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## Archbishops' Committee on Church and State.<sup>1</sup>

### AUTHORISED SUMMARY OF PROPOSALS OF THE REPORT

THE Committee was appointed by the two Archbishops in response to the following resolution of the Representative Church Council passed in July, 1913: "That there is in principle no inconsistency between a national recognition of religion and the spiritual independence of the Church, and this Council requests the Archbishops of Canterbury and York to consider the advisability of appointing a Committee to inquire what changes are advisable in order to secure in the relations of Church and State a fuller expression of the spiritual independence of the Church as well as of the national recognition of religion."

The members of the Committee are as follows: The Earl of Selborne, K.G. (Chairman), the Rt. Hon. A. J. Balfour, M.P., the Rt. Rev. Bishop Browne, D.D. (late Bishop of Bristol), Lord Hugh Cecil, M.P., Sir Foster Cunliffe, Bart., Sir Lewis Dibdin, D.C.L., the Duke of Devonshire, K.G., Mr. Douglas Eyre, the Rev. W. H. Frere, D.D., the Rev. H. Gee, D.D., Mr. H. E. Kemp, the Bishop of Liverpool, the Rev. J. V. Macmillan, Mr. Albert Mansbridge (Secretary of the Workers' Education Association), the Rev. Canon Masterman, the Bishop of Oxford, Lord Parmoor, Mr. A. L. Smith (Master of Balliol College, Oxford), the Dean of Christ Church, Oxford, the Rev. William Temple, the Rev. F. S. Guy Warman (Principal of St. Aidan's Theological College), Sir Robert Williams, Bart., M.P., and Viscount Wolmer, M.P. The late Sir William Anson was also a member of the Committee, as were Mr. H. J. Torr and the Hon. Edward Wood, M.P., who resigned on account of military duties. It will be noticed that the Committee is representative of all shades of opinion in the Church.

The Report is signed unanimously, subject only to certain reservations by three members. The essential proposal is that the Representative Church Council (reformed as hereinafter described, and under the title of "Church Council") should receive statutory recognition and be given real legislative powers in Church matters, subject to a Parliamentary veto.

#### CONSTITUTION OF THE CHURCH COUNCIL.

The Council shall consist (as the Representative Church Council does at present) of three Houses: Bishops, Clergy, and Laity. The House of Bishops shall be composed (as at present) of all the Diocesan Bishops.

The House of Clergy shall not be the same as the present Lower Houses of Convocation, but shall be composed as follows—

- (a) The Archdeacons.
- (b) Two representatives from each Archdeaconry, elected by all priests, beneficed and unbeneficed, holding office in the Archdeaconry.
- (c) One representative from each Cathedral Chapter, who may be the Dean, or any other person elected by the Chapter.

The effect of this will be to give the representatives of the parochial clergy a majority in the House of Clergy.

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<sup>1</sup> *Report of the Archbishops' Committee on Church and State.* London, S.P.C.K. 2s. 6d. net.

The House of Laity shall be composed as follows :—

The existing franchise of the Representative Church Council is retained.<sup>1</sup> Every parish (or group of parishes) shall elect its Parochial Church Council, which shall in turn elect representatives to the Ruridecanal Conference, and to the Diocesan Conference.<sup>2</sup> Each Diocesan Conference elects to the House of Laity in proportion to the population of the Diocese.

Special provision is made for the representation of Labour (wage earners) and for University representation in Diocesan Conferences.

A measure shall not be deemed to be passed by the Church Council unless it secures a majority of votes in each House.

Special provision is recommended to protect the powers of the Episcopate in regard to all questions of doctrine.

#### METHOD OF LEGISLATION

Any measure that is passed by the Church Council shall lie upon the tables of both Houses of Parliament for forty days. To assist Parliament in the exercise of its powers over ecclesiastical legislation the constitution of a Special Committee of the Privy Council (to be known as the Ecclesiastical Committee) is recommended. This Committee, after consultation, if necessary, with a Committee of the Church Council (called the "Legislative Committee"), is to draft an advisory report to the Crown on the measure, such report to be laid before Parliament with the measure.

