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Canon Law Revision: Evangelical Policy and Action

BY THE REV. GORDON D. SAVAGE, M.A.

A Paper read at the Oxford Conference of Evangelical Churchmen

AS a Proctor I am naturally very interested to hear what Church-people have to say about the Revision of the Canons in principle, and about some of the draft canons in particular. I have, therefore, listened with great interest, and at times with dismay, to what has been said at this Conference both in the discussions and the papers.

The subject allocated to me is "Evangelical Policy and Action". My first reaction when I received the invitation was like that of the Rev. D. F. Horsefield to his of "Canonical Government", how could I speak on an almost non-existent subject? However, the Rev. P. E. Hughes reassured me by saying that mine was to be a "forward-looking" paper, and that I was to feel free to comment on the present situation as I saw it. In fact to think aloud. Of course, nothing I say can in any way commit the Church Society or the organizers of this Conference. Evangelicals are, generally speaking, rather slow to formulate policy and agree on action, partly because it is of their genius not to be organized or disciplined—I nearly said to be divided; we are, however, in an unhappy state when we confess, as I think we must at present, that we have no agreed policy, nor any agreed plan of action. It is imperative that we soon remedy our present uncertainty and hesitancy. Perhaps it is better to be united in doing something (even though it is wrong and needs to be done anew) than to be disunited and to do nothing.

I wish first of all to draw your attention to two preliminary considerations which must influence Evangelicals at this time in a discussion of policy and action, for when Evangelicals formulate their policy they are bound to have due regard to their overall witness in the Church at this juncture of its history.

It is in the light of present-day developments that we make our contribution to the life of the Church, and we need to remind ourselves of the wonderfully encouraging days in which we live. This is for our land a day of turning to the Lord. His Word has been preached, and thousands have responded, whole parishes have been revived. The faithful have heard the call to personal work, follow-up and Bible study. Many young men have felt a call to the sacred ministry. Are we to see another Evangelical Revival? Are we to enjoy the blessing of another Reformation? Our good and gracious God, Who is upon the Throne, alone knows the answer, and we dare not pry into the future, though we must prepare for it. And I believe that present day events compel us to prepare for a great outpouring of the Holy Spirit which would vitally affect every part of our Church's life. If

in the mercy of God revival and reform should be granted to us, we should then look back on this time as a time of a remnant bearing faithful witness to truths not always remembered as they should be, a remnant trying to save our Church from shackles which might prevent it from effective movement at the dictate of the Holy Spirit as His Instrument in a day of opportunity, a remnant trying to keep our Church effective for the salvation of souls rather than as an ecclesiastical zoo, a remnant holding the pass until reinforcements—which we see on the way—arrive. Perhaps the closing sentence of the *Church Times'* review of the Church Society's recent book on Canon Law was more prophetic than the reviewer realized: "It is not to be taken for granted that what the Oxford Movement won is now secure for all time". I think that those of us who had the privilege of attending the Anglican Congress at Minneapolis would endorse that. It is not without significance that the Triennial General Convention of the American Episcopal Church, held at Honolulu last month, refused to drop the word "Protestant" from the correct title of our sister church in the States, "The Protestant Episcopal Church in the United States of America". Throughout the Anglican Communion there is a desire that the Evangelical voice shall be increasingly heard. I think, therefore, that our policy and action must be in the light of the fact that we live in a day of change, and not only of change but of hope and grace. Therefore we must never, especially at this time, be daunted by the numbers of those from whom we differ; nor must we betray ourselves, and those who shall later follow us, by thoughts of compromise because of our present numerical inferiority.

A second preliminary consideration is that our Evangelical policy must be in the light of the doctrine of the Church. For too long Evangelicals came under the influence of separatist brethren, and we are still dearly paying for our virtual withdrawal from the Councils of the Church. We have found richness of life in the Body of Christ as we have come back to a fuller Biblical doctrine of the Church, and we have, moreover, found unexpected points of agreement with those from whom we have hitherto differed. We often discover spiritual unity when we find ourselves by the side of someone else who is also humbled under the Word of God speaking with the authority which it uniquely possesses. And because we Evangelicals have entered more fully into the doctrine of the Church we must take to heart more seriously our present divisions. It may have seemed good enough at one time to secede, or to refuse all co-operation, or even to seek remedy by an appeal to the courts; but I think to-day we must all have burdened on our hearts and consciences the present disunity of the Church of England. That burden is not lessened when we frankly recognize that many other traditions than our own are as truly evangelistic—and Evangelical—as we are, and abundantly used for the winning of precious souls, and whose laity are as diligent in their Bible reading and prayers as our own. And at the same time we must sincerely and humbly confess that many a parish is orthodox Evangelical in every detail, and yet spiritually dead. Perhaps the best preparation for the formulation of Evangelical policy would be to humble ourselves in prayer before Almighty God that though we have

