

## TOWARDS 2000: CHURCH AND STATE RELATIONS

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Mr Chairman, Vicar General, Worshipful Chancellors, ladies and gentlemen. This is the second time that I have been privileged to address this Society. Three years ago I spoke after a good dinner at Corpus Christi, Cambridge, when members' critical faculties had undoubtedly been dimmed by the College claret! It is quite a different thing to speak to you today on a dull Saturday in the solemn environs of Westminster Cathedral, especially as in 1987 I spoke as a diocesan bishop and today I speak as one of those living in what is euphemistically called "retirement". It is a demanding way of life in which one lacks the resources and the defences long taken for granted, and of course, it is subject to the changes and chances of British Rail for which I profoundly apologise. I had an unscheduled bus journey of an hour and three quarters round the villages of my former diocese this morning.

I speak as a general practitioner and in no sense whatever as a specialist, least of all as someone with legal knowledge. I have been dependent for a long time on the experienced and competent legal secretary that I had at Rochester, and on a learned and distinguished Chancellor, both of whom are among the officers of this Society and who therefore today have more to answer for than usual.

The story of Church and State is an on-going saga and the relationship of the nation to the national church has been a recurring theme in each century in English history. When anyone says that the Church is facing a crisis, as they constantly do on both sides of the Thames, it is no exaggeration to tell them that the Church has been facing crises in most years in most centuries. The situation is never the same for very long and those of us who have lived through half a century or more know that we have seen the partnership of Church and State evolving before our very eyes.

The word "establishment" has come to be used in the popular language of the day as a way of describing "them", those in positions of authority, and the word has overtones of privilege, re-action and self-satisfaction. It has been defined as the popular belief in a single power elite extending over the political social and economic life of the nation, and the Established Church, the Church of England as by law established, is a description of the Anglican Church in England now used for the most part only by those who do not belong to it. The words "by law established" were originally used to denote the statutory powers by which the allegiance of the Church of England to the Sovereign, as well as its forms of worship and doctrine, were imposed by law. The phrase distinguished the legality of the national Church from other Churches which were then unlawful and whose worship and doctrine were then proscribed. Today this distinction has disappeared and the legal implications of the phrase are, I believe, much less obvious.

When I was an incumbent, I was far more conscious of belonging to the world-wide Anglican Communion than I was of being part of an Established Church. I was, perhaps, only conscious of the latter on Remembrance Day and when the Licensed Victuallers Association elected to come to the Parish Church for a Carol Service between closing time after lunch and opening time after tea.

When I was nominated a bishop you might have expected that I would be brought face to face with the Establishment but it so happened that before I laid breakfast for twelve on a July morning in 1960, when an Irish presbyterian family were staying with us, I opened first, a letter from Archbishop Geoffrey Fisher of blessed memory, which stated that, whilst he was at that time in Africa, he had arranged for his letter to be sent to me so that I should know that it was his wish and that of the Archbishop of York that I should become a bishop. I then rummaged through the rest of the post and found an envelope bearing the ominous words 'Prime Minister'. My free church friends were not the only ones who were pleased that Archbishop Geoffrey got in first, as he so often did!

When I began to exercise the responsibilities of a diocesan bishop, I quickly became conscious of what I have come to regard as the really important thing about the Established Church. This is that its parishes extend over every square yard of England and that every citizen resident in a parish, has, regardless of their own religious commitment or lack of it, a rightful claim upon their parish priest. This is at one and the same time our greatest privilege and our greatest burden, which the Pastoral Measures have done no more than to mitigate. It is our nationwide parochial system that is the basis of our nationwide mission, sustained as it is in so many places by resident laity and non-resident clergy. If small parishes or unsuccessful parishes could be closed down like branches of Boots or Woolworths that do not pay, the laity in many places would have lost heart long ago. As it is, it is the parochial system, for all its weaknesses and all its anomalies, that is the really significant feature of the Established Church and one, in my judgement, not to be lightly cast aside.

