### PARSON AND PARISH

is published by

## THE ENGLISH CLERGY ASSOCIATION

PATRON: The Right Reverend & Right Honourable The Lord Bishop of London

Founded by the Rev'd EDWARD G. COURTMAN in 1938

The Clergy Association has the following aims, revised in 1992:-

The English Clergy Association, as the successor to the Parochial Clergy Association, exists to support in fellowship all Clerks in Holy Orders in their Vocation and Ministry within the Church of England as by law Established; to uphold the Parson's Freehold within the traditional understanding of the Church's life and witness; to oppose unnecessary bureaucracy in the Church; to monitor legislative and other processes of change; and to promote in every available way the good of English Parish and Cathedral Life and the welfare of the Clergy.

Membership is open to all who support the aims of the Association, including retired clergy, and clergy of the Church in Wales, the Episcopal Church in Scotland, and the Church of Ireland, and lay people. Each new application is considered by a Committee of the Council of the Association.

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OFFICE ADDRESS:

THE OLD SCHOOL, NORTON HAWKFIELD, NEAR PENSFORD, BRISTOL BS39 4HB. Telephone: 01275 83 0017

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# **PARSON & PARISH**

## the half-yearly magazine of the English Clergy Association

Issue Number 159 Epiphany AD 2003

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#### FROM OVER THE PARAPET

#### **Editorial**

### The proposed Clergy Discipline Measure

Over two years ago, in November 2000, the General Synod of the Church of England gave its final approval to the proposed Clergy Discipline Measure. Its legislative proposals are presently being considered by the Ecclesiastical Committee of Parliament, and its next meeting to hear the matter, we are informed, will probably be in February this year. The memory of the Churchwardens Measure's troublesome journey to the statute book — and its arrival as a shadow of its former offensive self — is never far way, and this Association's Council hopes that the Clergy Discipline Measure 2001 will receive similar robust scrutiny by the parliamentarians.

Let it not be said that we take a perverse delight in scuppering the Synod's purposes. Rather, we believe these proposals to be similarly ill-devised and, ultimately, found wanting in the protection of those for whom our Association exists: the parochial clergy and people of our land.

The present disciplinary legislation for clergy is found in the Ecclesiastical Jurisdiction Measure 1963. Its procedures are said, by advocates of reform, to be cumbersome, cripplingly expensive, and humiliating to the Church; perhaps, above all, it is difficult, under the current legislation, to secure a conviction. True, it has its shortcomings, and not least in that, although both any priest and deacon come within its ambit, in practice it has only extended the right of a scrupulously fair hearing to beneficed clergy, since licensed clerics have enjoyed little protection. (A bishop can revoke the licence of an unbeneficed cleric, summarily for any cause which appears to him good and reasonable, or with notice without reason —and what cleric will have the resources to seek a judicial review of the bishop's actions?)

The 1963 Measure is unashamedly "criminal". It uses the language of "laying a complaint", of being "charged" with an "offence," of having "proceedings" in a court, with a "a trial". Section 28, referring to "conduct" cases, expressly says that "the procedure at the trial shall.... be the same as the trial of a person by a court of assize exercising criminal jurisdiction." The chancellor sits as judge, and the assessors as jury. It is in open court, with the usual rules as to admissibility of evidence, the standard of proof being "beyond reasonable doubt", and conviction by unanimous verdict. It is indeed a

criminal jurisdiction, rightly based on a presumption of innocence of the defendant cleric.

The new Clergy Discipline Measure appears to change all that. Instead, if it comes to pass, we shall have a new modern-sounding disciplinary tribunal — a user-friendly body, from the contemporary world of employment relations, free of the language of criminality. Unfortunately, however, it will be largely window dressing. The new cosy tribunal is still a draconian court; it will still be able to take away a man's livelihood and the home for his family —in short, his life.

And far more easily too. This is the first principal weakness of the proposed Measure. At a stroke, in section 18, justice for the defendant is whittled down to the civil law "balance of probabilities", with a majority verdict being all that is needed, and in a private hearing (thereby encouraging spurious and ill-founded accusations which the prospect of open court, in public, can help reduce). As if this were not enough, the almost inevitable and accompanying "Code of Practice" — at least in the draft form originally published with the Measure — suggests the admissibility of hearsay evidence!

