GREAT SELLING-OFF

### *Anthea Jones traces the story of the Parsonage House*

Readers of this journal must often notice house agents' advertisements in the press featuring an old rectory or vicarage house and perhaps put them out of mind with a shrug, reflecting briefly on heating and cleaning. There is one for the Old Rectory at Cossington, Leicestershire, which is a little to the north of Leicester, in front of me now: the article reveals how much of the history of the parsonage house in general is encapsulated in one house.

Cossington was a "good" living in the past. When Matheus Knyghtley was rector in 1535, a house, great and small tithes and glebeland brought him an income of £17.18.4 (£17.90), well above the average: more than half of the livings in England and Wales were valued at £10 or less. Part of the house dates from this period, and the moat in the grounds suggests earlier occupation of the site. A timber-framed wing with a "solar" (a withdrawing room upstairs) may be the oldest surviving part; a "back front" is probably also sixteenth century, and was described about 1800 as "antient, but picturesquely beautiful"; a front range is eighteenth century, and there is a Victorian wing. The house mirrors accurately the changes in social status of the clergy over the centuries. Rising standards of living and married parsons from the mid-sixteenth century, a trend to large families, and the ease of obtaining servants, led naturally to additions to or the rebuilding of parsonage houses, as seen more generally in domestic architecture. Then, from the later nineteenth century, declining status and income reversed the trend. Cossington old rectory was first sold by the diocese about 15 years ago, and was, according to the last owner, then "languishing, lived-in but unloved". The price was undoubtedly then much less than the £1.3 million asked in 2002.

When it is realised that rather more than 8000 parsonage houses have been sold since 1945, and more than 1000 had been sold before the Second World War, the scale of the change in the Church's endowment can be clearly perceived. As there may have been approaching 14,000 parsonage houses at the peak of the Church of England's parochial provision before World War I, it would appear that a large majority of the stock inherited from earlier centuries has gone. Even so, there are some older houses still in the Church's hands, and an organisation has existed for seven years, *Save our Parsonages*, which endeavours to put the case for retention of a house which a diocese wishes to sell. SOP has had some successes, but some dispiriting failures, where the arguments of parishioners and patrons have been brushed aside. The case of Penshurst has been prominently reported,

but there are others, like Pinchbeck in Lincolnshire, which have not attracted such national publicity.

In the light of this great change, it is interesting to examine how parsonage houses have been provided in the past, and surprising to find the variety of circumstances. The parsonage house has a long history. Even before surviving records of medieval bishops' ordinations of vicarages in the thirteenth century show the requirement to provide a house for a vicar, there is evidence that a parsonage house went with a church. A rectory house for St Alphege's church in Palace Street, Canterbury, probably existed before 1066. Soon after Lanfranc was persuaded to leave Normandy by William the Conqueror to become Archbishop of Canterbury in 1070, he decided his Palace was too small; other Normans had the same reactions to the churches they found scattered generously through the countryside. But in Canterbury it was not easy: on the east side was the ancient monastery and cathedral, on the west the road leading from the city centre to the Northgate. *Tant pis*. The road was moved and twenty seven houses were demolished, as Domesday Book in 1086 records. Twenty-eight new plots were laid out further away on the west side of the new road. One of the plots was for St Alphege's church, and next to it was one for the rectory house. An ancient building, which is basically mid-thirteenth century, stands on the site and is known now as St Alphege's Priest's House. It remained the rector's until the seventeenth century and continued in the hands of the Church until after the Second World War. This house, unlike many, did not give an unacceptable message of affluence, but was no longer needed because St Alphege's church shared its rector with another church.

A significant number of part-medieval parsonage houses survive, a few even now occupied by the rector or vicar, like the striking pele tower of the vicarage at Lanercost in Cumbria. Some were no doubt built by the clergymen themselves for their own occupation, but perhaps more often by the patrons of the living. The dissolution of the monasteries, however, introduced a new factor: some 4000 livings were held by the monasteries, and most of these advowsons were sold to laymen, often the local landowner. Thus the "family living" became a major part and indeed the best-known part of the parsonage story. In the seventeenth and eighteenth centuries, rising standards of education amongst the clergy, rising incomes from the agricultural interests of a rectory, and "ownership" of the living encouraged the landed classes to become rectors.