It is, I think, important also to remember that all Churches have a basis in law. Their constitution and rules, together with their property rights, are enforceable under the law relating to all voluntary and property owning bodies. The Methodists, the United Reformed Church and the Baptists, all of them known as 'Free Churches', have to promote Acts of Parliament to secure a modification in their constitution as well as in their trust deeds for holding property. Both a recent Act affecting Methodist Church properties and the Act consequential upon the union of Presbyterians and the Congregationalists into what we now know as the United Reformed Church were only got through the House of Commons after considerable activity by the Whips, and in the latter case, as Tony Benn recounts in his diary, by the votes of Church of England members of Parliament after midnight. Only so were the wrecking tactics of the Irish backwoodsmen resisted.

At the beginning of the century, the position of the Church of England was regarded by many in the Free Churches with jealousy and resentment. It was thought to be privileged and protected, as well as rather pompous if not precious. At the time of the Education Act of 1902 there was a strong movement in favour of disestablishment, but the outbreak of the First World War in 1914 changed the whole course of events. What happened was that the Welsh Church was disestablished and as Mr Thomas Glynn Watkins, a member of this society, makes clear in a paper on "Vestiges of Establishment" which he kindly sent me, the Church in Wales is now free to devise its own laws and regulations apart from some rather strange vestigial matters about which he writes relating to baptisms and burials. The Church of Ireland remained, as it does today, a Church which extends throughout the whole of Ireland and which knows no boundary between North and South, whilst the Church of England was enabled, by an Act of 1919, to have

a large measure of self government with unique delegated powers from Parliament to prepare Measures which can be presented for the Royal Assent after the Lords and Commons have concurred. They can only agree to a Measure being presented or decline to do so; they can neither amend it nor delay it.

At the time, the Enabling Act was undoubtedly heralded as the start of a new era in Church and State relationships and such great men as William Temple and Dick Shepherd were among the leaders of what was called “the Life and Liberty movement” in the Church of England. All went well for a while, but after only seven years, Parliament rejected, not once but twice, a revised prayer book which the Church Assembly had seen as one of the first tasks of a Church that was still using a seventeenth century prayer book dating from the reign of Charles II. The rejection of the 1928 prayer book showed that at certain crucial points in its life, the Church of England was still subservient to parliament, and that the House of Commons, with a majority made up, perhaps, of non-believing English members – not to speak of Scottish, Welsh and Irish members – could over-ride the elected representatives of the clergy and laity of the Church of England as well as of the Bishops. So fresh impetus was given to yet another look at Church and State relationships and it is significant that in the first seventy years of this century there were no less than four major commissions and reports on Church and State.

There were, of course, other factors at work as well. Society was changing at a rapid rate; people were less ready to identify with a particular church although many would still claim to be Christian. Immigration brought large numbers of non-Christians to live here – in such a pluralistic society it was not only the churches which had to look to themselves afresh in what was a quite different situation. Some of those who think that history can be a dead hand upon the present, and are more impressed by its discontinuities than its continuities, demand that the Church should justify itself at the bar of society, not in terms of past grandeur, but of present service to the community. Some of them give theological justification to their views because they see the Church primarily as the community of faithful and worshipping Christians who have the responsibility of proclaiming the gospel and of speaking to individual souls. They are impatient with the legal sub-structure of the Church and they regard the State connection as they regard the Horse Guards in Whitehall – a colourful hangover from the past but not much use in modern warfare. Such people press for a radical change in the relationship between Church and State and they argue that the bogey of disendowment is not nearly as threatening now as it was a century ago because the parishes bear a so much larger part of the cost of ministry.

There are some, on the other hand, who value the long history and inherited traditions of a Church that is both catholic and reformed and which has a long record of liberal scholarship and open enquiry; they do not wish to discard lightly the idea of a national Church nor do they want the Church to despise the inarticulate feelings of many of the people on its fringes. They are fearful lest any prising apart of the links between Church and State could threaten the national recognition of Christianity; a view that is shared by most of the responsible Free Church leaders today in marked contrast to that of their predecessors in 1902. They also realise that the long complex process that disestablishment would involve would divert the whole Christian community in England from its main tasks for a generation or more.