This report is intended to show the effect of the measure in question, what alterations in existing Acts of Parliament its enactment would entail, and whether there is any objection from the point of view of the State to its passage. If the report is favourable to the measure it shall automatically be presented for the Royal Assent on the expiry of forty days, unless either House of Parliament by resolution direct to the contrary.

If the report is not favourable it shall not be presented for the Royal Assent unless both Houses of Parliament by resolution order that it shall be so presented.

Any measure on receiving the Royal Assent shall acquire the force of an Act of Parliament.

Thus the Church, which is at present bound hand and foot by Acts of Parliament, many of them passed hundreds of years ago, would be given power to make such reforms as the circumstances of the times require, subject to the tacit acquiescence of Parliament advised by an expert body.

By this means the present impasse in ecclesiastical reform, caused by the overburdened condition of Parliament and its unsuitability as an ecclesiastical legislature, would be remedied.

The Report also recommends that the present powers of the Convocations in regard to the promulgation of Canons should be transferred to the Church Council, and that Parochial Church Councils should receive statutory recognition and be given important powers in all Church parochial affairs except those connected with doctrine.

<sup>1</sup> Qualified electors are all persons above twenty-one years of age, who are (1) actual Communicants or (2) have been baptized and confirmed, and are admissible to Holy Communion, and who do not belong to any religious body not in Communion with the Church of England. The purpose of this provision is to avoid making the Act of Communion a qualifying test.

<sup>2</sup> Unless the Diocesan Conference shall provide for election by the Ruridecanal Conference.

## METHOD OF SECURING THESE REFORMS.

The Report recommends that the new Constitution of the Church Council should be framed by the existing Representative Church Council. The new Constitution so framed would be embodied in a Report to the Crown by both Convocations, which would be laid before Parliament. An Enabling Bill would then have to be introduced giving Statutory recognition to the new Constitution and setting up the Ecclesiastical Committee of the Privy Council for advisory purposes. When this Bill was passed the reform would be accomplished. Thus the Report insists that the Church itself shall frame its own constitution and that Parliament shall be asked to accept it, while reserving to itself the power of vetoing any measure that may detrimentally affect the interests of the State. In short, the freedom both of the Church and of the State are safeguarded.

In addition to these concrete proposals the Report contains a mass of information of much interest.

The historical connexion between Church and State in England is carefully traced both in the Report and in the Appendices.

A valuable Summary of the Constitutions of every branch of the Anglican Communion in the world is given in an Appendix.

A description of the Constitution of the Established Church of Scotland and of the present Scottish Ecclesiastical situation is set forth as bearing intimately on the general problem of Church and State.

Finally the future of Parochial Church Councils is discussed at length, as are many other subjects that bear directly or indirectly on the main question.

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NOTES

## (A) DIFFERENCES IN THE CONSTITUTION OF PROPOSED "CHURCH COUNCIL" AND OF THE EXISTING "REPRESENTATIVE CHURCH COUNCIL."

The existing Representative Church Council has been criticized on the ground that it is not properly representative of the mind of the Church. In so far as the criticism is at all true, this is mainly due to the fact that laymen are unwilling to devote time and attention to a body that has no powers, but is merely a debating society.

The fact that the proposed Church Council would have real powers would remove this defect.

But there are also important differences in constitution. In the Representative Church Council the House of Clergy is composed of the Lower Houses of the two Convocations. In these (especially in the Canterbury Lower House of Convocation) the *ex officio* element largely predominates, and it is therefore said that they are not representative of the opinion of the clergy as a whole. In the proposed Church Council the House of Clergy would contain a majority of representatives of the parochial clergy.

