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Cover photo: The episcopal ring of John Elbridge Hines, 23rd Presiding Bishop of The Episcopal Church (1965-1974). Courtesy of the Virginia Theological Seminary.

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Editor's Preface

This issue contains articles related to structures of a variety of provinces in the Anglican Communion. The first three articles relate to the exercise of primacy in three areas: England, Wales, and New Zealand. The conference report is that issued following a 2001 conference that brought together persons from North and South America, Africa, and the United Kingdom, who were interested in what they might learn from one another about the functioning of governance and canon law in the Anglican Communion.

Robert W. Prichard
Editor

The Church of England: Primacy Rooted in the Life of the two Archiepiscopal Sees

Colin Podmore¹

Introduction

The Church of England consists of two ecclesiastical provinces that were detached from the rest of the Western Church in the mid-sixteenth century—the Provinces of Canterbury and York. Each is headed by an archbishop. The Archbishop of Canterbury is styled “Primate of All England and Metropolitan,” and the Archbishop of York “Primate of England and Metropolitan.”²

The Archbishops as Metropolitans

The archbishops are first and foremost the diocesan bishops of their respective dioceses—roles to which we shall return later.

As the occupants of the diocesan sees of Canterbury and York they are, secondly, metropolitans, with metropolitanical jurisdiction over their respective provinces. This jurisdiction belongs not just to the archbishop but also to his cathedral church, which is also the “metropolitanical church”—the mother church not only of the diocese but also of the province. Accordingly, Canon C 14 of the Canons of the Church of England requires that:

Every person whose election to any bishopric is to be confirmed, or who is to be consecrated bishop or translated to any bishopric or suffragan bishopric, or who is to be licensed as an assistant bishop, shall first take the oath of

¹ Dr. Colin Podmore was the Clerk to the General Synod of the Church of England until Easter 2013, when he became Director of Forward in Faith UK. He writes here in a personal capacity.

² Canons of the Church of England, Canon C 17.1. The Canons are available at: <http://www.churchofengland.org/about-us/structure/churchlawlegis/canons.aspx>.

due obedience to the archbishop and to the metropolitan Church of the province wherein he is to exercise the episcopal office in the form and matter prescribed in and by the Ordinal.³

The oath reads:

In the Name of God. Amen. I *N.* chosen Bishop of the Church and See of *N.* do profess and promise all due reverence and obedience to the Archbishop and to the Metropolitan Church of *N.* and to their Successors: So help me God, through Jesus Christ.⁴

The need for an oath of obedience to the metropolitan church arises because, when an archiepiscopal see is vacant, it is the chapter of the metropolitan church that has jurisdiction over the province as “guardian of the spiritualities.”⁵

An example of the metropolitan jurisdiction is the visitation, from December 2011, of the Diocese of Chichester, which involved the Archbishop suspending the jurisdiction of the bishops and other ordinaries of the diocese in relation to all issues relating to the safeguarding of children and vulnerable adults (which gave rise to the visitation) and directing that “during the period of the Visitation, all issues relating to Safeguarding within the Diocese shall be dealt with solely by those persons to whom the Archbishop

³ Canon C 14.1.

⁴ The Form of Ordaining or Consecrating of an Archbishop or Bishop in the Ordinal (1662).

⁵ This remains the case despite the repeal in 2000 of Canon C 19 (Of guardians of spiritualities), which merely declared what the law already was in that regard. Draft Amending Canon No. 31, which received First Consideration by the General Synod in July 2012, will restore a modified version of the former Canon C 19, making a similar declaratory provision: see GS 1877 and GS 1866X/1877X, available at: <http://www.churchofengland.org/about-us/structure/general-synod/agendas-and-papers/gs-paper-list/gs-1851-1900.aspx>.

While The Episcopal Church does not use the language of “guardian of Spiritualities,” it has a parallel provision about delegation of authority when there is a vacancy in the episcopate. According to Acticle IV of the *Constitution*, “if there be no Bishop or Bishop Coadjutor or Suffragan Bishop canonically authorized to act, the Standing Committee shall be the Ecclesiastical Authority of the Diocese for all purposes declared by General Convention.” {Editor’s note.]

may from time to time make delegation in writing, and by no other.”⁶ Other examples of the Archbishops’ provincial roles include presidency of their provincial synods, the Convocations of Canterbury and York (and joint presidency of the General Synod of the Church of England, in which the Convocations are joined together with a House of Laity), and presiding at the consecration of bishops and at the confirmation of the election of diocesan bishops in their respective provinces.

The Archbishops as Primates

By virtue of occupying the Sees of Canterbury and York, the archbishops are also primates. The styles “Primate of All England” and “Primate of England” were defined in 1353. It should be noted that the archbishops are not Primates “of the Church of England” but “of All England” and “of England”: whereas their metropolitanical jurisdiction relates to the Church in their respective provinces, their primacy relates not just to the Church but to the nation as a whole. A primate is primate because he is the bishop of the “*prima sedes*” or “first see” of a nation or people.⁷

Both Canterbury and York were “first sees” in the sense of mother churches from which other churches were founded. Rowan Williams (Archbishop of Canterbury, 2002-12)⁸ has written:

⁶ Citation dated 21 December 2012: <http://www.archbishopofcanterbury.org/canterbury//data/files/resources/2300/20111222091741619.pdf>.

⁷ F. L. Cross and E. A. Livingstone (eds.), *Oxford Dictionary of the Christian Church*, 3rd ed. (Oxford: Oxford University Press, 1997), s.v. “Primacy.” See also C. J. Podmore, *Aspects of Anglican Identity* (London: Church House Publishing, 2005), 58-78, and C. J. Podmore, ‘Collegiality, Conciliarity and Primacy: An Anglican Perspective’ in U. von Arx, P. Avis and M. Ploeger (eds), *Towards Further Convergence: Anglican and Old Catholic Ecclesiologies. The Papers of the Anglican—Old Catholic Theologians’ Conference, Leeds, 29 August—2 September, 2005* (Beiheft zur Internationalen Kirchlichen Zeitschrift, 96, 2006), 46-71.

⁸ This article was originally submitted prior to March 2013, when Justin Welby succeeded Rowan Williams to become the 105th Archbishop of Canterbury. No attempt has been made to add new material about the way in which Archbishop Welby is choosing to relate to the Diocese of Canterbury. The legal framework for the primacy remains unchanged, however, and the pattern of engagement established by Archbishop Williams remains a significant example. [Editor’s note.]

The life of the local churches is constituted not only by internal communion, but by the giving and receiving of the gift of the Gospel between them and by the grateful recognition of each other as gifted by Christ to minister his reality to each other (as St Paul insists in II Corinthians). And the fundamental acknowledgement of having received the Gospel from elsewhere is a reminder to each and every local church of this dimension of its life, this gratitude for having heard and received and for being still involved in the economy of giving and receiving in catholic fellowship. Hence the relation of local churches to a 'mother church' or a 'primatial church' is not a purely antiquarian matter. From very early in the church's history, certain local churches have been recognised as having had a distinctive *generative* importance.⁹

The primacy within England of each of its two primates derives from the role of his cathedral church in the history and life of the English nation. As Primate of All England and of England, the Archbishops rank immediately after the Royal Family and above the Prime Minister in the UK order of precedence.¹⁰ At state dinners, therefore, the Archbishop of Canterbury walks in after the Royal Family (or indeed with a member of the Royal Family) but in front of the Prime Minister.

The Archiepiscopal Sees

Thus the Archbishops of Canterbury and York are not primates and metropolitans who happen also to be diocesan bishops. Rather, they are primates and metropolitans *because* they are the bishops of those particular diocesan sees. For the Archbishops of Canterbury and

⁹ R. D. Williams, Message to the Conference 'Rome, Constantinople and Canterbury: Mother Churches?' held at St Vladimir's Seminary, New York, 5 June 2008: <http://www.archbishopofcanterbury.org/articles.php/1357/rome-constantinople-and-canterbury-mother-churches>.

¹⁰ After the Royal Family, the order is: Archbishop of Canterbury, Lord Chancellor, Archbishop of York, Prime Minister.

York no longer to be the diocesan bishops of their respective dioceses would completely change the nature of their primacy.