Cossington was a family living, as is almost always the case with a parsonage house of this size. Here the Babington family were the patrons and principal landowners in the parish, and members of the family were from time to

time presented to the rectory; in the nineteenth century the rector was also the patron — a “squarson”. He cared for less than 200 people in 1603, under 300 at the end of the century and in 1831 still only 283, though J. Babington kept a curate to assist with the work of the parish. A house like this was not built or maintained out of the revenues of the living, even though by 1831 the income there was said to be more than £500 a year, putting it with just one seventh of the livings in the country; a most important factor in mid-nineteenth century was the clergy’s private incomes which it was estimated doubled their official incomes. However, from 1879 a sustained depression in arable prices started to erode the value of benefices and ended this period of parsonage house expansion.

The “family living”, however, was only half the parsonage story. There was a number of livings where parishioners collectively provided a house for their minister, and a number where a benefactor gave a house to the living. A good example of the first is the parsonage house at Haworth in Yorkshire, where Patrick Brontë was the incumbent and his daughters wrote their novels — this was built in 1779; prior to this there had not been a parsonage house. It was extended by a later incumbent and is now a Brontë museum. Kirkby Malham in Yorkshire is a nice example of the second: here also there was no parsonage house, until in 1866 the local land-owner gave the parish his manor house. As it is an early seventeenth century house standing next to the church, it could easily be assumed that it was an ancient parsonage, and in a sense perhaps it was, as West Dereham abbey had taken over the rectory lands and this was the house built by a later owner of those lands. Happily this house still fulfils its function as the vicarage house. A third example is Tewkesbury in Gloucestershire where no medieval vicarage was instituted; the curate who looked after the parish lived in the monastery, and the monastic church served as parish church. After the dissolution this situation was not immediately remedied, but eventually a vicarage was recognised and a vicarage house built in 1818. Next to the west end of the church the abbot’s house was a private residence. In 1883 it was offered for sale, shortly after the church had been thoroughly restored. A subscription was raised to buy it, the then vicar contributing significantly to the fund, and it was placed in the hands of a trust for the use of the vicar; this remains the situation. Tewkesbury is another example of an ancient house but not an ancient parsonage.

It was in fact shocking to contemporaries and surprising to historians that as many as a quarter of livings in England and Wales in 1817 had no parsonage house, while another fifth had houses considered “unfit” for the residence of the clergy. From the later eighteenth century, a reforming movement which had as its object the residence in each parish of its own



incumbent encouraged the building of houses where none existed, and the rebuilding or extension of many considered inadequate. Some of the money for this major building programme came from the clergy themselves by means of mortgages from Queen Anne's Bounty (financed therefore by the traditional taxes paid by clergy in the better-off livings); some by partnerships between the Bounty and a patron; some by appeals to the public; some by taxpayers through parliamentary grants to Church Building Commissioners; and some by the confiscation from the bishops and cathedral deans and chapters of estates considered to be in excess of their requirements by the Ecclesiastical Commission.

The parliamentary grants and the Ecclesiastical Commission which was set up in 1836 were intended to expand the parochial structure which was becoming obviously and increasingly out of phase with where people actually lived. So many livings were rural, whereas the growing industrial and commercial centres of the country had few Anglican churches and few Anglican clergy to meet their needs, though a considerable number of Nonconformist chapels and clergy. Attempts to match the parochial structure to the population have not ceased, and lie behind some of the great "selling-off" of parsonage houses in the twentieth century. Even the history of the parsonage house is obscured in some places by preventing the traditional names of Old Rectory, Old Vicarage and Old Parsonage being used. The parsonage houses built by the generosity of past patrons, parishioners, incumbents and well-wishers have been nationalised, and one of the strands of local individuality removed. Now the process has proceeded so far that the parochial structure itself is in dire danger. But that is another story.

*Anthea Jones is the author of A Thousand years of the English Parish, published by Windrush Press in 2000, on which this article is largely based. Save Our Parsonages produces an annual Newsletter each autumn, edited by the director, Noël Riley, Bulmer Tye House, Sudbury, Suffolk, CO10 7ED, to whom enquiries should be made.*

# **THE PRIVATE PATRONS CONSULTATIVE GROUP**

## ***A Report on progress to date***

The Private Patrons Consultative Group was founded on an informal basis in 1993 to exchange information and experiences of established and endowed patronage trusts and to make common cause in the face of ever-increasing centralisation. It purposed also to disseminate information to private individual patrons. Doctrinal considerations have been excluded.