such a rich inheritance, and Biblical doctrine, the law, history, the Book of Common Prayer, the Articles and other formularies, all these behind us in our work and witness, we just have not been as effective as we should, and that there is a distinct danger that unless God revives us we shall be impotent in a day of opportunity.

And before I leave this thought of our policy being in the light of the doctrine of the Church and the burden of our present disunity, I want to make an urgent plea which comes from my heart : I think the differences over the canons are only the outward expression of a much deeper tension, and unless deeper-seated differences can be reconciled there can be no hope of real agreement over the canons. Evangelicals and Anglo-Catholics must begin to talk seriously with one another at every level. My plea is that we should make an all-out attempt to heal the divisions in our own Church, even before we speak further to our neighbours over the denominational walls. I think this will need very much prayer and earnest pleading before God, a readiness to communicate, and a desire to learn from others. Will the Church of England be rent asunder by conflicting schools of thought? Will there be secessions to the Free Churches and to Rome? Some have seceded, and that need not unduly worry us ; but I am sure the forces of unity are stronger than those of division. Many differences of theological thought can exist in common loyalty to the Word of God. The danger is when party spirit blinds us to some valuable aspect of the truth held sincerely by those of another viewpoint, or worse still, causes us even to shut the doors of communication. We must try to understand one another, and we must, moreover, stop judging one another by what we were fifty or even five years ago, or by what we imagine each other to be. Professor H. A. Hodges, of Reading, has made a contribution to this discussion in his *Anglicanism and Orthodoxy—A Study in Dialectical Churchmanship*, which I commend to you, though you will not agree with all he says. He poses certain pertinent questions on page 25. I won't give you his answers, but I sum up the challenge to us : (a) This is a matter for humble, continuous, earnest supplication before God, that our great Church of England, in its responsible position as the Church of this land, may not be disintegrated through human folly and blindness ; (b) We dare not remain content with our divisions but each of us must seek earnestly by every means to open communications with our neighbours, to inform, to expound and to dispute from God's word, to seek to win and to be ready to be won. In particular I feel that there must be many more informal round-table conferences, with prayer, with frank exchange of opinion, and with a desire to learn, such as I believe must have been the vital pre-requisite to the remarkable unity over the Church of South India at the recent Convocation meetings.

I hope that what I have said will not be regarded as just so much pious talk, for I believe this matter of Anglican unity to be fundamental. What I regard as just so much talk is the ill-founded accusation that the draft canons are all of them an attack on the Reformed character of our Church. Very much nonsense has been said about the canons, what they mean, how they would be passed, and what their effect would be, and therefore as point number one in my thinking

aloud about policy I would say, Evangelicals must know their facts. It is no good quoting canons out of their context, quoting a draft now outdated, and worse still, misquoting them. This has been done. Nor must we hastily condemn the revisers when all they have done is to repeat the 1604 canon, usually shorn of its harsh fulminations against dissenters. We must know our 1604 canons, the new draft canons and what has happened to them during the course of the various debates. In fact, we must know accurately the present position of each before we let off steam. Hard work rather than hot air!

Point two, Evangelicals should let their voice be clearly heard on the points on which they are agreed. We have so often been silent that we need to speak loudly and clearly, lest it be thought that we believe little and are agreed on nothing.