The roles played by Canterbury and York in the history and life of England are, admittedly, different. Canterbury has an historic profile as the first see founded by St Augustine's mission to England. In the high middle ages it was, alongside Walsingham, one of England's principal centres of pilgrimage, but since the destruction of St Thomas Becket's shrine in 1538 it has been something of a backwater, located at the south-east tip of England, eclipsed by London, and not really a national centre. London's St Paul's Cathedral and Westminster Abbey loom much larger in the consciousness of ordinary members of the public than Canterbury Cathedral. Bishops are consecrated for the Province of Canterbury not in the metropolitan cathedral but in London—at St Paul's, Southwark Cathedral or the Abbey—and the elections of the diocesan bishops of the Province are confirmed in the London Church of St Mary le Bow, the ancient home of the Court of Arches, the highest ecclesiastical court in the Province of Canterbury.

York, by contrast, is the historic capital of the North of England. Though far overtaken in terms of population and economic significance by other northern cities, it is a hub of the railway network and easily accessible. Yorkshire has a strong regional identity, and York is at the centre of that. Durham Cathedral, in the northeastern corner of the Province of York, is the only ecclesiastical building within the province that compares with York Minster. It is always in York Minster that bishops are consecrated and the elections of diocesan bishops are confirmed. Whereas Canterbury's significance in popular consciousness derives from Augustine and from the national and international role of its archbishops, York's comes from its continuing role as a focus of Yorkshire loyalty and as the ecclesiastical centre of Northern England.

Archiepiscopal Residences

English diocesan bishops are national and not merely diocesan figures. The holders of the five senior sees and the 21 longest-serving

of the other diocesans are “Lords Spiritual” —members of the upper house of Parliament, the House of Lords. Diocesan bishops’ parliamentary duties, their membership of the General Synod and its House of Bishops, and their various national roles in church and secular life require them to visit London frequently. Canon C 18 states:

Every bishop shall reside within his diocese, saving the ancient right of any bishop, when resident in any house in London during his attendance on the Parliament, or on the Court, or for the purpose of performing any other duties of his office, to be taken and accounted as resident within his own diocese.¹¹

Historically, many diocesan bishops have maintained residences in London. Of these, only Lambeth Palace, the residence of the Archbishops of Canterbury since the beginning of the thirteenth century, now survives. It is the Archbishop’s principal residence. Indeed, the Old Palace in the cathedral precincts in Canterbury having been ruined during the English Civil War, between 1660 and the end of the nineteenth century the archbishops had no residence there. It was under Archbishop Frederick Temple (1896-1902) that the Old Palace was rebuilt. (In typically English fashion, the building now known as the “Old Palace” is the more recently built of the archbishop’s two residences.) The Archbishops of York have lived at Bishopthorpe Palace, in the village of Bishopthorpe three miles south of York, since 1241.

Funding Archiepiscopacy

Under the Episcopal Endowments and Stipends Measure 1943 all of the endowments and other property belonging to, or held in trust for, diocesan sees and diocesan bishops in their corporate capacities, including episcopal residences, gradually came to be vested in the Ecclesiastical Commissioners (from 1948, the Church Commissioners for England). Out of the income from their investments, which include property and funds derived from these ancient episcopal

¹¹ Canon C 18.8.

endowments, the Church Commissioners pay the diocesan bishops' stipends and expenses and their office costs (including the cost of their staff) and provide each of them with a residence. The cost of maintaining Lambeth Palace, Bishopthorpe Palace, and the Old Palace in Canterbury; and the cost of the archbishops' offices and staff in Lambeth and Bishopthorpe Palaces are therefore funded by the Church Commissioners. No part of the cost of the archbishops' ministry (or that of any diocesan bishop) is met by their dioceses.

The Archbishop of Canterbury and the Diocese of Canterbury

Introducing his various roles, Rowan Williams' website as Archbishop of Canterbury commented:

The central role, and the source of the archbishop's authority, is as Bishop of the Diocese of Canterbury (the local church of Canterbury), which covers most of the county of Kent. The worship, teaching, discipleship and mission of that diocese are his particular personal responsibility. All other roles are rooted in this one.¹²

However, the Archbishop spends most of his time in London—sixty miles from Canterbury, so day-to-day responsibility for leadership of the diocese is delegated to a suffragan bishop, the Bishop of Dover, who has his office in a wing of the Old Palace.

The role of Bishop of Dover is an especially difficult one. The holder of this office needs to have the confidence and competence to lead the Diocese of Canterbury in the Archbishop's absence, yet at the same time the humility to stand aside at meetings of the diocesan synod and at important cathedral services, such as ordinations and the Christmas and Easter Eucharists, when the Archbishop takes his proper place as diocesan bishop. At least in the past, the Diocese of Canterbury has probably suffered from never having had the day-to-day leadership of a bishop of diocesan standing. Bishops of Dover

¹² <http://rowanwilliams.archbishopofcanterbury.org/pages/roles-and-priorities.html>, accessed on 27 November 2014.

have generally been translated from other suffragan sees; they have been experienced suffragan bishops who were not chosen to become diocesan bishops in their own right and have not subsequently been translated from Dover to a diocesan see. The Diocese of Canterbury has rarely been at the forefront of innovation. The fact that it is one of the smaller of the English dioceses (25th out of 42 in terms of area and 28th in terms of population), covering less than the whole of one predominantly rural county, perhaps makes the position with regard to leadership of the diocese more tolerable than it would be if applied to many other dioceses.

Day-to-day jurisdiction over the Diocese of Canterbury is delegated by each archbishop to each Bishop of Dover by a fresh instrument of delegation. The powers delegated may vary, as has the degree to which different archbishops have sought to shape or influence the life of the diocese. While Rowan Williams was dutiful in the exercise of his responsibilities in the General Synod, the House of Bishops and the (national) Archbishops' Council,¹³ during his archiepiscopate (2003-12) he displayed limited interest in church structures, and his "leadership style" was generally one of facilitating debate. Only exceptionally did he attempt to use his personal authority and that of his office to achieve a particular outcome. This doubtless made co-operation between this Archbishop and his Bishops of Dover easier than it might otherwise have been. Stories of previous archbishops turning up in the diocese to chair the (diocesan) Archbishop's Council and using the occasion to overturn policies developed in their absence under the leadership of a Bishop of Dover were not repeated during Archbishop Williams' archiepiscopate. He did preside at diocesan pastoral conferences and the thrice-yearly meetings of the diocesan synod, but only very occasionally chaired meetings of the Archbishops' Council.

During Archbishop Williams' archiepiscopate his website said the following about his role in the Diocese of Canterbury:

¹³ The (national) Archbishops' Council is the rough equivalent of the Executive Council of The Episcopal Church; and the Archbishop's Council of the Diocese of Canterbury, the rough equivalent of an American diocesan Standing Committee. [Editor's note.]

The Archbishop's most focused periods of activity in the diocese occur at Christmas, Easter, and the Ordinations of deacons and priests for the Diocese (usually in late June). Whenever he can, the Archbishop enjoys spending time at weekends in visits to many of the 270 parishes within it. Like all bishops, when the Archbishop visits his parishes he would usually preside and preach at the Eucharist, and perhaps baptise and/or confirm, inaugurate the ministry of new pastor or share in a major event in the life of the community. These are also opportunities to support the ministry of his diocesan clergy, and provide pastoral care to them. This diocesan ministry is foundational to all other aspects of an Archbishop of Canterbury's national and global roles.¹⁴

In practice, Archbishop Williams spent at least one weekend a month in Canterbury and was often there for alternate weekends. Typically, a 48-hour visit involved arriving on the Friday evening, taking the Saturday as a day of recreation, and spending the Sunday visiting a parish, having pastoral conversations with members of the diocesan clergy, and attending evensong in the cathedral, before returning to London on the Sunday evening. Parish visits were often arranged at quite short notice (perhaps a couple of weeks in advance), so that they remained low-key pastoral occasions. At Christmas the Archbishop spent up to a fortnight in Canterbury, going down on the Friday before Christmas and staying for the feast of St Thomas Becket (29 December) and on until after New Year's Day. He would be there for a fortnight again from the Palm Sunday weekend until the evening of Low Sunday. Each year the Archbishop gave popular public lectures in the Cathedral during Holy Week. He presided at Petertide ordinations¹⁵ in the Cathedral and at some of the ordinations that occurred in the parishes (with

¹⁴ <http://rowanwilliams.archbishopofcanterbury.org/pages/diocese-of-canterbury.html>, accessed 27 November 2014.