The second cause for concern about the proposals is the scope of those within it. Not only are the retired clergy with permission to officiate — a body of some 4,200, to be deemed to have taken an oath of canonical obedience which they have not taken — to be within the jurisdiction of this new Measure, but also non-clerics are now to be within the long arm of the Church. By section 29, a cleric formerly deposed from Holy Orders — an ex-cleric — would be brought within the ambit of the Measure. Is there no limit to the degree of control freakery and paranoia of today's Church?

Thirdly, the grounds for criminous "conduct" will be changing from "conduct unbecoming" and "serious, persistent or continuous neglect of duty" (as they are at the moment) to "conduct unbecoming or inappropriate" and to "neglect or inefficiency in the performance of the duties". Now, we all know that, in a world of apparent moral neutrality, the word "inappropriate" tends to be a politically-correct way in which a powerful superior says, "I think you're wrong" but here, in a statutory provision, it can only bear its technical sense of "belonging to". But how would it be used? What of the cleric who is a keen enthusiast in hunting, or of collecting butterflies, or restoring old motor cars, or going to the races, or someone who fails to observe — after a tragic incident — two minutes' silence demanded by fickle public opinion and the diocesan media spin-doctors? Will this result in the inferior clergy stifling all healthy eccentricity and individuality and, always glancing over their shoulders, becoming as monochrome and dull as many of their

episcopal overlords —all in a bid to avoid the charge of "inappropriate conduct"? And again, what of "inefficiency"; who will provide the definition? Spending an indulgent length of time on funeral visits, rather than following the latest recommended optimum efficient length for a pastoral visit? Insufficiently encouraging people to contribute towards the next huge increase in the "parish share"? The recasting of the conduct offences in this ill-defined way opens the gates for all sorts of absurdities.

A fourth worry presented by the proposals lies in a well worn theme for this Association: that sauce for the clerical goose should be sauce for the episcopal gander —in terms of who is able to institute proceedings. In the case of a priest or deacon, the proposed Measure gives a PCC (with a twothirds majority) the power to institute proceedings through a nominated person, and likewise in the case of a bishop, two-thirds of the bishop's council (at present five incumbents of the diocese and five lav members of diocesan synod are required). A moment's reflection, however, will remind us that the parallel is an unsatisfactory one, given the composition of a bishop's council (with the bishop's nominations for co-option and the weight of ex officio diocesan, and sympathetic, members). Also, under the new Measure, a priest or deacon could have proceedings instituted against him simply by one person —a churchwarden. There is, however, no parity in the case of complaint against a bishop; a parallel could perhaps have been, by one incumbent of the diocese. One suspects that this sauce would be too rich for the tender gander. But the point nonetheless remains: under the proposed Measure, proceedings against a bishop are made much more difficult to begin than those against one of the inferior clergy. Where is the much vaunted "natural justice" in this?

Our final, and fifth, criticism of the Measure is that the structure and procedure it would establish would not be modern at all. There is nothing sacrosanct about the 1963 Measure, but if clergy discipline is going to be reformed, then there should be a new court system with a proper, modern, separation of powers, with prosecution, judge and jury exercising distinct roles. It cannot possibly be "good practice" in modern employment terms, to have the very bishop, who may be an aggrieved party, himself adjudicating on the initial investigations and pronouncing the ultimate sentence. There is, at the heart of this Measure, a degree of control freakery encapsulated best in the bizarre provision of section 1 — that anyone involved in the matter of the discipline of clergy under the Measure "shall... have due regard to the role...of the bishop...who... is required to administer discipline." (And the full name of the tribunal is, we are told, "to be called the bishop's disciplinary tribunal".) Surely, if regard is to be had to anything, it must be to justice and a fair trial?

Again, none of this is to say that the present system should not be properly overhauled, nor that there are not some good points in the proposed legislation. Most importantly, the Measure would provide that, in the case of a licensed cleric — who, as we have noted, enjoys little protection — "the licence shall not be terminated by reason of that person's misconduct otherwise than by way of … proceedings [under the Measure]": section 8(2). Also the open acknowledgement, in section 38, of the "Archbishops' list" is to be commended (although even here we can only deplore the category of clerics in subsection 1(e) "who, in the opinion of the archbishops have acted in a manner (not amounting to misconduct) which might affect their suitability for holding preferment" and we are left just wondering what this might include).