The Group comprises, or has included, representatives from the following trusts and societies: Church Society; the Church Union; Cost of Conscience; the English Clergy Association (also representing some individual private patrons); Forward in Faith; the Guild of All Souls; and the Society for the Maintenance of the Faith.

The Group has met at least three times annually to examine matters of general concern as well as to review cases of individual difficulty affecting diocesan authorities and parishes — and to seek remedies. The overriding principle is that patronage must be exercised according to law, in letter and spirit.

An explanatory booklet (“The Green Book”) setting out patronage procedures was published, the first edition in 1995 and the second, *Exercising Patronage in the Church of England* in 2000 (edited by the late David Hands QC, Deputy Chairman of our Association, and the Reverend John Masding, Chairman). Copies were circulated to over 70 individual patrons as well as being on sale to the public. Several articles have been published in the press also.

Substantial progress has been made towards constructing a national register of patrons. The Group has organised successful one-day conferences for patrons on three occasions (1997, 1998, 1999) at Grimsthorpe Castle (Lincolnshire), Leigh Court (Bristol) and the Royal Over-Seas League (London) with follow up support literature and telephone help lines.

The financing of these conferences and of the general running expenses of the Group (kept at a minimal level) has been shared between the participating trusts and societies.

The Group’s activities have revealed considerable interest among individual patrons, many of whom feel themselves to be undervalued and underused. After eight years of activity, the Group is now seeking new ways of assuring their active participation. The Group may now have arrived at a time for reconstituting on a broader basis as it tries to expand its membership to

include representatives of collegiate and like bodies, and to seek new approaches to stimulate the interest of individual patrons.

It was particularly encouraging that a good number of private patrons, together with representatives from some of the Group's participating trusts and societies, were able to attend the Annual Address of the English Clergy Association on 13<sup>th</sup> May at St Giles-in-the-Fields. After Mrs. Margaret Laird's address, while the Association had its Annual General Meeting, those of the Group who were present enjoyed a most stimulating and wide-ranging discussion, out of which emerged three principal themes: first, that "consultation" involving patrons under the Pastoral Measure should be much more meaningful and genuine than often happened; secondly, there was an evident need to have a panel of ecclesiastical lawyers, independent from the interests of the diocese, to whom patrons could turn for help and advice; and thirdly, it was proposed that there be a circular to all private patrons, who number about 1,000, keeping them informed of developments and encouraging them in their responsibilities.

*Suggestions and enquires are welcomed by the Group's Honorary Secretary Mr. Arthur Leggatt, 42 Beaminster Gardens, Barkingside, Essex IG6 2BW. Telephone 020 8551 5386*

## **SEVENTY-ONE YEARS IN ONE VICARAGE**

### ***John Masding pays tribute to the late Vicar of Great Barr***

Joseph Silvester Reaney was born on 7<sup>th</sup> August 1913, in Hull, and was aged 17 when his father became Vicar of Great Barr. Joseph himself became Vicar of the same living in 1947, and only retired this year. He died on 5<sup>th</sup> September last year, having lived in the Vicarage for 71 years.

After reading history at Selwyn College, Cambridge, Joseph went on to train for ordination at Wells Theological College, being made deacon in 1937 and ordained priest the following year. His title was served in Lewisham St. John Southend and he served a second curacy in Bellingham St Dunstan — both parishes in the diocese of Southwark. The latter War years after this, from 1942 to 1946, saw him as Chaplain to the Royal Air Force Voluntary Reserves. It was in the following year that he was instituted and inducted to the benefice of Great Barr, where his father assisted him. In 1950 Joseph married Doris Mitchell. She died in 1990, just after midnight on Christmas Day. Their son John, daughter Mary, and four grandchildren survive them.

Joseph served as Chapter Clerk to the Walsall Deanery, Chairman of Governors for St. Margaret's C of E School, Chairman of the Inter-Church Community Service which he founded, and a Chaplain to the Territorial Army and of St. Margaret's Mental Hospital.