The truth is to be found, as so often, probably somewhere between these two views. The Church of England is today in partnership with other Churches in a pluralistic society. In many places those Christian partners co-exist with those of other faiths and often work closely with them. So far as the Church of England is still called a national Church it is because it professes a mission to the whole nation and seeks to serve it nationwide, and not only in the places where it is strong. The Church needs to be seen as a serving Church and not a ruling Church and it must rely not on privilege or prestige but on pastoral care faithfully exercised for all persons regardless of their race or rank.

The most recent changes in the relationship of Church and State have taken account of this change of atmosphere and the scene is very different today from when Archbishop Cyril Garbett wrote his book on Church and State only forty years ago, and said that parliamentary control of worship, the system of episcopal appointments and the role of bishops in the Lords were among the matters of great concern. Fifty years after the Enabling Act of 1919, the Synodical Government Measure of 1969 gave lay men and women in the church, along with the bishops and clergy, responsibility for determining matters of doctrine and liturgy as well as for finance and administration. In 1974, the Worship and Doctrine Measure removed the control of Parliament over the services and teaching of the Church. The General Synod is now free to order the worship of the Church without reference to Parliament, with the one exception that the 1662 prayer book cannot be discontinued without reference back to Parliament; a concession which Owen Chadwick in his 'Life of Michael Ramsey' makes clear was due to that highly politically sensitive Primate, who could so easily have been a leader of the Liberal Party!

Since 1974 the Church of England has been free to initiate and authorize new services and on its own unfettered authority it has issued the Alternative Service Book of 1980 to co-exist with, but not to replace the Book of Common Prayer, promulgated three hundred and eighteen years before. Like others of you, I was involved in the whole long process. At one point there were a thousand amendments on the order paper at one time. There had to be a majority in favour in each of the three Houses of bishops, clergy and laity every time. Whilst the General Synod may have failed to reach agreement on christian unity or on marriage discipline, its greatest achievement, in my judgement, is that it managed by repeated and consistent support to agree to the publication of the Alternative Service Book, and I have no hesitation in saying that this has brought about a greater measure of common prayer in England than has been known for a century or more.

The Chadwick report on Church and State also prompted a review of the procedure for the appointment of diocesan bishops. Hitherto a bishop was nominated by the Sovereign on the advice of the Prime Minister who consulted widely and privately, but the final decision was always made at 10 Downing Street. It is hard for us to contemplate it today but in 1890 the Prime Minister, Lord Salisbury, offered Randall Davidson, then Queen Victoria's much loved Dean of Windsor, the Bishoprics of Worcester and Rochester in the same post on the same day! The Queen was furious, but the Prime Minister was adamant. Eventually she said "Well, if you must desert me you had better go to Worcester where the people will not be so rough!" To his everlasting credit he went to Rochester but not for very long!

In 1977, at the instigation of the General Synod, an agreement was made with the support of all three political parties that in future an elected Crown Appointments Commission, including representatives of the vacant diocese, should decide upon two names for submission to the Prime Minister who would then submit one of them to the Sovereign. This was a compromise solution which did not go as far as many in the General Synod of that time wished – but it involved no legislation, it avoided the pitfalls of direct election and it left the position of the Crown unchallenged. The arrangement will not last for ever and perhaps the next change will come when the Churches move towards a closer union or a Prime Minister kicks over the traces. But it should be remembered that what is sometimes described as being based on a ‘ladies agreement’, in fact rests upon a Prime Minister’s statement in the House of Commons which was translated into a Regulation of General Synod. The agreement cannot lightly be changed at the whim of a Prime Minister or an Archbishop. Today there are 39 out of the 43 bishops who have been appointed under the new system, perhaps rather more significantly Mrs Thatcher has appointed 38 of the 39.