Yet these commendable points cannot atone for such a flawed Measure. In short, the procedures proposed by this Measure — which would serve only to add a further layer to those of the existing 1963 Measure (still needed for cases involving doctrine, ritual, or ceremonial) — merely masquerade as an employment tribunal. The position of the cleric, as an ecclesiastical office holder, is a unique one, albeit analogous, at points, to an employee or the self-employed. But his very life and, if he is married with children. the way of life of his family, are tied up with this "employment" in such a way that, were he to be found wanting before a disciplinary tribunal, he could be rendered utterly unemployable and destitute —merely on a 51% likelihood of having done something "inappropriate" or failed to do something ("inefficient"?), with a fate sealed by only three of five members of a tribunal, in private, with a sometimes relaxed approach to evidence. In a word, despite the use of the term "tribunal", the Measure is not talking of arbitration in a dispute between employer and employee, but of the historic criminal jurisdiction which in the Church of England has until now been exercised, having regard to no one's role save the duty to do justice, by the chancellors of each diocese, with lay assessors chosen in a jury-like way, to hear a charge framed by an independent examiner. We can only hope and pray that, as it has done before, the Ecclesiastical Committee of Parliament will have no hesitation in sending this botched and unjust legislation back to the drawing board.

\* \* \* \* \* \* \* \*

Into this complex web of Church and State relations now steps Dr. Rowan Williams, the  $104^{\rm th}$  Archbishop of Canterbury, whom we welcome with the assurance of our prayers. We rejoice that in Dr. Williams we have a man with intellectual rigour and radical vision. Representing hundreds of the

parochial clergy, however, we are particularly conscious of his own considerable lack of stipendiary parish experience, and we pray that under his wise leadership we shall see the Church of England as "by law established" once again flourishing, with the parson's freehold — and all that it stands for — upheld.

These are challenging days for our Church, ten years after the decision to admit women to the presbyterate, and with the likelihood of women bishops in a few years' time. The English Clergy Association, while rejoicing in a "traditional understanding of the Church's life and witness" — is proud to have both female and male clerics in its membership, and we are heartened to learn already of the Archbishop's determination that an honourable and legitimate place should remain in the Church of England both for supporters of women's priestly and episcopal ministry and for those with reservations and doubts. We hope that his enthusiasm, expressed in the Church Times interview of 29th November last year, in finding an acceptable ecclesial structure to accommodate "traditionalists" — perhaps some form of "peculiar" jurisdiction? — will come to fruition, as the period of discernment (of the rightness or otherwise of these changes) continues to get under way.

Of further concern to us, and to Dr. Williams, must be those evangelical churches—whose parsons and people we must be equally committed to support—who have been alarmed at the new Archbishop's approach to human sexuality. Although the Archbishop has indicated that his personal position in sexual ethics must be subservient to the "official" line he will promote in the See of Canterbury, this has not deterred some evangelicals from taking action. In the diocese of this Association's Patron, the clergy at St. Helen's, Bishopsgate have now refused to accept stipends from the Church Commissioners —on the symbolic ground that the Archbishop is to be chairman of that body. Time will tell how many other parishes will follow suit, but in an increasingly finance-driven Church of England (see our earlier issues on the retired clergy being almost compelled to hand over cemetery and crematoria fees), such action could have considerable impact.

Challenging and difficult days indeed —for all of us. We pray that under Dr. Williams' wise and thoughtful guidance, the good of English parish and cathedral life will continue to be promoted, together with the welfare of the clergy. And that is part of the aim of our Association.

#### **ENJOYING OLD AGE**

### Arthur Lewis recommends life at the College of St Barnabas

Selling matches at street-corners is not a normal way for Anglican priests to scratch a living. It was the desperate case of one such old man which woke Canon Henry Cooper to the need to help priests who, worn out by long labour, could no longer work —or, at least, could no longer find a job. It was at the end of the nineteenth century.

Canon Cooper looked further. He found 27 Anglican priests who had ended up in the workhouse. (Over a decade the number turned out to be 60.) They were educated and cultured men, graduates, who at the best of times had earned not more than \$150 a year. There was scant provision for the retirement of the clergy at the beginning of the twentieth century, and for hard-luck cases none at all. Those who could no longer find work were destined for the workhouse. Few cared that they had slaved for a lifetime in the service of God and His Church.

Something had to be done: and Canon Cooper set about doing it. He publicised the facts. He made friends. He found benefactors, and raised funds. And by 1895 he had founded the Homes of St Barnabas, deep in the Surrey countryside 27 miles south of London.

