

# A Way Forward after the Consecration of Women as Bishops in the Church of England

Gerald Bray

## Editorial note

The following paper was submitted by the author to the Bishop of Guildford for consideration by his commission, which has been charged with finding a way forward after the consecration of women bishops. The paper assumes that such consecrations will proceed as envisaged by general Synod in July, 2005, and is concerned only with establishing principles for adequate provision afterwards for those who will not be able to accept such a move. It is particularly important that this matter should be seen to concern Evangelicals as much as any other grouping within the church, and it is with that in mind that the paper is being printed in *Churchman* so that the issues involved may receive a full airing within the Evangelical constituency. It goes without saying that the views expressed are those of the author and do not necessarily reflect the official stance of Church Society or of the Editorial board of *Churchman*.

Now that the general Synod of the Church of England has cleared the way for legislation to be prepared making it possible for women to be consecrated as bishops, the question arises of what provision(s) should be made for those who cannot accept this move. People on both sides of the debate recognize that there are 'two integrities' on this matter, i.e. views which are incompatible with each other, but which do not touch fundamental Christian truths as to make any form of communion between them impossible. It is also generally understood that those who cannot accept women bishops are in the minority, so that provision for them will, in effect, be provision for a group which dissents from the majority opinion in the church. This is not equally acceptable to everyone, and particularly not to some on the majority side who believe that provision for the minority is (in effect) the institutionalization of discrimination against women in the church. The existence of organizations like 'Women and the Church' (WATCH) and the 'Group for the Repeal of the

Act of Synod' (GRAS) are reminders of this, and any provision for the minority will have to take the aims and activities of such organizations into account. Given this situation, and the invitation issued to members of the Church of England to suggest possible ways forward in the present circumstances, I would like to make the following proposals.

### Basic principles

The first need is to set out the basic principles on which provision for the minority can and should be made. As I see it they are as follows:

**1. It must be recognized that opponents of the move to consecrate women bishops have a serious case and are found among all varieties of churchmanship. Provision made for them must therefore be acceptable to churchmen of different persuasions, who must also be fairly represented in whatever structure is eventually set up.**

This may seem obvious, but it is fundamental and needs to be stated as clearly as possible. The recent report "Women bishops in the Church of England?", popularly known as the Rochester Report made it clear that objections to women bishops come as much from the Evangelical side as from the Anglo-Catholic one. One of the great weaknesses of the provisions made for those who objected to women presbyters after 1992, was that the objectors were held to be almost entirely Anglo-Catholic, and the appointment of provincial episcopal visitors reflected that perception. When Evangelicals petitioned for a bishop of their persuasion to be appointed as well, they were turned down, for reasons which have never been made clear and which would probably not be accepted by that constituency. This should not be allowed to happen again, for several reasons. In a comprehensive church, it is unwise to create structures of any kind which cater for only one type of churchmanship. Exclusion of a significant constituency (in this case, the conservative Evangelicals) does not usually cause that constituency to disappear. On the contrary, it is liable to lead to developments which are unhealthy for the life of the church as a whole. The disquiet expressed in some quarters by the emergence of Reform, for example, shows what can happen if a legitimate interest is ignored. Had that interest been recognized and provided for at the time, it is at least possible that conservative Evangelical discontent would have been contained within the structures of the church and directed towards positive ends, of potential benefit to all. Finally, the

restriction of provision to a certain type of churchmanship is liable to lead to its (unintentional?) ghettoization, with the result that it may become a new type of churchmanship, defined by criteria which may not fairly reflect the overall beliefs of its adherents and may produce a stigmatization which will hinder, rather than promote, spiritual unity between those of different opinions.