He married 10,000 people in the course of a ministry marked by regular services of thanksgiving attended over the years by thousands. He had a deep sense of the natural place of the Christian Faith in the lives of the people. A canny Chairman of Governors, regularly taking assembly, he was much loved by many generations of children in his School, working hard at the Cranmer Awards for children offered by the Prayer Book Society, to which he was glad to belong, as to the English Clergy Association. He loved music, and nourished to the end an excellent choir. He and Doris made of their Vicarage a most hospitable and gracious home, whose grounds sufficed for many activities, including Scouting HQ. The parish had an office in the house, so that the Vicar's own study was upstairs. Lately he led parishioners in weekends away together at Glenfall House, Cheltenham, not so far from where he retired.

He suffered a stroke four days after his Retirement Service, where he spoke most movingly of Our Lord Jesus, and His love; characteristically, the money raised for his presentation, after it had replaced his broken watch, went into trust for children in the parish. He received Holy Communion a few days before he died, responding with lucid and undimmed dignity, loud and clear, by heart, albeit so frail and in bed, in all the familiar words of the

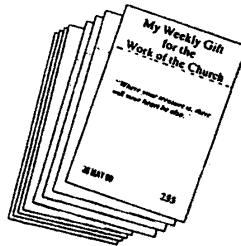
Common Prayer, and blessing the celebrant before himself receiving the concluding blessing.

The funeral in his church on 13<sup>th</sup> September was attended by his family, the eldest grandson reading the first lesson. The church was packed to capacity. Clergy participating included John Allan, who presided; Tony Sadler, Archdeacon of Walsall, who brought messages from the Bishop of Lichfield and the Bishop of Wolverhampton; and Tim Ward, the Vicar's colleague in Great Barr's ministry, who with Mr. David Browning, Reader, led the prayers. I took the burial in the churchyard, and, with Mr Mac White and Mr.Allan, preached.

*The Reverend John Masding, Chairman of the English Clergy Association.*

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## 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'm an Incumbent, concerned at the way our diocesan office seems to be wanting an increasing degree of control over my parochial and cemetery fees. Although I executed a Deed of Assignment in favour of the Diocesan Board of Finance when I was instituted to the benefice some years ago, I now wish to revoke the Deed and retain my fees. The diocesan office, however, tells me that the Deed specified that I agreed to assign my fees for the entire duration of my time as Incumbent, and that only "with the Archdeacon's permission" could I revoke it. This seems quite unjust; is it really the case?

**The matter of Deeds of Assignment is an area on which there seems to be no specific church law, but it falls, rather, within the scope of practice and administration. In short, we have to fall back on general legal principles. I cannot believe that, whatever the wording of the Deed, you are bound for, say, the next 30 years always and irrevocably to assign your fees — and the fee income of the benefice may alter dramatically, particularly if other parishes become amalgamated with yours. You have, after all, only exercised your right to assign your fees; and such a right must clearly be accompanied by the right to revoke such a deed. The personal criteria of the Archdeacon cannot be of any relevance, but as the board of Finance was party to the original deed, then you will need its seal on the revocation. What I suggest you do is to take the initiative, and prepare a simple Deed of Revocation, negating the wording of the earlier deed, tying it in with the end of the tax year, and send it to the diocesan office asking for the Diocesan Board of Finance's seal to be affixed and for them to send a copy both to the Inland Revenue and to yourself.**

**QUESTION:** A funeral director, I have been asked by a family to have the body of their relative exhumed from a church burial ground, then have it cremated and the cremated remains interred in an unconsecrated garden of remembrance in a local authority cemetery. Do you think I should encourage them in pursuing this possibility?

**No. Requests for exhumations, whether of bodies or ashes — the law makes no distinction in this area — are on the increase these days, in our mobile and individualistic society in which some people want to cart "Nan's" remains around with them. The ecclesiastical courts are urging**

*both clergy and undertakers not to encourage false hopes or expectations about exhumation — which is permitted in exceptional circumstances only. As you know, both a Home Office Licence and a Consistory Court Faculty (in the case of burials in land consecrated in accordance with the rites of the Church of England) would need to be obtained and the general principle is that once a body or ashes are buried in consecrated ground then there should be no disturbance apart from an exceptional reason. In the particular circumstances you describe there are two further complications. First, no Faculty will generally issue if the exhumed remains are not going to be re-interred in consecrated ground. Secondly, cremation should precede burial — not follow it. You do not mention how long the body has been lying buried in the churchyard, but I cannot think a court would look favourably on what would be, in effect, a second committal. Once the body of a dear departed relative has been entrusted and committed into the mercy of God and laid to rest, then family and friends must begin to “let go” internally — something unlikely to happen if the earthly “tent” of the departed is dug up for a second bite at the cherry. So, no, please do not encourage this kind of request.*