## Impressive buildings

Today's impressive buildings, near to the railway station at Dormans, were not completed till 1911. They housed between 30 and 40 elderly priests who otherwise would have ended their days destitute. These included men whose whole lives had been spent in the mission field. There was no other provision for them —except the workhouse.

Today the College of St Barnabas (as it is now called) is no longer associated with poverty. It houses a community of priests, with their wives and widows, who have done great things in their time. And the College, which consists entirely of Anglicans but is financially independent of the Church of England, continues both to battle and to flourish in the very different circumstances of the twenty-first century.

The church scene, of course, has changed beyond all recognition. Latterly the Church of England Pensions Board provides pensions for all its retired clergy, and does what is humanly possible for those who have spent their lives overseas. The Board goes out of its way to find accommodation for

retired priests where they themselves want to live. It provides excellent retirement homes for the older clergy up and down the country. In this respect the Church of England has put its house in order.

Yet the College of St Bamabas, all-Anglican but independent, continues to flourish and is normally bursting at the seams. Very few people, however, know about it.

## Everything centred upon the chapel

St Bamabas is a retirement home with a difference, and is almost unique. Everything centres upon the chapel, with its daily Eucharist and Evensong. It is quite simply a worshipping community. It is also well fed! The residents are obviously happy. The refectory rings with laughter. There are few rules, but people live together with remarkable harmony. Some are studious — there is a copious library—and write with pen or even a computer. Some drive a car. All have transport into the neighbouring town of East Grinstead twice a week. Some take services in neighbouring parishes. Many play games, ranging from croquet to snooker, bridge and chess. The majority ramble in the countryside.

It goes without saying that all the priests who are able take turns in celebrating the daily Eucharist and officiating at Evensong. The whole College is run by a Warden, who is himself a priest. He is assisted by a Bursar, a Housekeeper and a Matron responsible for the nursing wing —all with appropriate staff. The College Council runs the charity which makes the whole thing possible.

These days, of course, people have pensions and are expected to pay. But there is still a big variation between those who can pay the whole fees and those, chiefly missionaries, who cannot. Only the Warden and the Bursar know those whose fees need to be made up by the charity.

Of course, charities these days are having a tough time. When our last Warden retired last year it was even suggested that we could not afford to have a successor! However, a ship must have a captain, whatever the crew, and our new Warden arrived in 2001 and the College flourishes under his leadership. There are at present a couple of vacancies, and the need now is for younger and more active priests though they will be looked after till the end of their days.

St Barnabas has come a long way from the days when an old priest had to sell matches at the street-comer to make a living. But we live in a country in crisis and a world in chaos. Not many people think of the clergy who have served long and faithfully and reached the evening of their lives. They belong to the past. But there are still some who remember and are grateful for the help they have received over the years from their priests. It is these few who bear the burden of a charity which does not have the clout of Christian Aid or Oxfam, but is no less necessary. It is these who realise that the clergy who have borne the burden and heat of the day still need their penny at sunset. We could do with more of them.

The Reverend Arthur Lewis is a resident of the College. More information may be obtained from the Warden, The College of St Barnabas, Blackberry Lane, Lingfield, Surrey RH7 6NJ

## **NOTICE**

AGM Monday 19th May AD2003 by kind permission of the Rector and Churchwardens in St. Giles-in-the-fields, London WC1

> AGM at 12.30pm, Holy Communion at 1pm, followed by a buffet lunch and the Annual Address at 2 p.m.

The theme of the afternoon's proceedings (in which Sir Patrick Cormack, our Parliamentary Vice-President, will be speaking about the challenges facing churchwardens today) will be:

Three pillars of 21<sup>st</sup> century church life - Clergy, Churchwardens and Patron

#### **CHURCH LIFE IN AD 2010**

# Stephen Laird urges us to respond to the increasing number of single people and over 50s

Policy-makers in Downing Street and captains of industry are taking the sharp insights and predictions of *Britain Towards 2010 — The Changing Business Environment* very seriously indeed, and so should we. Much of the document charts developing patterns of family life, work and leisure — all of which are bound to have a strong impact on church life in our local communities.

The report carries a sobering but interesting section about the household and family. Government surveys and projections suggest that the institution of marriage will continue to decline, and an even higher proportion of couples will simply live together. There will be a large increase in the percentage of adults who have never married at all (by 2010 this will be nearly 39% of men and 31% of women). High divorce rates and a fashionable stress on individual freedom and fulfilment mean that the number of single person households is growing fast, and the proportion is set to rise to 40% of all households in the next few years.