¹⁵ Petertide—the period of time around the ecclesiastical feast of Peter and Paul (June 29)—comes at the end of the university academic year and is one of two traditional times of ordination in the Church of England. [Editor's note.]

the Bishop of Dover or an assistant bishop presiding at the others). He also spent some time in Canterbury in late July or August, but these visits had more of a holiday character.

The Old Palace is situated in a secluded corner of the cathedral precincts in Canterbury, a small city set in countryside near the Kent coast. The archbishop and his family occupy its principal rooms. It offers a welcome respite from life in Central London, where they live in a flat above the state rooms of Lambeth Palace, much of which is given over to offices, within a complex which includes the homes of many of the archbishop's senior staff. But this is not the only reason why successive archbishops have paid frequent visits to Canterbury, in many cases visiting more frequently rather than less as time went on. Presiding at the ordination of deacons and priests and at diocesan synod meetings, worshipping in his cathedral (at simple daily services and not just on solemn occasions), visiting country parishes and engaging in pastoral conversations with the clergy and people of his diocese—in each case as the diocesan bishop and not as a visitor—keeps the archbishop's ministry rooted in the life of a diocese, its mother church and its parishes, accountable to and ministering among its people. A deracinated, bureaucratized archiepiscopate, conducted solely from the Lambeth Palace compound in Central London, would be hugely impoverished.

For the Diocese of Canterbury there may be a certain loss in that the bishop who gives it day-to-day leadership is always likely to be a competent, experienced suffragan bishop rather than the outstanding, charismatic and innovative leader that many other dioceses might reasonably hope to have at their head at least from time to time. But during the archiepiscopate of Rowan Williams the diocese had the benefit of consistent leadership from Bishops of Dover who have been left to run things without interference, while its clergy and people have also benefited from frequent, close, intense and often relatively informal exposure to the preaching, teaching, and pastoral ministry of a charismatic, inspiring, and theologically gifted archbishop. Thus the Diocese of Canterbury experienced both disadvantages and privileges that other dioceses did not share.

One privilege is widely considered excessive. The fact that the Archbishop of Canterbury is first and foremost a diocesan bishop means that, like every other diocese, the Diocese of Canterbury, through its Vacancy in See Committee, elects six representatives to sit as members of the Crown Nominations Commission which chooses the Archbishop. For nominations to the See of Canterbury the Commission (in effect, a small electoral college) has not 14 voting members (as for non-archiepiscopal sees) but 16 (a lay chairman appointed by the Prime Minister and a primate elected by the Standing Committee of the Anglican Communion being added to the usual six diocesan members, six central members – three clergy and three laity elected and two bishops).¹⁶ For the Diocese of Canterbury to have 37.5% of the votes in the selection of the Primate of All England seems hugely disproportionate to the 5-10% of the Archbishop's time which is spent on diocesan matters.

The Archbishop of York and the Diocese of York

Unlike the Archbishop of Canterbury, the Archbishop of York resides permanently in his diocese—in Bishopthorpe, a village just three miles outside his cathedral city. But like the Archbishop of Canterbury he has significant responsibilities for the life of the Church beyond his own diocese and province. As well as being joint President of the General Synod, he chairs the Standing Committee of the House of Bishops and is joint President of the Archbishops' Council, sharing the chairmanship of its meetings with the Archbishop of Canterbury. Like the Archbishop of Canterbury he is expected to speak in the House of Lords and play a leading part on national life, to visit the other dioceses of his province and to oversee

¹⁶ Standing Orders of the General Synod of the Church of England, SO 122. The Standing Orders are available from: <http://www.churchofengland.org/about-us/structure/general-synod.aspx>. The two bishops are: for non-archiepiscopal sees, the archbishops; for Canterbury and York, the other archbishop and another member of the House of Bishops (though for Canterbury the Archbishop of York may be replaced by another member of the House so that he may himself be a candidate). The six central members are three members of the General Synod's House of Clergy and three members of its House of Laity, elected by their respective Houses for terms of five years.

its bishops. For over a century Archbishops of York have also had international roles, playing a part in the life of the Anglican Communion and of international ecumenical bodies (though the extent and nature of such involvement has probably been more dependent on the experience, abilities and interests of individual archbishops than in the case of the Archbishops of Canterbury).

When the present Archbishop of York, John Sentamu, was chosen in 2005, he was asked to play a much greater national role than his predecessor had, and the staff at Bishopthorpe Palace was expanded accordingly. This has placed a significant limitation on the time that he has been able to devote to the leadership of his diocese—even when physically present in it at Bishopthorpe. The Diocese of York is the second largest of the 42 English dioceses in terms of area and the thirteenth in terms of population. In addition to the City of York itself, it consists of one county (the East Riding of Yorkshire) and the eastern half of a second, North Yorkshire. It is divided into three archdeaconries, each of which is led by a suffragan bishop as well as an archdeacon, and the present Archbishop has delegated extensive powers to these suffragans by detailed instruments of delegation.

However, the archdeaconries do not function like the episcopal areas in some other large dioceses (with area councils to which powers in relation to mission, clergy deployment, and finance are delegated), and the powers delegated to the suffragans, while significant, are not as extensive as those delegated to such “area bishops.” The leadership of the diocese as a whole, including the chairmanship of the (diocesan) Archbishop’s Council and oversight of the diocesan secretary and staff, rests with the Archbishop. The suffragan bishops are equal; none of them has formal powers to deputize for the Archbishop in his leadership of the diocese as a whole.¹⁷

Archbishop Sentamu is held in respect and affection in his diocese and province and enjoys great popularity with the Yorkshire

¹⁷ This arrangement differs from that in the Diocese of Canterbury in which there is only one resident suffragan bishop, to whom oversight of the diocese is almost completely delegated.

public, as witnessed by his being awarded the title “Yorkshireman of the Year” in 2007 (despite being born not in Yorkshire but in Uganda), but there is a widespread consensus that the present situation places expectations upon the Archbishop which no one could meet. It is widely thought that some changes are needed to the structures of episcopal oversight within the diocese, but as yet there is no agreement as to what form these should take; indeed, formal discussions as to possible solutions have yet to begin. A “Bishop of Dover” model would seem inappropriate for a diocese whose diocesan bishop is permanently resident within it and who is still, despite his provincial and national responsibilities, able to devote a significant proportion of his time to diocesan affairs. One possibility would be to divide the diocese more formally into episcopal areas with area councils, with a greater delegation of powers to the areas and their bishops, and with the Archbishop retaining direct responsibility only for a small area—possibly just the City of York itself. One of the suffragan bishops—either one of the other area bishops or possibly a suffragan assisting the Archbishop in his own area—might need to be given power to exercise the Archbishop’s powers in respect of the diocese as a whole when he was not able to exercise them personally. It is inconceivable that any proposal that the metropolitan of the Northern Province should cease to be the diocesan bishop of the Diocese of York would gain acceptance—and highly unlikely that that would even be seriously proposed.

Conclusion

Despite all the issues that arise for the Dioceses of Canterbury and York from the wider responsibilities that their diocesan bishops have, there continues to be general support for the archbishops’ ministry continuing to be rooted in the life of the diocesan sees from which they derive their both their authority as metropolitans and their status as Primate of All England and Primate of England.

Primacy in the Church in Wales: An Ongoing Debate about the Nature of Primacy

Gregory K Cameron¹⁸

The Origins of Primacy in the Welsh Church

Celtic stories often begin with myth. In this case, it is the legend of St David, patron saint of Wales, as the Archbishop of a primatial and metropolitan see to which all Welshmen showed canonical obedience. It was a tradition strong enough to inspire the twelfth-century historian and commentator, Gerald of Wales, six hundred years after David, to campaign for the “restoration” of the archiepiscopal see—perhaps with himself as the unworthy occupant. While it seems to be true that David genuinely held a pre-eminent position in Wales, leading the famous Synod at Llanddewi Brefi and sending missionaries throughout Wales, the truth is that talk of an archiepiscopal See reads the later structures of the mediaeval Church back into its Celtic roots.