The presence of the Bishops in the House of Lords is thought by many to be an anomaly in our pluralistic society, but it is of course an outward and visible sign of the inward and spiritual truth that Church and State in England have been woven together down the centuries and that bishops were involved in the King’s government before the faithful Commons. The reform of the House of Lords, if not its abolition, is a regular ‘silly season’ topic, but the necessity for a second chamber and the advantages of having a House that is not beholden to an electorate has been appreciated more widely of late, perhaps because of the televising of the Upper House and also because, on occasion, the House of Lords has been seen to be providing the only effective scrutiny of government policy.

In 1968 there was all party agreement on proposals for the reform of the House of Lords which would have reduced the number of bishops to sixteen, of whom only five would have had a vote. Bishops, however, would have been able to opt out in favour of one of their colleagues which they cannot do at present. It would have been a significant development which would undoubtedly have altered the balance of Church and State relationships in the long run. It fell, of course, because of the unholy alliance of Enoch Powell and Michael Foot. But the Lords did not remain unchanged; the arrival of life peers, the greatly increased daily attendance and the much heavier programme of work, have changed the whole ethos of the House – a House which contains more women and a lot more independent members than the House of Commons. Twenty-five years ago Harold Wilson appointed Donald Soper, a Methodist and later George McLeod, a minister of the Church of Scotland, to be life peers. Sadly that has not been followed up since, although Mrs Thatcher recently nominated the present Chief Rabbi as a life peer. In a House of Lords debate as long ago as 1974, I ventured to say that many of us hoped that the time was coming when representatives of the Roman Catholic Church and the Free Churches, with whom we were working so closely up and down the country, would be summoned to sit alongside the bishops in the House of Lords. If that were to happen, it could lead to a widening of the establishment rather than to its repudiation. This in turn could lead to a new partnership between Crown, Parliament and the Churches and I think it would undoubtedly be an enrichment to the life of Parliament.

Now that the British Council of Churches, which I saw inaugurated in 1942, has held its last meeting and is being succeeded by a new inter-church

process, including the Roman Catholic Church and the Black Churches, the whole balance of ecumenical relations will be altered and this might ultimately facilitate a more inclusive ecumenical establishment rather than the disestablishment of the historic Church of England. Meanwhile, we must not underestimate both the degree of co-operation that already exists between the Churches and also those areas in which there is effective co-operation between Church and State.

Nineteen years ago, negotiations were begun to secure State aid for historic churches still in use, in the same way as the State had long aided historic homes and secular buildings. A modest scheme began in 1977, whereby church buildings of all denominations, which are historic and still in use for worship, could get assistance for the maintenance of the fabric. Successive Governments, both Labour and Conservative, have maintained this State aid. £7,000,000 was received last year and the total over the last thirteen years exceeds £44,000,000. At the same time the State has borne an increasing share of the cost of maintaining historic churches that have been declared redundant. The amount of money involved is not large, for the number of churches being preserved in this way is comparatively small. But the assistance from the State has helped all the denominations by releasing their own funds to build new churches where they are needed. In twenty-seven years in Rochester diocese I consecrated or dedicated twenty-five new church buildings which was more than twice the number of those that I declared redundant. This year, in partial compensation for the effects of the Poll Tax on the churches, the government is contributing ten per cent more of the cost of redundant churches and an additional £3,000,000 of State aid for historic churches in use. This I take as no more than a gesture and it will not deter those responsible from seeking more State aid for this part of our heritage.

I suspect that the day is not far off when Cathedrals will also be seeking State aid; if this happens, it must surely be done, so far as the Church of England is concerned, with the support of the diocese as well as of the Dean and Chapter. Cathedrals must not be presented as independent corporations outside the mainstream of church life, but as taking their place alongside the historic parish churches as part of our national heritage. It was Mrs. Thatcher herself who said, in answer to a parliamentary question that she would not like the amount of money available to parish churches to be less because of the demand from cathedrals.