**2. The Church of England is committed to recognizing two integrities on this issue. The minority integrity must be treated as such and not regarded as a ‘dying breed’ for whom merely transitional arrangements will suffice.**

This again may seem obvious, but it needs to be stated and acted upon from the beginning. The existence of groups like WATCH and GRAS is deeply disturbing to the minority integrity, many of whose members feel threatened by essentially political manoeuvres over which they have no control. It is essential, if provision is to mean anything, that those taking advantage of it should be respected and allowed to exercise their ministry to the fullest extent possible, without impinging on the rights of the majority but also not living in fear of being terminated against their wishes. In this connection, it should be understood that in any majority–minority arrangement, generous treatment of the latter is both essential and liable to appear ‘unfair’ to certain members of the majority. For example, bilingualism in Wales means equal treatment for both Welsh and English, even though only about twenty per cent of the population is Welsh-speaking. Sometimes English-speaking voices are raised against what appears to be the unnecessary expense of official bilingualism, and of course Welsh-speakers possess an advantage, in that they are all bilingual, making it easier for them to occupy certain jobs where bilingual competence is required. But this apparent imbalance is the price which must be paid if the rights and interests of the minority are to be protected. Similarly, in a ‘two-integrity’ Church of England, it would (and should) always be possible for members of the minority integrity to minister freely within the majority community, but not the reverse. This fact must be faced up to at the start and recognized, so as to avoid potentially damaging misunderstandings regarding perceived ‘unfairness’ at a later stage.

**3. Any provision made for the minority must be accompanied by safeguards which would ensure that it cannot be removed without the consent of those directly affected.**

This third principle follows on logically from the second, and for those immediately affected, it may appear to be the most important one of all. It is certainly true that issues and perceptions will change over time, and it is possible that a century or so from now, provisions made at this stage may come to seem unnecessary, or even be abused. For example, if the minority integrity is accorded certain advantages which do not apply to the majority, there may be a temptation for some people to opt for it for reasons which have nothing to do with the original intention(s) which led to its creation. The result would be a kind of ‘rotten borough’ which could then be used to manipulate church affairs in ways totally unrelated to the purpose for which the special provision was made. For this and for other similar reasons, some mechanism for ending the special provision at some future date should be allowed for, but whatever it is, there should be safeguards to protect those who make legitimate use of the provision from the so-called ‘tyranny of the majority’. At the very least, the provision should not be altered without the consent of the majority of those directly affected by it, and if that were ever to happen, it should not apply to those already in possession of the special protection which the provision offers, unless they voluntarily agree to it.

### Proposals

Having established the basic principles which ought to govern whatever arrangements are made to provide for the minority integrity, it is time to outline what shape those arrangements might take.

#### **1. Adequate provision for the dissenting minority requires the creation of a new form of peculiar jurisdiction.**

Peculiar jurisdictions have a residual existence in the Church of England, but they are now almost all royal (Windsor) or collegiate (Oxbridge colleges). The old episcopal peculiars disappeared after 1837, when legislation was passed which ordered bishops to surrender their jurisdiction over parishes which did not lie within their dioceses. So far have they been forgotten that it is now possible for some to claim that it is somehow ‘un-Anglican’ for one bishop to operate on the territory of another—a misconception which must be exposed as historically false. From shortly after 1066 until the decade after 1837 there were several important episcopal peculiars. Canterbury had them in Chichester (Pagham, Terring), Winchester (Croydon) and London (St. Mary-le-Bow), the

memory of this last still surviving in the title ‘Dean of the Arches’ for the archbishop’s official principal. Rochester had one in Ely (Isleham) and others in Oxford; York had one in Durham (Hexhamshire) and Durham had two in York (Allertonshire and Howdenshire). The working party should study these peculiars to see how they functioned and what lessons can be learned and applied from them to the current situation. The Durham peculiars in York are especially relevant since both of them were separately represented in convocation, making them practically independent of their home diocese, and they have been thoroughly studied by Frank Barlow, *Durham Jurisdictional Peculiars* (Oxford and London, 1950), a work of scholarship which deserves and will repay careful study.