As regards the House of Laity the franchise is the same, but the fact that the Church Council, and also the Parochial Church Councils, would have real powers would make lay representation a more effective reality. It has also been said that the system of indirect election, while suitable to a Church assembly in other respects, leaves certain elements, notably the Labour element and the Scholastic element, inadequately represented. The proposals for special representation of these elements in Diocesan Conferences would go far to remove this criticism from the Church Council.

**(B) ON THE PROPOSED ECCLESIASTICAL COMMITTEE OF THE PRIVY COUNCIL.**

The proposed Ecclesiastical Committee of the Privy Council must be clearly distinguished from the Judicial Committee of the Privy Council whose judgments have aroused the hostility of a large section of the Church. The objection to the Judicial Committee of the Privy Council has been that it is a lay court professing to determine Ecclesiastical questions.

The proposed Ecclesiastical Committee of the Privy Council would not speak in the name of the Church at all. It would be merely a body called in to advise Parliament in its relations towards the Church. It would consist of about twenty-five members, a large proportion of whom would be lawyers, since the main function of the Committee would be to advise Parliament of the legal effects of any proposed measure.

It would also contain other members whose opinion would be of value to Parliament on questions of policy.

This Committee would in no way limit the spiritual independence of the Church. It would have no veto itself; it could only advise Parliament.

Its existence can be justified on the ground that since no matter of Church reform can be effected without repealing certain Acts of Parliament, and since Parliament is to be asked to agree to these reforms without a Committee stage of a Bill, it is only reasonable that Parliament should be assisted by an expert report on what the exact consequences of any reforming measure would, in fact, be.

**(C) ON THE PAROCHIAL CHURCH COUNCILS.**

The recommendations of the Report concerning Parochial Church Councils will be found on pages 46-48, and should be studied in full.

They propose, among other things, that Parochial Church Councils should conduct the finance of each parish, should have power to hold property or levy a voluntary Church rate, should assume the present powers of the vestry, should be the normal channel of communication between the parish and the Bishop, and should be entitled to make representations concerning the appointment of any new incumbent.

In parishes of less than 300 population, it is proposed that the meeting of all qualified electors should constitute the Parochial Church Council.

The Report recommends that these powers should not be embodied in the new Constitution of the Church Council, but that the Church Council, after having obtained its constitution and powers, should, without delay, confer these powers on Parochial Church Councils.

Thus, in order not to overload the Enabling Bill, the Report recommends that Parochial Church Councils should be constituted and given electoral powers in the Church Council constitution, but that their administrative powers should subsequently be conferred by the Church Council itself.

For electoral purposes it is recommended that small parishes might conveniently be grouped together.

It is further recommended that normally each Parochial Church Council should elect one representative to the Diocesan Conference, but that in very large dioceses it might still be necessary for election to the Diocesan Conference to be from the Ruri-decanal Conferences.

**(D) IMPORTANCE OF THE PROPOSALS.**

The importance of the proposals lies in the fact that they would constitute for the first time a recognized organization by which the whole mind of the Church, clerical and lay, could be effectively expressed.

It is plain that Parliament, a political assembly consisting of members of all religions and of none, is quite unfitted to legislate in the name of the Church.

The scheme recommended provides machinery by which the Church could propose measures of self-reform which would be passed by the acquiescence of Parliament.

At present, owing to the overburdened condition of Parliament, it is practically impossible to secure the passage of any Church Bill without the active participation of the Government in power, because a single dissentient M.P. can obstruct the passage of any single Bill (although it may command the assent of every other member in the House) for which Government time has not been allotted. As Government time is always precious, this is not readily forthcoming.

Under the proposed scheme obstruction is impossible, only a direct vote of either House could prevent the Church from carrying a measure of reform, and there is no reason to suppose that this most legitimate power would be exercised capriciously.

Should the recommendations of the Archbishops' Committee, therefore, be enacted, it can confidently be predicted that an era of important ecclesiastical reform would be inaugurated.