*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.*

# LETTER TO THE EDITOR

## *“Generosity and Sacrifice”*

*From the Vicar of Kenton, Fr. David Sherwood:*

Sir,

Thank you for the well-written and argued article on clergy stipends. There are a number of points in the article upon which I should like to comment.

There is no job in the world which is equivalent to that of a parish priest, so any comparison is bound to be arbitrary. The hours we work are usually ludicrously long for a start. We are also hugely overqualified for what we actually do.

I do feel it appropriate to preserve some differentials between what the parish clergy receive and what is paid to those senior to us. Can you really expect an Archbishop to hobnob with Her Majesty the Queen, wearing an off-the-peg job from M & S? I think not. A senior position deserves higher remuneration. However, to pay an archdeacon about 50% more than a parish priest, for example, is slightly over-egging the pudding. Let us keep the differentials but make them smaller. The scandalous thing is the expenses that some of our bishops run up, whilst encouraging their clergy to be self-sacrificing. Some bishops are good value for money, whilst others are a drain on resources. I name no names, as I do not know. Let us have greater accountability for expenses, so that bishops have to justify their expenses as we have to do to our parish treasurers.

You mention a figure of £9,428 being the alleged value of being able to occupy the parsonage free of cost. Is that meant to be a gross or net figure? Some parsonages are very expensive to heat; others are too small for the needs of the incumbent. Some dioceses are good at repairs and improvements; others are not. To occupy a parsonage can be a liability.

I am delighted that you take the allowances to which you are entitled and for which the rest of us pay. In this case it is Working Families Tax Credit. I have encountered clergy who needed help but would not apply for it, which is rather foolish to say the least.

The biggest item on which I would venture to disagree with you is your suggestion that clergy should retain the fees they receive for weddings and funerals. It is no real indication of responsibility, as some areas simply have



more than others. The real problem is what can only be described as rogue clergy who will take the funeral of anyone who doesn't move, often because of the laziness of some funeral directors. Some firms would rather just use their own pet "ministers" (as we are called), than contact the parish priest. Our situation is not helped by some lazy parish clergy who are not prepared to do their own work. If one discovers a fellow Anglican clergyman/woman taking the funerals that should come to you, then pressure can be brought to stop them. However if the person concerned is not an Anglican then it is very difficult to stop them. One is naturally loath to "report" a fellow cleric, but sometimes it is necessary because of the pastoral fall-out that can occur. Then there are those clergy who get people to complete electoral roll forms at the same time that they make their wedding arrangements, so that they can marry at "your lovely church, Vicar". Heaven help us if the proposal to allow couples to marry outside their own parishes becomes law. It is a recipe for total anarchy. Then there are couples who give false addresses to get in the "right" parish. The list of horrors is endless.

I do wonder whether this whole argument is academic. At the moment the Church of England is struggling to balance the books to pay pensions. How on earth could it afford to pay a substantially increased stipend? Or have I become cynical? Heaven forbid!

Yours ever, in anticipation of retirement 8 years on (and counting!),

DAVID SHERWOOD

*St Mary's Vicarage, 3, St. Leonard's Avenue, Kenton, Middlesex HA3 8EJ*

# CHAIRPIECE

## *Churchwardens in a Nutshell*

*Our Chairman considers the role of the Churchwardens during a vacancy in the Benefice*

You are on your own now, it seems. What do you do? What can you do? These two questions overlap, but are not the same thing. So, first, what is the law? We not infrequently get consulted today by laity, as well as clergy. Here are some of the answers we find ourselves explaining. Churchwardens today have four functions:

1. Churchwardens are first-and-foremost **Parish Officers**, and as such the guardians of the Parish Church and its property.

- Although the Church is part of the Incumbent's freehold, a freehold which is effectively in abeyance during the vacancy, the Churchwardens take the lead while the Church and Churchyard are in the Sequestrators' care.