The myth captured the imagination of Welsh Anglicans, however, when the Province of the Church in Wales was constituted in 1920, and it became an obvious precedent for the role of Primate. In 1914 the British Parliament had legislated for the disestablishment of the four Norman dioceses of the Church of England in Wales, and—although the First World War delayed the implementation—plans had to be formulated by them for life after disestablishment.

The Welsh Church Act abandoned the four disestablished dioceses to decide for themselves their life and structure,¹⁹ and at a

¹⁸ Gregory K Cameron has been the Bishop of St Asaph in the Church in Wales since 2009. Before that he was Deputy Secretary General of the Anglican Communion from 2002, and before that, Chaplain to the Archbishop of Wales, Rowan Williams. He is a honorary Research Fellow of the Centre for Law and Religion in the University of Cardiff, and holds masters degrees in law, canon law and theology from Oxford, Cambridge and Wales.

¹⁹ Welsh Church Act, 1914, s.13(1).

Constitutional Convention in 1917, representatives of the four dioceses gathered and developed a new *Constitution for the Church in Wales*.

In due course, the Convention petitioned the Archbishop of Canterbury, Randall Davidson, who on 10 February 1920 (before the Church in Wales legally came into being) issued a decree releasing the four dioceses from the Province of Canterbury and constituting them as a new Province of the Anglican Communion. The creation of the Church in Wales was therefore the last legal act of the Church of England for the Welsh dioceses, freeing them at last to realise the ambitions of Gerald of Wales. Within months, the then Bishop of St Asaph, Alfred George Edwards, had been elected “by acclamation” as Archbishop of Wales and was enthroned by the Archbishop of Canterbury in June 1920.²⁰

The current Primacy

The Constitution of the Church in Wales lays down that the Archbishop of Wales is chosen from the bishops of the six dioceses of Wales (Two new dioceses having been created in the 1920s). He (or, from September 2014, she) is elected in a way closely paralleling the election of diocesan bishop—that is, by an Electoral College composed of three clerical and three lay electors from each of the dioceses elected by Diocesan Conferences (roughly the equivalent of American Diocesan Conventions), and the six diocesan bishops. A candidate needs a two-third majority of the members of the College voting together by secret ballot in order to be elected.

On election, Archbishops of Wales retain their sees, but takes on the additional duties attached to the primacy. These include presidency of the Governing Body of the Church in Wales (the Welsh equivalent of the General Convention of the Episcopal Church), which meets biannually, and chairmanship of meetings of the “Bench” of Bishops. The Archbishop has an ex officio position, including voting rights, on many of the Provincial Committees and

²⁰ Philip Jones, *Governance of the Church in Wales* (Greenfach, 2000), 31f. The Archbishop of Canterbury helpfully provided a reproduction of the Chair of St Augustine in wood which has served ever since as the archiepiscopal cathedra.

structures of the Province. Archbishops also preside both at meetings of the Electoral College for bishops, and of the Sacred Synod²¹ (of bishops), which subsequently confirms the election of a bishop, and are the chief consecrators at the ordination of bishops.

The Archbishop is officially recognised as “Archbishop of Wales, Primate and Metropolitan”, and, in this capacity, is invited to the Primate’s Meeting of the Anglican Communion. Beyond this, the Constitution does not specify in depth the powers of the Primate.²² There is a curious provision that “no proceeding of the Governing Body shall interfere with the exercise by the Archbishop of the powers and functions inherent in the Office of Metropolitan,”²³ and another provision states that:

The Archbishop shall have and may use all the powers of granting licences, dispensations, faculties and other writings which the Archbishop of Canterbury enjoyed in Wales on 30th March 1920, insofar as such powers were lawfully transferable.²⁴

Less helpfully, these inherited powers and functions nowhere receive any extensive description. The only power that is reiterated in the *Constitution* is that of holding archiepiscopal visitations, when the law as inherited at disestablishment shall apply,²⁵ although the practice of archiepiscopal visitations has not in fact occurred.

21 The “Sacred Synod” is the formal manifestation of the Bench of Bishops convened for the purpose of confirming the election of a bishop. Designed by Archbishop Edwards and Bishop (later Archbishop) Green at the time of disestablishment, it was seen as promoting the ancient pattern of the Church in which all the bishops of a province confirmed the election of a bishop to any particular see.

22 The nearest thing to an official description of the office of Metropolitan in Anglicanism was the description of metropolitan authority offered by the Fourth Anglican Consultative Council meeting in Ontario in 1979. See footnote in Norman Doe, *The Law of the Church in Wales* (University of Wales Press, 2002), 125.

23 *The Constitution of the Church in Wales*, II.37.

24 *The Constitution of the Church in Wales*, V.3(1).

25 *The Constitution of the Church in Wales*, IX.43(1) “The law” which was inherited at disestablishment was of course a curious amalgam of mediaeval canon law and reformation and post-reformation state statutory law. Until disestablishment, the law

In spite of the title of Metropolitan, successive Archbishops have made it clear, when or if complaints are made to them about affairs in another diocese, that they have no jurisdiction to intervene. The only time that the Primate will normally exercise real authority in another diocese is during a vacancy in that diocese, when the governance of the vacant see is vested in the Archbishop, and the Primate effectively acts as Bishop, usually by means of a commissary, until the confirmation of election of a new diocesan. In extreme cases, the Archbishop is responsible for exercising ecclesiastical discipline over diocesan bishops.

All this means that the exercise of the primacy feels informal and consensual, constructed by convention rather than by constitutional authority. The influence that the Primate exercises in the life of the Church is based upon the deference accorded to the holder of the archiepiscopal dignity, and the influence wielded as Chair of the Bench of Bishops. It is this meeting of the bishops which is formally accorded priority in all matters of faith and order, but which takes on much of the practical day-to-day running of the Church's ministry. Finally, as President of the Governing Body, the Archbishop is effectively the first voice in both meetings of the Governing Body and its Standing Committee, and can use the meetings' Presidential Addresses to speak to the nation.

The Primacy in the Life of the Nation

The standing of the office of Archbishop of Wales is high within Wales. The Archbishop is effectively the only religious leader in Wales with a national profile and national voice, with the Roman Catholic Archbishop of Cardiff as a possible second. This is in part due to the reputation of successive holders of the office, particularly pronounced under Rowan Williams and the current holder Barry Morgan, and in part because the structure of the Church in Wales makes it easy for media and national institutions to identify a stable

of the Church was part of the law of the United Kingdom. After 1920, the canon law of the Church in Wales subsists as the rules of a private club.

and continuing national leadership in a way that is not true for other churches and religious bodies.

The access to the Archbishop that modern communications afford means, however, that demands on the office of the Primate have increased. In addition to diocese and Province, the evolution of devolved government to Wales' own Assembly in Cardiff (the capital of Wales) requires the presence in the capital of any Primate who seeks a voice in discussion of issues of national importance. This places increasing strains on the Primate, especially if the Archbishop is based in one of the dioceses distant from Cardiff.

Rethinking Primacy

This fact has meant that the Church in Wales has periodically tried to rethink the office of Primate, and it has been the subject of commissions and reports in 1980, 1992, 2007, and 2008. Concerns have been raised about the viability of the Primate undertaking this role in addition to that of a diocesan bishop. The 2007 report suggested that the role of Primate be divorced from that of a diocesan bishop, and that the Archbishop of Wales should become a purely Provincial office, similar to the way in which primacy is currently exercised in the Anglican Church of Canada and in The Episcopal Church. The 1980 proposal was the creation of a new permanent small archiepiscopal see based in mid-Wales, and in 1992 to attach the primacy to the Diocese of Llandaff (in which the capital is located). A refinement of this was proposed in 2008, when the appointment of an assistant Bishop in Llandaff alongside an Archbishop of Wales permanently fixed at Llandaff was proposed. The Archbishop would retain a small episcopal area, while the assistant "Bishop in Llandaff" would effectively act as diocesan bishop.