Peculiar jurisdictions are especially attractive because they would not have to follow a standard model and could offer flexible arrangements to suit different circumstances. This was the case with the ancient episcopal peculiars, each of which related to its bishop and diocese(s) in a different way. It ought to be possible, for example, to cater for parishes prepared to accept women priests but not bishops, and for parishes in team or group ministries, by adjusting the terms of the peculiar jurisdiction to meet the needs of such parishes.

One major difference between the historical episcopal peculiars and the ones envisaged by this proposal is that the former belonged to other bishops of the province working within a commonly accepted system. The bishop of London was not automatically excluded from the archbishop’s London peculiars, and in some respects the latter were regarded as part of the London, not of the Canterbury, diocese. Each bishop did what was regulated by custom or by formal agreement, like the one in 1175 which determined the rights of York and Durham in each other’s diocese (see Barlow). The consecration of women as bishops, however, would make such a solution impossible, because the woman bishop would not be able to function within the peculiar jurisdiction. For that reason, a different arrangement would be required.

The best way to do this would be to establish peculiar jurisdictions at the provincial level. Instead of having a dean, as the ancient peculiars did (and do), they would have a bishop who would be a suffragan of the archbishop in the same way as the other diocesan bishops are. In the event that a woman should be elected archbishop, she would have to delegate her responsibility for the

peculiar jurisdictions in her province to a commissary, who ought probably to be the senior male diocesan within the province. This arrangement would last only for the tenure of the woman archbishop, and metropolitan rights would revert to the archbishopric when another male was appointed to it.

**2. Bishops operating within the peculiar jurisdictions could not be appointed under the current rules, since bishops who reject the ministry of ordained women could not be chosen or consecrated by them.**

This raises issues similar to those associated with the idea of a ‘third province’. Probably the best way forward would be to group parishes seeking peculiar jurisdiction territorially as follows:

### **1. Province of York**

Two jurisdictions, one covering the west and the other the east of the province. The fourteen existing dioceses could be apportioned evenly, with parishes in Carlisle, Blackburn, Manchester, Liverpool, Chester, Sodor and Man and Bradford being assigned to one peculiar jurisdiction and those in Newcastle, Durham, York, Ripon/Leeds, Sheffield, Wakefield and Southwell to the other.

### **2. Province of Canterbury**

Four jurisdictions, three containing eight dioceses and the other containing five plus Europe. A possible division might be:

- A. London, Canterbury, Rochester, Guildford, Southwark, Europe.
- B. Chelmsford, St. Edmundsbury/Ipswich, Norwich, Ely, Peterborough, St Albans, Lincoln, Leicester.
- C. Truro, Exeter, Bath/Wells, Salisbury, Bristol, Gloucester, Hereford, Worcester.
- D. Winchester, Portsmouth, Chichester, Oxford, Birmingham, Coventry, Lichfield, Derby.

Other divisions are no doubt possible; the above is meant to be paradigmatic and suggestive only! It may well be necessary to create further jurisdictions or rearrange them according to circumstances, but no jurisdiction should extend over an area too large to be covered by a single bishop, and there should be a minimum of two jurisdictions in each province.

The bishops would initially be appointed by a joint committee of the two provinces, but their successors would be chosen from within the peculiar jurisdictions themselves. This could be done in a number of different ways; the essential point being that no-one from outside the jurisdictions (other than the archbishops or their commissaries) would be directly involved. They would also be consecrated and function entirely within the peculiar jurisdictions, unless invited to minister elsewhere by a diocesan bishop or the metropolitan of the province. As provincial suffragans, these bishops would be diocesans in every respect, apart from the right to sit in the House of Lords. They would all be *ex officio* members of the House of Bishops in General Synod, which would not make any ruling concerning their peculiars without their consent.

### **3. Parishes opting for a peculiar jurisdiction could maintain links with their present diocese.**

Once again, the beauty of peculiar jurisdictions is their great flexibility, and parishes opting for them could be permitted to retain links with their present dioceses where these seem appropriate. For example, they would probably want to continue operating within their present diocesan structures for some administrative purposes, particularly where co-operation with neighbouring parishes is desirable. But in essence they would leave the jurisdiction of the diocese and join the regional peculiar, which would have its own administration and financial arrangements just like any other diocese.