- The moveable property, however, including the organ and bells, belongs to the Parishioners (i.e., the inhabitants of the Parish) and its possession and custody is always in the hands of the Churchwardens, whether or not there is a Vacancy in the Living. The keys of the Belfry but not of the Church<sup>1</sup> are theirs by right, in order that they may see that the bells are not rung improperly nor contrary to the Incumbent's direction. They are obliged to follow any directions, were the Bishop to give any, in seating the parishioners<sup>2</sup> in the parish church, which is one of their spheres of responsibility; but in most respects any actual discretion under the law lies with them.

- Any separate Church Hall is likely to be the property of the Parochial Church Council, and under its control, although the building will probably be vested in the Diocesan Authority. Some are a matter of local trustees, however. If, as often happens, the Incumbent as Chairman of the Council has managed the Hall on its behalf, the Council will have to make arrangements — but it is not entitled to require the Churchwardens to carry out any duties about the Hall.

- A Hall or Room integral with the Church, on the other hand, is likely to be part of the Freehold, and during a vacancy will be under the control of the Churchwardens and not of the Council — the Faculty will have made this clear.

2. The Churchwardens have access to the Bishop, as, in part the **Bishops' Officers**, making Presentments<sup>3</sup> to him, for example. This duty they acquired, not as Churchwardens, and parish officers, but as heirs of the duties of the *sidesmen* (*synodsmen*) and *questmen* whom the bishop used to summon to meet with him in the exercise of his proper oversight and jurisdiction. So Churchwardens have a continuing function as Bishop's Officers<sup>4</sup>....during a Vacancy they will continue to be admitted and to make

their Declarations each year at the (Archdeacon's) Visitation. They are there not the Council's Churchwardens, but the parishioners — that is to say, representing all the inhabitants of the ecclesiastical Parish.

### 3. Churchwardens

a. as **Sequestrators (with the Rural Dean)** will have the care of the Benefice property, that is, the Parish Church and the Parsonage, and will account for the Fees which would have been the Incumbent's were the Benefice full. To them is committed the custody now of the Parson's keys.

b. They will also arrange for the Services to be taken by a lawful Minister, and they will see to it that he signs the Service Book.

c. The Registers of the Church will be in their care in the vacancy. But they may not sign Certificates which require a clergyman's signature, such as Certificates of Banns.

4. Churchwardens may be, and often are (although they have no right to insist upon being appointed) **elected as the P.C.C.'s two Representatives** under the Patronage 1986 Measure. Whereas in most respects the two or more (if there be a valid custom that there be more than two) Churchwardens act together, and in some cases can act only together, a Representative, whether or not Churchwarden, acts for himself; and the veto of one Representative is a veto of the proposed appointment. When Patrons seek to present a new incumbent to a Bishop for institution, one of the important checks and balances which the Church of England has developed is that that the nomination has to have been approved by each of the Parochial Church Council's two representatives. Most Church Councils seem to appoint the Churchwardens of the parish.

So the future and the integrity of the Benefice and Parish(es) are in good hands. The Wardens enjoy the confidence of the Parish, and its Clergy—and of the Rural Dean and Archdeacon, or even the Bishop himself. You can help them by seeing that yours know this. *J.W.M.*

<sup>1</sup> The Church Keys will be with the Churchwardens as Sequestrators during the Vacancy: after the Institution of a new Parson, the Archdeacon conveys the keys to the Incumbent as part of the process of Induction usually by laying his hand upon the key of the principal door — which he may then sometimes carry for the rest of the Service.

<sup>2</sup> The Rector whether Lay or with Cure of Souls has the right to the Chief Seat in the Chancel for himself and his family, however.

<sup>3</sup> Today this boils down to telling him what he needs or ought to know.

<sup>4</sup> They are not properly described *simply* as the 'Bishop's Officers', since this function is secondary to their original and primary function as Parish Officers, and derivative, even though he or an inferior Ordinary usually admits them to office. The Bishop has no discretion in the matter, save where a choice of warden is clearly void from the start, as it is, say, were a child presented to be admitted. He must otherwise admit the person presented, and can be compelled by the High Court, which has that jurisdiction. If too many persons are colourably presented, the Bishop admits all, and the trial of the issue lies with the High Court. This is most unlikely today, it has to be said, but the principle is important. The Episcopal function is ministerial, not judicial.

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