None of these proposals found widespread support in the Governing Body or dioceses. There is a real concern that the primacy should belong to all of Wales and be capable of moving from diocese to diocese. There is worry about centralisation of power, not only ecclesiastical but political, in the south of Wales and in the capital, and fixing the primacy there would play into that, rather than challenge such centralisation. There is also concern that

currently all dioceses have parity of representation in Governing Body: would fixing the primacy in one place privilege—or prejudice—the one diocese which has to accommodate it permanently?

In October 2012, the 2008 proposal was revived by a recommendation of the thorough-going Church in Wales Review recently conducted. The question is not going to go away, given that the toll which the dual role—primatial and diocesan—exact on the archbishop has been recognised in successive holders of the post. The Review generated a large agenda for change in many areas, but early indications are that the primacy is not seen as a priority among these recommendations, so that energy is actually being put elsewhere. Like other Anglican and Episcopal Churches, therefore, the Church in Wales remains unsettled about its primacy, but uncertain of the best direction of evolution.

The New Zealand Anglican Church: Shared Primacy

Bill Atkin²⁶

The Nature of the New Zealand Church

The official name of the New Zealand Church is the Anglican Church in Aotearoa, New Zealand and Polynesia. This is important in understanding the distinctive nature of the primacy found in the New Zealand church. The New Zealand ecclesiastical province extends beyond the boundaries of the nation of New Zealand and includes a number of Pacific island nations that form Polynesia, the largest being Fiji. Of perhaps greater importance is that the minority indigenous population, the Maori, have in the last few decades played a very significant role in policy development in the country, and it is sometimes said that New Zealand or Aotearoa—to use the Maori name—is a bicultural country. For a long time a Maori bishop existed but without any real power or authority.

In 1992 the Church took the radical step of re-shaping its monochrome structure into one that reflected biculturalism. In effect a Maori Church parallel to the *pakeha*²⁷ one was created, but, because of the Polynesian arm, the province had to have three strands or, as they are known, *tikanga*, a Maori word for customs or practices. It is sometimes thought of as a trinitarian structure, three equal but different parts. What, however, does this three-*tikanga* model mean for the primacy? Can one person hold that role? Or does a triumvirate better reflect the nature of the restructured Church?

²⁶ The author is a Professor in the Faculty of Law, Victoria University of Wellington, New Zealand. He gratefully acknowledges the assistance of the Rev'd Michael Hughes, General Secretary of the province, and Archdeacon Bernard Faull, former Administrator and Registrar of the Diocese of Wellington.

²⁷ *Pakeha* is the commonly used Maori term for non-Maori. In the context of the church's three-*tikanga* model, it refers to non-Maori of European descent, but in common speech it can also refer to all non-Maori.

A Brief Note on the History of the Primacy

In the early part of its history, the New Zealand Church had a single primate who was chosen from one of the diocesan bishops but retained the honorific “Right Reverend.” The first was Bishop George Selwyn from 1841 to 1869, one of the leading pioneers in the colonial church. In 1922, the primate became known as “Archbishop” and “Most Reverend,” and this lasted until 1998 when the primate was called the “Presiding Bishop,”²⁸ with three other “Co-Presiding Bishops,” the latter representing each *tikanga*.

In 2004 the pattern changed again with the result that the leader of the Maori part of the Church became “Archbishop” and “Most Reverend” with two other “Co-Presiding Bishops.” The Church continued to go through a period of discernment over the nature of the primacy in a three-*tikanga* province. A valuable report for the 2006 General Synod set out the issues,²⁹ and the upshot was the selection on an interim basis of the three Senior Bishops of the three *tikanga*, together forming a “shared primacy,” all of them being Archbishops and bearing the honorific “Most Reverend.” All three Archbishops retained their own sees.³⁰ The relevant change to canon law was eventually passed two years later at the 2008 General Synod,³¹ and the shared primacy confirmed. However, the law is drafted in such a way that a return to a single primate remains possible.

The 2006 Report

The 2006 Report was written after consultation at the highest levels within the Church. It set out the role of the primate and presented three main options for the future. In summary, it saw the primacy as

²⁸ The only person to hold this particular version of the primacy was the Right Reverend John Paterson.

²⁹ *The Report of the Shape of the Primacy to the General Synod/Te Hinota Whanui*, published in the *Proceedings of the Fifty-Seventh General Synod/Hinota Whanui* (2006) at R-84 (“The 2006 Report”).

³⁰ In fact, because the old canon law was still in place, it was necessary in the meantime to elect one person as primate, and this fell to the new Maori *Pihopa o Aotearoa* (senior bishop), Bishop Brown Turei.

³¹ General Synod meets every two years.

(i) providing “mission and voice,” (ii) seeing to domestic responsibilities, and (iii) undertaking international responsibilities. The latter two are largely church-focussed, while the first relates to the relationship of the Church to the wider public. In particular, the first involves speaking out on social justice issues but is not confined to that. The New Zealand Church uses the principles of mission of Anglican Consultative Council 6 (1984) and Anglican Consultative Council 8 (1990) as a benchmark, *i.e.* proclamation, nurture, service, social transformation and integrity of creation. Nevertheless, the report notes that stating a position on public, ethical and moral issues “undergirds our evangelism,” but must “comprehend, and yet ride above, the divisions, which exist within the Church.”³² This is not the place to dwell on how well the Church in New Zealand addresses questions ranging from poverty to human reproduction to same-sex marriage, but holders of the primatial office may be looked to by the media, the public and decision-makers as spokespersons for the Church.

The three structural options set out in the report are (i) a single primate who remains a diocesan bishop; (ii) a single primate without a see; and (iii) a shared primacy amongst the three senior bishops of the three *tikanga*. None of these links the primacy to one particular diocese, as for example is the case with the Archbishop of Canterbury.

The first option was the traditional one in the Church. In order to fulfil the functions of diocesan bishop and primate, the bishop concerned needed to have assistance, in some instances by the appointment of an assistant bishop. One disadvantage of this was that, when the primacy was handed on to someone else, the assistant may have become largely redundant.

The second option was actually temporarily in place from 2004 to 2006 when Archbishop Vercoe, *te Pihopa o Aotearoa*, had a full-time appointment. However, in practice this option has not been pursued. The feeling coming through the 2006 Report is that the primate should be a bishop rooted in the day-to-day mission and ministry of the laity and clergy: a full-time primate is divorced from

³² *The 2006 Report* at R-85.

this or, as the report says, the primate “has no diocese, no mandate, no job description.”³³ New Zealand is a relatively small place geographically, even when adding in the Diocese of Polynesia. Coupled with modern communications, it is not impractical for the primate to combine the role with diocesan responsibilities. It may be different in a province that is spread far and wide.

The third option, which General Synod implemented, has the great virtue that it treats the three *tikanga* equally. The report stated that it “is true to the ideal of a shared episcopacy. Shared episcopacy goes a long way back in church history.”³⁴ On the other hand, major downsides include the need for “a high level of co-ordination” and three archbishops may be able to speak out on public affairs less easily than “when there is a single person whom the public knows as the ‘face’ of the whole Church.” “Shared leadership could mean poor public relations” according to the Report.

The Canon Law

In 2006 the members of General Synod chose the shared primacy model and that has now been put into practice. However, when enacted in 2008, General Synod passed changes to canon law that provide for all models of primacy, *i.e.* on a permissive rather than mandatory basis. The reason for this is that it allows a different model to be chosen at some point in the future without the need for a canon law amendment. The latter takes time, and a flexible approach to legal structures has its attractions.

To allow for the shared approach to primacy, the Constitution of the Province was amended. Clause 12 of Part C had provided for a single bishop to be primate and this was changed to read “One or more of the Bishops shall be appointed to the Primacy.”

The main canonical changes were to the detailed provisions on the primacy found in Title A (“Of Ministers”), Canon 1 (“Of Bishops”), clause 7 (“Of the Primate/*te Pihopa Matamua*”). The key

³³ *The 2006 Report* at R-88.

³⁴ *The 2006 Report* at R-89.

provision is clause 7.1.1. This provides that the primate may be either one person, elected in accordance with a procedure discussed later, or the three senior bishops representing the three *tikanga* of the province. No election is required for the latter as the three senior bishops exist as a result of being chosen by their *tikanga*, although a General Synod resolution appointing them is needed.