(a) *On loyalty.* Let Evangelicals proclaim that they are first and foremost loyal churchmen, desiring to contribute all they can to the Church's life and witness; that they value highly the Catholicity and Apostolicity of our Church, but consider those marks to be complementary to, and not the opposite of, her Reformed, Protestant and Evangelical character. Perhaps, too, they need to stress that they desire to be second to none in loyalty to their Fathers in God, even though they do not choose the particular physical expression of respect which some of their brethren do. We not only wholeheartedly accept the Apostolic Succession in its scriptural sense, but also desire to be obedient in all things lawful and honest, whether they happen to please us or not. Evangelicals desire to keep strictly the known law and doctrine of the Church, and they rightly claim that in their ritual and doctrine they are in fact in the great succession of loyal churchmen since the Reformation. Their claims were vindicated in the ecclesiastical and secular courts in the last century, and being loyal to the Prayer Book and Articles they have not found the law of the Church so hard and rigid as many in these days suggest it is. They are, moreover, gravely concerned at the open and blatant lawlessness which there is in the Church and would agree with G. B. Bentley ("Reform of Ecclesiastical Law", *Theology* Occasional Paper, 1945) that "... it can hard be disguised that the present-day Church of England affords a spectacle of anarchy rarely paralleled in the history of the Catholic Church". Moreover, Evangelicals have not rested content that this should be so, for they think that the spiritual rot strikes hard at the life and morale of the nation through the Church. But they have despaired at the inability—or disinclination—of the Bishops to enforce the law when the law has been made clear. If, therefore, the present Revision of the Canons is likely to promote unity in our Church and to restore order in loyalty to Scriptural and Reformation traditions, Evangelicals support it wholeheartedly.

(b) *On support of the Revision.* Can Evangelicals come to some conclusion on this and express clearly their support of the Revision?

The initial reaction of Evangelicals to the proposed canons was uncertain. Some took the line that all the canons, the whole revision, ought to be opposed strenuously from the first; others took the line that whereas they had no particular desire to see the canons of 1604 revised, inasmuch as the Church of England had never had a full set

of canons implicitly obeyed since the Reformation, yet they would not oppose the revision provided it was a straightforward tidying up of the old set, and not a subterfuge for introducing new canons of a controversial character likely to challenge the doctrinal standards of the Church. The opposition of the former has been virtually defeated by the granting this year of a Royal Licence to the Convocations to confer concerning the revision of the canons and to draft revisions. The fear of the latter has not lessened as they have listened to the debates on certain proposed canons. Some of these have been considerably modified during the course of the debates—in some cases, but not always, for the better. The present form of the canons originally proposed in the Report, *The Canon Law of the Church of England* (1948), may now be seen in *The Revised Canons of the Church of England Further Considered* (1954), this being the text which the Convocations will use as they now enter, following the receipt of the Royal Licence, upon a decisive stage of debate. The new stage may be likened, though not entirely accurately, to a "Second Reading". What is said and done now will be of paramount importance, for when each canon is shortly considered for a second time it will reach in the great majority of cases a final form which is most unlikely to be changed in substance in the following (or "Third") Reading.

Incidentally, it is on the course of the debates that there has been misunderstanding and inaccurate speaking. No canon is yet in its final form. There are three ways in which draft canons may receive their final authorization: Certain canons, in fact the great majority, passed by the Convocations, after reference to the House of Laity of the Church Assembly, will go direct to the Crown for Royal Assent, without any reference to Parliament. This is an ancient constitutional procedure, a valued privilege of the Convocations. All canons given the Royal Assent in this way have the same validity as any Measures of Church Assembly sent through Parliament, and they have the same authority as Statute Law. Certain other canons will need to be debated in the Church Assembly in addition to the Convocations, in order that a Church Assembly Measure may be passed to effect more radical changes in the law of the Church. Yet others—perhaps those dealing with the law of marriage, with Synodical Government, for instance—may need an actual Act of Parliament. It might be helpful if Evangelicals insisted that every canon which in the slightest way modifies or alters existing Statute Law or Common Law or Case-made Law is considered in Parliament. But this insistence would not be valid unless those same Evangelicals used every means in their power of influencing the debates in the first court of debate—the Convocations. Reliance on the Houses of Parliament is an unwise and outdated procedure in these days of increased delegation of legislation, unless it is clear that representation at an earlier stage has been overridden.

It is important that we address the right people in the right way at the right time, and do not miss any stage through which the canons may pass. But if we cannot say with a united voice that we support the Revision, can we say we support the great majority, the non-controversial canons, and wish for time to consider the others? I

think it fairly certain that if there is substantial opposition to any particular canon or groups of canons, the Convocation would not wish to present those in question for Royal Assent.