Before the scheme for State aid began, and I do regard it, quite unashamedly, as a valuable partnership of Church and State, we were required to give an undertaking that there would be a major review of the faculty jurisdiction procedure. This was because adequate accountability was one of the requirements of successive Governments before they would agree to State aid for churches and I am sure the same will be true for Cathedrals. The report of the Faculty Jurisdiction Commission, 'The Continuing Care of Churches and Cathedrals' has led to two Measures which are in the last stages of synodical consideration and both of which should receive the Royal Assent by 1991. It may well be some while before the full implications, or indeed the full cost, of these two Measures are appreciated in the dioceses, but without them the continuance of State aid would have been at risk.

At the same time as the Faculty Jurisdiction Commission was at work the Department of the Environment conducted a wide-ranging enquiry into the exemption from listed building control of buildings in ecclesiastical use. To the

surprise of many, the consternation of a few, and the deep satisfaction of those of us who had spent fifteen years in fairly sustained negotiations, it was announced in Parliament in October 1986 that the exemption would be generally retained. It was also announced that State aid for historic churches would be made permanent and the minister expressed the hope that with good will on all sides, these proposals could bring lasting improvement to the way we protect our church buildings. In many dioceses the local planning authorities and the conservationist bodies are represented on the Advisory Committee for the Care of Churches and the new Measure will make this an obligation. I recently chaired for the fifth time, a conference of Archdeacons from all the dioceses together with representatives of English Heritage, the “quango” now entrusted with responsibility for State aid. It was a valuable opportunity for exchange of views and I am hopeful that many of the Archdeacons went away reassured about the effectiveness of this partnership.

In conclusion I would like to risk some ‘minor prophecies’. I see a second stage in synodical government coming about led by those who have known no other system and who will, I suspect, find their way in time to fewer meetings and to less legislation. I see a recovery of the confidence between Parliament and Synod, once the present Ecclesiastical Committee of Parliament ceases to try to redefine “expediency” as it has been understood since the 1919 Act and also stops trying to go beyond its brief. Co-existence will always be subject to periods of turbulence. Both Geoffrey Fisher and Michael Ramsey had continuing rows with Conservative Ministers every bit as severe as those which bishops today have had to contend with. I see an extension of the Crown Appointments system to cover other Royal appointments besides diocesan bishoprics and perhaps even a revision of the system which might permit the Crown, the Archbishops and the Convocations to handle appointments, as they do Canons Ecclesiastical, without reference to the Prime Minister or to Parliament. I see an enlargement of the concept of Establishment, made possible by the new inter-church process and hopefully by a readiness to see representatives of all religious traditions in the Upper House of Parliament. Much further on, as every one of us would hope, I cannot believe that the Coronation of the next Sovereign will not reflect the changes in ecumenical relations and the reality of the establishment as it then will be. This should mean that the Cardinal and the Moderators will all have a share in the event as they now have in every State service, including Royal weddings.

I have spoken only of Church and State in our own country. Similar changes, as you have heard already today, are taking place in other parts of the world as well. The emergence of Eastern Europe nations into the democratic world and the dramatic changes going on in Russia are having important repercussions for the Churches in those countries. The same was true in China until the unhappy events of last year, but I believe the setback there will end when there is new and younger leadership. All round the world creative forces are at work even as new dangers are emerging. But where the Church is united and clear in its witness; where it cares deeply about human rights and social justice, where it stands firmly for integrity and honesty and above all else for the care of the poor, the deprived and the homeless, there its relationship to the State continues to be relevant and meaningful. In England our history goes back a long way and Church and State have grown together, side by side, as the Houses of Parliament and Westminster Abbey bear witness. I believe that the evolution of the relationship of Church and State will continue even if we cannot see clearly what the developments in the twenty-first century will be. Today is the child of yesterday and the father of tomorrow. We look back with gratitude; I believe we can look ahead with hope.