The canons provide little guidance about the senior bishops. In the Constitution, reference is made to “the senior of the bishops in full-time active Episcopal ministry, with seniority determined by the date of Episcopal ordination.”³⁵ However, this is not the meaning of seniority in the canon on the primacy. The senior bishop for Polynesia is the diocesan bishop of Polynesia, there being no other dioceses in the Polynesian part of the province. The senior bishop of *tikanga* Maori is *Te Pihopa o Aotearoa*, elected by an electoral college in accordance with clause 9 of Part D of the Constitution. The position in relation to *tikanga pakeha* is less straightforward. To understand properly, it is necessary first to note that a meeting with a wide brief is held called the Inter Diocesan Conference. This usually occurs at the same time as General Synod and its membership is the same as the *tikanga pakeha* delegates to General Synod. A Standing Resolution of the Inter Diocesan Conference provides a procedure for the election of a senior bishop “to be known as the “Convening Bishop.”³⁶ The active full-time *tikanga pakeha* bishops choose a nominee from among them, who must then be confirmed by the full Inter Diocesan Conference. If the name is not confirmed, the process is repeated until there is confirmation.³⁷ Interestingly, a deputy

³⁵ Clause 13 of Part C of the Constitution, which relates to the situation where need arises for an “Acting Primate.”

³⁶ Standing Resolution 4, Inter Diocesan Conference Reference Information (May 2010).

³⁷ At the 2006 General Synod, during a session on the primacy, the three *tikanga* split into three separate “caucuses” and *tikanga pakeha* is reported as having appointed a new senior bishop: *Proceedings of the Fifty-Seventh General Synod/Hinota Whanui* (2006) at 11. The Most Rev’d David Moxon, who was not the longest serving bishop at the time of his elevation, was chosen. He has since become the Archbishop of Canterbury’s Representative to the Holy See and Director of the Anglican Centre in Rome. His replacement as Archbishop is the Most Rev’d Philip Richardson.

senior bishop is also provided for, but this is simply the bishop who is the longest serving.

No rules are laid down about the age, experience or qualifications of a primate. There is no particular reason why the most newly consecrated bishop could not become the primate or a senior bishop. The reality is that a longer-serving bishop who is well familiar with the workings of the system is more likely to be chosen. There is also no upper age limit and indeed the current *Pihopa o Aotearoa* is well into his 80s. The absence of age limits reflects the domestic law of New Zealand, which in general prevents discrimination on the ground of age.

Where the option of a single primate is chosen, clause 7.3 of Title A, Canon 1 of the provincial canons provides for the election process. Similar to the process for choosing the senior bishop for *tikanga pakeha*, the bishops must make the nomination, having met “in camera” and voted for the nominee by a two-thirds majority. This must in turn be confirmed by the clergy and laity whose voting is by way of secret ballot. If this process fails, another election can be held, and then, if this again fails, an Acting Primate will step into the role.

As already noted, the practice in New Zealand, except for one short period, has been for primates to retain their diocesan responsibilities. However, if a future General Synod were minded to opt for a primacy without a see, under clause 7.3.13 of Title A, Canon 1 of the provincial canons it could require the primate to resign “any Episcopal Office or offices held at that time.” This option is not available where the shared primacy model is adopted.

The term of office is 6 years unless General Synod specifies another period. No restriction on re-appointment is provided for. Under the shared model if (for example) a senior bishop resigns, the place is automatically taken by the new senior bishop (or acting senior bishop), who will see out the term.

Clause 7.2.5 of Title A, Canon 1 of the provincial canons states in a rather unilluminating way that the General Synod Standing Committee must determine the primacy’s financial needs and provide for them. In reality, the vast proportion of the income for the work of the Church at the provincial level comes from a trust

fund, but roughly 20 per cent is contributed annually by *tikanga* and dioceses.

Conclusion

The New Zealand approach to the primacy took some time to gestate. The canon law is now in place, using an open-textured and flexible style. In practice the province has opted for job-sharing. Mirroring the three largely independent branches of the local Church, three bishops act as a triumvirate to fulfil the primacy function. Sharing may make it harder for the primacy to be “a focus for unity” and “speak for the whole Church”³⁸ on matters of public affairs, law, and social policy. Yet, it is also typically Anglican in that it represents a version of unity in diversity. It suits the contemporary shape of the Church and the increasingly pluralistic nature of New Zealand society.

³⁸ Title A, Canon 1, clause 7.1.4 of the provincial canons.

Church Governance and Growth In a Variety of Cultures

Conference Report July 20, 2001

Richard J. Jones³⁹

For The Center for Anglican Communion Studies,
Virginia Theological Seminary

Background

Fifteen Anglicans and one Methodist met by invitation at the Virginia Theological Seminary in the United States of America June 20-23, 2001 to discuss the topic “Episcopal Governance and Church Growth in a Variety of Cultures.” This conference, initiated by the Center for Anglican Communion Studies at Virginia Seminary, and co-sponsored by the Anglican Consultative Council, sought to examine the interaction of ecclesiastical norms with social norms, as both impinge on Anglican evangelism and the growth of the Church.⁴⁰ The Lambeth Conference of 1998 had offered a stimulating description of the bishop as “a witness to the resurrection and to the hope of Christ’s coming,” adding that “the bishop will be at the heart of a team of pastors and servants—from archdeacons to intercessors to lay office-holders and administrators in the parish—holding this vision and purpose together, a corporate witness to the

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⁴⁰ Virginia Theological Seminary gratefully acknowledges the generous financial assistance of the Episcopal Evangelical Education Society, Arlington, Virginia and the Gadsden Endowment of R. E. Lee Memorial Episcopal Church, Lexington, Virginia in helping meet the expenses of this conference.

resurrection.” The official report further noted: “We recognize that bishops and dioceses work in radically different contexts...they are always in creative dialogue and tension with whatever culture they call their own.”⁴¹ The conference in Virginia chose to focus on factors affecting the ability of bishops, working in radically different contexts, to live into this calling to be the chief missionaries in their settings, both evangelize and to encourage others to evangelize, so that the Church may spread and be built up as the body of Christ in the world.

Participants included lay persons, bishops, and priests; women and men; pastors and professors. Nine participants coming from two regions of the world brought case studies based on direct knowledge of the growth and governance of the church in their home region -- five from East Africa, and four from Latin America with the Caribbean. They were requested to focus on ecclesiastical sources of norms for governance, such as constitutions, canons, and prayer books, as transplanted or modified for autonomous ecclesiastical provinces, and on norms of authority and status which might be found embedded in local kinship, societal, and political groups.⁴² The remaining seven participants were members of the Church of England and the Episcopal Church in the USA with wide experience of the Anglican Communion and knowledge of theology, history, anthropology, or canon law, supplemented by the one member of the Scottish Methodist Church, for the total of sixteen participants. The proceedings were conducted in English and Spanish.

Encouraged by the endorsement of the Anglican Consultative Council and the Primates’ Meeting, as communicated by Secretary General John L. Peterson in a letter of 11 December

⁴¹ *The Official Report of the Lambeth Conference of 1998* (Harrisburg, Pennsylvania, USA: Morehouse Publishing, 1999), 178-79, 198.

⁴² Participants also brought copies of provincial and diocesan constitutions, canons, and other documents which they donated to the collection of Bishop Payne Library, Virginia Theological Seminary, Alexandria, Virginia 22304 USA. Researchers are welcome to contact Head Librarian Ms. Mitzi J. Budde by electronic mail at mjbudde@vts.edu.

2000, the conferees wish to reciprocate by reporting on our deliberations. Our concerns collected around several topics which we here offer for prayer and discussion in the ACC and for possible recommendation to the Communion as a whole. Our proposals may be of particular relevance to provinces or dioceses contemplating a revision of their constitution and canons.

Observations

1. This conference notes that the Church in some of our regions is ready to embrace an interdependence that goes deeper than autonomy.