(c) I think we can also be united in pressing that this code should not be detailed and static but reasonably flexible, and maintaining the balance between the authority of the Bishop and the liberty of the Minister.

(d) We must also make our voice heard on essentials on which we cannot compromise, for instance, the sufficiency of Holy Scripture as the final Court of Appeal (Article VI), and our unflinching resistance to the medieval doctrine of the Mass, and consequentially resistance to anything associated with the Mass unless we are assured that it has been completely purged of the wrong doctrine associated with it.

Point three concerns disagreements, and it is on this that Evangelicals need to formulate a policy. On the one hand one cannot compromise, on the other one should not readily commit suicide. By mutual concession, it is often possible to reach a *modus vivendi*, provided they are not concessions of scriptural principle. It is on this point that much hard work needs to be done. A purely negative attitude is rarely justified. The scrapping of a canon will not change the practice. Cranmer set an example of leading men to the truth, perhaps unwillingly, in stages. We must, when we face disagreement, seek constructive alternatives. It is all the harder, but all the more important, to do this over major issues. And I suggest that we ought to concentrate on the major issues. It is not worth squabbling over minor matters when anyway the issue will be decided by the major canons. Incidentally, I feel we ought to make it plain—and this is not a popular thing to say—that we shall not be influenced in our opinion of any canon by whether it would or would not be acceptable in the event of Reunion. We must keep our eyes wholly on principles involved and not let our judgment be swayed by what anyone or any other body, however distinguished or venerable, may think of it! Incidentally, in the event of a clash on major issues at a decisive moment we shall rely on the Church Society to give Evangelicals reliable and up-to-date information, and to guide in the making of the most effective protest at the right moment and in the right quarter. But personally I hope that all canons over which there is serious disagreement will be postponed until we grow together over them. Better not have any canons than to have canons which will not be obeyed with a good conscience. A similar opinion might be expressed over Prayer Book Revision. On this I would recall to your memory that about ninety years ago, and for the succeeding thirty years, there was great activity in the sphere of Ecclesiastical Law about the meaning of the laws which govern the worship and ritual of our Church. About £100,000 was spent in the courts, and there were many lawsuits, including some notable appeals to the Judicial Committee of the Privy Council, the highest and most learned judicial tribunal in this country. The result of these appeals was the vindication of the essential Protestantism of our Church, and the condemnation of many of the distinctive practices of Anglo-Catholicism; but the judgments achieved little because there was not the confidence which must be a pre-requisite of order.

Point four concerns research and re-thinking of certain subjects. In order to take our full share in round table conferences we must know our subject, and we must equip our speakers, so that they may make an accurate and sensible contribution. It is not good enough, seven years after the appearance of the Report, to say the silly things some people do say about the canons. The whole subject is of such a size and complexity that it requires more than a conference of this size and duration to work out policy in detail. Some subjects which I feel need more thought are : (a) Who are the laity? Are they the people on our Electoral Rolls who may, or probably do not, come to the Annual Parochial Church Meeting? Are they the faithful laity of the Church, or what do we mean by "the laity" when we insist that they must have a voice in the government of the Church? If those on the Rolls are to be considered as the laity, I'm not sure that I would not prefer to see the whole laity of this realm represented in Parliament instead. (b) What will the effect of the Report on Synodical Government be on this process of Revision? Should we not defer the final debate on every canon until this Report and its recommendations have been studied and maybe implemented? (c) Can we quite seriously tackle the suggestion that the Draft Code should be severely cut to a minimum? This requires expert thought and advice. (c) Can we say what we mean by Article VI and by the phrase "not repugnant to Holy Scripture"?

Point five : I suggest that our action in the light of these principles should be : (a) More careful and deep study of this subject, and the making known in the parishes of what is intended, and the implication for church life. The place of "godly discipline" in the life of the Church. (b) Closer contact with Proctors in Convocation. Many of them are weary of the subject after seven years' debates. It is lonely and heavy work. The Proctors need your prayers, your help and your sympathy in their responsible task. (c) As at every important juncture in the Church's history there is need for greater reliance on the Holy Spirit. We look at numbers and at majorities, but in prayer we remember that the battle is not to the strong or to the many. God still hears and answers prayer, and we humbly and confidently look to Him to direct His Church by His Holy Spirit at every decisive moment.