Parishes should be free to enter or to leave a peculiar jurisdiction by a two-thirds vote of the PCC and a majority of those on the electoral roll. Any decision, once taken, would remain valid for ten years, after which time it could be reviewed and another vote taken. No other time limit should be imposed either way.

### **4. The peculiar jurisdictions would not have their own cathedrals or diocesan establishments.**

There would be no need for bishops in peculiar jurisdictions to have their own cathedrals, and no need to create a cathedral establishment as such. They could, however, be encouraged to select a major church within their jurisdiction which could be used for ordinations and the like. They would also

be able to appoint honorary canons within the jurisdiction, a practice which was once common in collegiate churches and which existed in Sodor and Man from 1895 to 1980, when there was no cathedral in the diocese!

**5. The peculiar jurisdictions would have their own synods and their own representation in General Synod.**

In these respects, each peculiar jurisdiction would function like a diocese and be represented in General Synod accordingly, with the proviso that no act of General Synod would apply to the peculiar jurisdictions without their consent. The peculiar jurisdictions would, over time, develop their own ecclesiastical law, with canons designed to meet their needs, and the law of the church as a whole would apply to them only in so far as it is compatible with their constitution. The synods of the peculiar jurisdictions would also be able to make rules applying to them alone, subject to the agreement of a majority of the General Synod.

**6. There would have to be separate training facilities for the clergy and special provision for ministering within the peculiar jurisdictions.**

Opponents of women's ordination/consecration have a distinct ministerial ethos which must be respected by providing training facilities designed to meet their needs. Theological colleges should be able to join a peculiar jurisdiction or agree to train candidates for the peculiars, which should also have the right to organise local ministerial training courses. Ordinations could be performed in conjunction with the wider church (for example, by a bishop outside the peculiar jurisdictions), but the peculiars would be able to select, train and ordain their own men, subject only to the standard spiritual and educational requirements demanded of all clergy. To minister within a peculiar jurisdiction, a clergyman would have to obtain the licence of the appropriate bishop. Ordained women could minister within the peculiar jurisdictions in certain circumstances, to be agreed by the parish and the bishop concerned, but no ordained woman could be a full member of the peculiar jurisdiction or vote for its clergy representatives in General Synod.

Men trained and ordained outside the peculiar jurisdictions could be accepted for ministry within them, but only if they are prepared to accept its rules and



ethos. Similarly, men trained within the jurisdictions could minister elsewhere if called to do so. Clergymen ordained in a church other than the Church of England would be accepted into the peculiar jurisdictions on the same basis as other overseas clergy, subject to the requirements of the jurisdiction itself.

#### **7. The peculiar jurisdictions would be free to engage in mission as they saw fit.**

The business of the church is to preach the gospel, not to preserve rights and privileges, and the peculiar jurisdictions should be expected to demonstrate this in their life and behaviour. They would be encouraged to work across denominational lines wherever possible and to plant new churches, even if these are in other parishes. Such churches could be integrated into one of the peculiar jurisdictions (perhaps as proprietary chapels), without disturbing existing parochial arrangements. The peculiar jurisdictions would also be encouraged to engage in the worldwide mission of the church, and particularly in the structures of the Anglican Communion, bearing in mind that there are churches and provinces where the ministerial principles upheld within the jurisdictions are the canonical norm. Given that fact, it may well turn out that the jurisdictions can function as a bridge between the Church of England and more conservative churches elsewhere, a development which should be supported and encouraged by the church as a whole.

Obviously a number of other details would have to be worked out, but I hope that these general principles and suggestions can offer suitable guidelines for the kind of arrangement(s) to be put in place in the event that the episcopate is opened to women in the near future.

Revd. Dr. GERALD BRAY is Anglican Professor of Divinity at Beeson Divinity School, Samford University, Birmingham, Alabama, U.S.A.