After successfully pursuing an ant colonial agenda of self-determination, self-support, and cultural self-affirmation, some Latin American and Caribbean dioceses have found themselves in a lonely place. Where national boundaries coincide with diocesan boundaries, mutual correction between dioceses becomes all the harder. In more than one East African province, there has developed a tendency for every small language group to establish its own diocese. Such autonomy is not an ultimate Gospel value. Participation is. Paul the missionary declares that the bread and cup of the Lord's Supper are a *koinonia*, a participation, or a fellowship, in the body and blood of Christ (1 Corinthians 10:16). By calling our fellowship of churches "the Anglican Communion," we have declared that such eucharistic participation in the paschal mystery is at the heart of our identity. Eucharistic participation entails participation also with one another; "Because there is one bread, we who are many are one body, for we all partake of the one bread (1 Corinthians 10:17). To describe how culturally diverse churches can continue to coinhere in one another, we reaffirm the emphasis placed in 1963 by the Anglican Congress of Toronto on our mutual responsibility and interdependence in the Body of Christ.

2. This conference notes the confidence which an Anglican understanding of the Church places in lay people.

The outpouring of God's Spirit from the first Pentecost until now has fallen on the whole people of God. All who are baptized become participants in the life of Christ and bear witness to that life.

Fresh movements of the Holy Spirit over the past century have renewed many Christians' awareness that the Church is the whole people of God, and that God is equipping us now to speak boldly of our hope, to resist evil, and to serve even the neighbor who is very different from oneself.

The historic three-fold ministry is fundamental to our Catholic identity as Anglicans. However, 99% of the people of God are not in Holy Orders. The laity have always played fundamental roles not only in the mission but also in the governance of the Anglican Church. The lay Head of State in England was given the title of Supreme Governor of the Church, with the church's bishops playing an important but minority role with the laity in Parliament, together governing a church and state perceived together as a single body politic. In the absence of residential bishops for 175 years in colonial British North America, vestries comprised of laymen cared for the material life of parishes. In the primary evangelization and later revival of the church in East Africa, lay fellowships of prayer and accountability were a vehicle of the church's spread, along with schools and hospitals where God's love was shown in the actions of lay Christians. In a diocese of the Caribbean where the church is now growing robustly, lay members open their family residences to make them sites of embryonic congregations.

Hence, we can affirm that lay members of the Anglican Church stand squarely in the primitive tradition of the Prophets and Apostles when they take their places not only in the outward mission but also the internal governance of this fellowship.

3. While we vigorously endorse fresh appropriations of the Gospel into each human culture, this conference also notes the need to submit even our dearest cultural expressions to the scrutiny of God.

From God's calling of Abraham to the divine taking on of a specific Jewish identity in the Incarnation, God has honored the particularities of human culture. John's vision of the End sees a plurality of cultures preserved, with "a vast throng...from every nation, or all tribes, peoples, and languages, standing in front of the throne and before the Lamb" (Rev. 7;9). This hope makes us

unashamed to be human in whatever particular ways our own society prescribes. Yet every society also leaves its members enough occasions for the conscientious choice that Christian members of society must ask, "How should believers behave?"

If we were Muslims, the place to look for an answer would be straightforward, at least in principle. God has given his revelation in a book; from that original revelation a code of law can be deduced that covers every aspect of life. There is an element of cultural fixity in this code, because it confers special privilege on the conditions of seventh-century Arabia.

As Christians, our approach is different. God's revelation has come in a person. The Word became flesh—the flesh of a particular human group, in a certain time and place. This implies that revelation is always culturally specific. Hence Christ's followers must in their turn creatively translate God's guidance into their particular current settings. A crucial turning point is reported in Acts 15. Hitherto, all believers had had a common lifestyle, that of observant Jews. The Apostolic Council in Jerusalem determined that this lifestyle should not apply to Hellenistic believers from the Gentile world. After that, all the old guideposts were gone: a new Christian Hellenistic lifestyle had to arise, transforming Hellenistic society from within.

So the Christian attitude to culture is neither unqualified affirmation nor total rejection. Christians seek the *transformation* of their culture, turning it to Christ. Transformation means turning what is already there, not substituting something wholly alien. Cultures are not static. They are open to constant flux. Yet, though cultures may contain contradictions or tensions, they are generally coherent, with interlocking practices. Hence our goal in mission is more the directing of a culture into new paths rather than the substituting of specific Christian norms for ones that had previously existed.

To take one example, polygamy affects the growth of the church when men or women in polygamous marriages are disciplined by being barred from receiving Holy Communion and from leadership roles. Yet multiple factors may underlie polygamy as an institution: economic relations; the desire for prestige;

maintenance of the group; provision of societal support. Suppression of such an institution may have unintended effects elsewhere in the system. Thus the Church's decisions about this particular situation cannot deal with polygamy simply as a breach of moral law, but as part of a whole society which needs to be drawn to the transforming Christ.

We have heard different degrees of urgency in our discussion of polygamy, from the Episcopal Church of the Sudan on the one hand and from the Anglican Churches of Uganda and Kenya on the other. This difference may partly reflect the fact that Anglicans in Uganda and Kenya have been wrestling with their response to polygamy for several generations, while in the Sudan some large ethnic groups have only in this generation undertaken their first serious engagement with Christian views of marriage.

Over time, as the interplay between Christ and human culture continues, the mind of the Church on a particular behavior may change. What the Lambeth Conference of 1988 thought about polygamy stands in some contrast with the mind of the Lambeth Conference of 1888.⁴³ By deliberating in council, the Church learns the mind of Christ. An example from the Caribbean region illustrates a different sort of cultural expression colliding with Christian moral tradition. The Episcopal Diocese of Cuba has survived a generation of economic reorganization of Cuban society and emigration of the former elite, following the revolution of 1959. For a number of years, the Episcopal Church lived in tension, some leaders experiencing relations with the government as persecution, others simply frozen in the face of the propagation of Marxist doctrine. A creative metropolitan arrangement had to be invented to permit modest financial assistance from sister church and the former mother church

⁴³ The earlier Lambeth Conference concluded that baptism should be withheld from a polygamist, while the later Lambeth Conference held that he might be baptized if the local Anglican community consented, and if he took no additional wife after baptism. See Resolution 26, "Church and Polygamy," *The Truth Shall Make You Free: the Lambeth Conference 1988* (London: Church House Publishing, 1988), 220-21; and Resolution 54, *The Lambeth Conferences of 1867, 1878, and 1888*, Randall T. Davidson, ed., (London: SPCK, 1896), 278.

to reach the Diocese of Cuba, while leaving the Diocese free from the jurisdiction of a synod that meets in diplomatically unfriendly territory. (A new provincial structure which can accommodate the Diocese of Cuba with others in the Caribbean region continues to need creative study.) Meanwhile, the Anglican congregations which have escaped from stagnation into growth have been those composed of Cubans of American descent, yet the clergy and bishop serving this diocese remain people of predominantly European descent. Even this faithful and persevering church appears to have still more to learn from the mind of Christ, “who has made us both one, and has broken down the dividing wall of hostility” (Ephesians 2:14).

We have confidence in the truth which is in Christ Jesus and believe we have adequate access to that truth, through Scripture and Tradition together, to engage creatively with the choices and social changes before us in our very different societies around the world. The story of redemption in any one setting is cross-generational. The Christian story is a journey. Each church in each society has an itinerary. No generation will see the whole, or complete the translation of the mind of Christ for all time. Yet the church in each society and each generation must seek that mind.

4. This conference notes inherent tension between Episcopal leadership and synodical government but suggests that the Anglican Communion welcome this tension, rather than try to eliminate it.

We welcome the suggestion that the life of the Anglican provinces and of the Communion as a whole is “episcopally led and synodically governed,” an insight offered in the Virginia Report to the 1998 Lambeth Conference (see especially Chapter 5).⁴⁴ Simply put, we are guided by both bishops and councils.

Councils take the form of diocesan synods and conventions, as well as provincial councils, synods, and conventions. Their role is to deliberate and legislate, both on specific concerns and on general,

⁴⁴ *The Virginia Report: the Report of the Inter-Anglican Theological and Doctrinal Commission* (Harrisburg, Pennsylvania, USA: Morehouse Publishing, 1999), 38.

long-term functions and structures. The stable structures of Anglican dioceses and provinces are established by their synods, in which all orders of ministry participate: lay persons, bishops, priests, and deacons. Bishops offer spiritual and pastoral leadership. Bishops honor synodical governance as they act in accordance with directions set by synod.

Bishops also offer executive leadership, in that they make decisions on specific matters, guided by the general principles and patterns framed by the councils of the church. Bishops can offer leadership partly because they are individuals. We were struck, for example, to hear one bishop describe the Church as a dove in flight, sustained on a wing of evangelism and a wing of social service. Here was one leader's vivid way of affirming that mission in both these modes is right and urgent. Bishops can be catalysts for mission. Bishops and diocesan structures can support local congregations in mission.

In some parts of our Communion, however, the role of bishops in leadership has grown out of proportion to synodical governance. Simply put, bishops sometimes exercise power at the expense of councils. The result is that the participation of the whole people of God is diminished. In turn mission is diminished. Where lay people, and often the clergy as well, are excluded from the decisions that resolve particular issues or determine the future direction of a church, hurt, anger, frustration, and despondency are often the results. In some settings, incessant conflict between people and bishop ensues. In others, valuable leaders simply withdraw from the life of the church.

To live with the tension inherent between Episcopal leadership and synodical governance is not unlike the effort required to listen to Scripture, to value Tradition, and to use our God-given reason to make sense of new situations. Both endeavors require of us—as individuals and as communities—to cultivate the Holy Spirit's gifts of faith, love, and hope. Could it add to our hope if we considered that the tension between Episcopal leadership and synodical governance built into Anglican structure is given to us, not as a punishment, but as one more means of grace?

Proposals

Having noted some of the issues and some of the resources Anglican Churches can draw on in seeking to coöperate more obediently with what God is up to in the world, we also offer three proposals to churches in the Anglican Communion.

1. This conference asks the ACC to encourage provinces to reflect on both the pitfalls and opportunities arising as the historic episcopate is locally adapted.

The Chicago-Lambeth Quadrilateral of 1886 and 1888 recognized the need for the Episcopal office to adapt to local culture. We rejoice in the wonderful variety in modes of leadership that have since emerged, along with locally adapted worship, theology, and pastoral care. At the same time, we grieve to see dioceses where bishops appear more accountable to their class or ethnic group than to God. We are aware of whole societies and large numbers of clergy who live in harsh and unnecessary poverty. We are likewise aware of ethnic groups who live under threat. However, no office in the Church should be sought to advance personal security or to protect group interest. We need leaders who serve God by serving even the neighbor who is different. Provinces should be urged to look critically at the compatibility of their particular adaptation of the episcopate with the Gospel's mode of the leader as one who serves.

2. This conference asks for a review of provincial constitutions and canons with an eye to ensuring robust synodical governance.

We suggest that the Anglican Consultative Council encourage the leaders of each province to examine their constitution and canons with a view toward ensuring that synodical governance is enabled to function as a way to learn the mind of Christ in new situations. Leaders undertaking such review should include, in addition to bishops, the chancellors, standing committees, synods, and any other groups (particularly women's groups) which have responsibility for the overall direction of the province. Particular areas of scrutiny might include:

- Broad participation in setting agendas for synods;

- Timely circulation of information about the proposed agendas of synods;
- Rules of order ensuring adequate debate of issues;
- Rehabilitating traditional resources available in local societies, such as councils of elders;
- Rules of order limiting the power of Episcopal veto;
- Synodically determined procedures for financial disbursements and reporting;
- Review by standing committee of clergy placements and dismissals.

We are not recommending the elaboration of laws to answer in advance all questions about Christian living. Excessive legislation makes itself a burden or an irrelevance. Constitutional structures and necessary canons should be the least that will really do the job. They are like a skeleton which allows the life systems of a vertebrate to function. They are like a chart of underwater topography: unneeded during smooth sailing, but invaluable when exploring new waters or contending with a storm. Revision need not mean a longer constitution or canons, but only a constitution and cannons that allow the gifts of all to be used, and so allow the Church to grow.

3. This Conference asks if there are better methods for discovering the persons God may have chosen for episcopal office.

In particular, we suggest that the ACC recommend that provinces reconsider the appropriateness of competitive elections. We are grieved by elections characterized by threats, inducements, and deadlock. In some instances, the life of a diocese may be moving forward well until an electoral contest infects the diocese with distrust and recrimination. We are aware of an emerging Anglican norm that competitive elections are the only way to assure participation of the whole people of God in the selection of bishops. Without for a moment compromising our insistence on such wide participation, we yet wonder whether in some settings participation may be secured by means more in keeping with patterns already followed in local society. Processes of deliberation and consensus

may in some settings be neither autocratic nor purely democratic yet may ensure the significant participation of all the baptized. We ask the ACC to consider whether it might be appropriate to recommend that provinces take this possibility into account as they examine their common life and the one mission we share.

Beyond the episcopal selection, the Acc might do well to request evaluation of locally adapted training for new bishops. Such programs should include training in administration of both financial and human resources, as well as teaching on the role of the chief pastor as a symbol of our unity, as a leader in service, and as a collaborator with synod and diocesan committees.⁴⁵ [6](#) We believe that bishops who are confident in their own abilities and clear about their complex task will be more effective leaders of dioceses in mission.

Participants

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⁴⁵ For suggested training topics, see Simon E. Chiwanga, "Beyond the Monarch/Chief: Reconsidering the Episcopacy in Africa," in Ian T. Douglas and Kwok Pui-Lan, eds., *Beyond Colonial Anglicanism: The Anglican Communion in the Twenty-First Century* (New York: Church Publishing, 2001).

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Episcopal Church of Sudan
- Rev. Melissa Q. Wilcox, Diocese of Connecticut, Protestant Episcopal
Church in the United States of America

Notes and Resources

- Episcopalians interested in pursuing a graduate degree in canon law have limited options. It is possible to earn an LL.M. in Canon Law from the University of Cardiff in Wales (<http://www.law.cf.ac.uk/courses/postgraduate/canon/index.php>).

At least one person has found it possible to focus on Episcopal canon law in the Ph.D. program at the Law Faculty of the Free University of Amsterdam. The decision as to whether anyone else would be able to follow this route is up to the primary professor with interest in Anglican Canons. That is Professor Jan Hallebeek (<http://www.rechten.vu.nl/en/about-the-faculty/faculty/faculty/legal-theory-and-legal-history/hallebeek-j-j.asp>).

- Frank Helminski, Vice Chancellor of the Diocese of Pennsylvania, is the current student in Legal History at the University of Amsterdam. His thesis is entitled "Ecclesiastical Courts and Trials in the Episcopal Church, 1789-2015." In his proposal for the dissertation he notes that following the American Revolution members of The Episcopal Church lacked "lawyers and judges trained in the civil law at Oxford or Cambridge, as found in the English ecclesiastical courts" and therefore suggests that American "church trials necessarily followed a model of common law pleading and procedure" with church court decisions in the 19th century leaning "more heavily on biblical analysis than legal precedent." He notes that "in the 20th and 21st centuries the trials became more parallel to trials that might occur in a secular American court," but that successive General Conventions have sought alternatives to the "adversarial judicial model of discipline."

As part of his research of this topic, Vice Chancellor Helminski would like to review as many ecclesiastical court

and trial records in The Episcopal Church as may be accessible. He already reviewed some records from the Archives of the Episcopal Church in Austin, but visiting the archives of each diocese is not feasible, so he would like to ask help from diocesan historiographers and archivists. Because confidentiality could be an issue, you may want to contact Frank directly to discuss possibilities at helminski@helminski.com or 610-448-1591.

- The following events and conferences are for members of The Episcopal Chancellors Network, which is open to membership by Chancellors and Vice-chancellors of the Dioceses of The Episcopal Church. For information on membership or any of these events or conferences, please contact Lawrence R. Hitt II, Esq., President of The Episcopal Chancellors Network (Lrhitt2@msn.com).

- Western Chancellors Conference, San Diego, CA April 19–22, 2015
- General Convention Chancellors Daily Social Hour Salt Lake City, UT June 23–July 3, 2015
- ECN Chancellors Dinner at General Convention Salt Lake City, UT June 30, 2015
- Province IV Bishop’s and Chancellor’s Conference, New Orleans, LA October 22 -25, 2015
- ECN Church-wide Chancellors Conference (scheduled only every three years) late April or May, 2016–Dates and location TBD