"By 2010, single person households will become the predominant household type in Britain."

In particular, women are becoming more economically independent and are increasingly choosing to live alone. Many will never have any children.

This may mean that the "family-friendly" feel in some of our churches (which single people already find alienating) may become increasingly out of step with the needs of society. Our churches will need to work very hard to promote the value of marriage among younger people and the middle-aged. When couples do attend church or enquire about weddings and baptisms there is an even greater likelihood that they will be cohabiting. With the traditional nuclear family under threat, local communities may start to fall apart —fewer parents will mean less chattering and bonding at the school gates, for example.

It is also observed that whilst single women (of all ages) are good at integrating socially and doing active things in their leisure time, single men are not. Reaching men and involving them in our churches is going to continue to be a problem yet, proportionally, the supply of active, solvent single women may well increase!

"More single people in society is likely to bring a greater preoccupation with personal appearance and social acceptability."

Professor Scase, the author of the report, observes, "Introduction agencies are likely to flourish... focussing upon specific age, occupation and lifestyle categories." Christian dating agencies, then, are going to become a force to be reckoned with! And as single people are getting increasingly interested in "self development" this may mean that they will expect our churches to offer them plenty of educational as well as social opportunities.

With Sunday trading we have already become a 7-day society but, Scase argues in the section about work and leisure, we are now well on the way to becoming 24-hour society: "Work patterns... are likely to feature long, irregular hours around which lifestyles and family patterns will have to be arranged. Work will become more rather than less significant."

Children are, of course, affected by new patterns of family life. People who work with children in our churches need to be aware how rapidly these changes are taking place. In 1999, according to the report, 2 million children in Britain were employed on a part time basis and this number is likely to increase. Children are growing up more quickly and are now expecting to do "adult things" in their pre-teen years —the entertainment and fashion industries are already capitalising on this. Among other things, the high divorce rate in our society has forced many youngsters to learn to be independent at an earlier age.

Home life is becoming more and more fragmented and a 1996 survey revealed that nearly a quarter of 11–15 year olds do not normally enjoy a weekly shared meal at home. Nowadays only one out of three children normally eats a main meal with the family each day.

These predictions are bad news for all our regular church activities: not just Sunday morning services but weekday events like choirs and youth groups. These require the people who are involved to offer a weekly time commitment. Many of those who work in parishes are already aware that teenagers and pre-teenagers are becoming increasingly difficult to pin down, and these days it doesn't seem to be homework which we trying to draw them away from, but their evening and weekend jobs and "adult" social diaries!

In a few years' time a massive 50% of school-leavers will choose to continue their studies at university. This can only mean that the evangelistic and pre-evangelistic role of university and college chaplains will become more crucial than ever. For many young adults three years in higher education

may be a time of relative stability, and a good moment for representatives of the Church to be on hand to demonstrate the importance of the Christian message. After gaining their qualifications most graduates will find that they enter a world dominated by service industries: there will be few certainties at home or in the workplace, and life will be far less settled than it has been in the past.

"There are currently three times as many public relations consultants as coal miners"

On the positive side, our local churches may benefit from the greater support of the "time rich, cash rich" over-50s, many of whom will retire early and have considerable financial resources. We should fully recognise what these people have to contribute to the congregation and community (not forgetting that they see themselves as "young") and ensure that their needs are catered for. Amongst other things, Holy Land pilgrimages for the newly retired will continue to be in demand —this is indicated by Professor Scase's mention of the booming sea cruise industry! But not all the over 50s will be well-off.

"It will be the lower income groups that will be disadvantaged as the need to work into old age will be a necessity"

Other issues which are covered in *Britain Towards 2010* include the impact of new technology, the changes in educational and employment patterns which are occurring in our "knowledge-based" economy, and the likely rejuvenation of inner cities by an influx of young, professional people.

Sadly, inequality is also going to be a prominent feature of the early years of the  $21^{\rm st}$  Century —regional, social, educational and economic. Increasing numbers of elderly people will present challenges to the whole of society, especially to our churches which are often very concerned to support the weaker and more isolated members of our communities.

Professor Scase's report should inspire church leaders to reappraise the role of the local church, particularly in relation to some of its traditional functions which tend to be based on rather out-of-date images of the home and family. What is being done to attract single people? How and where will future congregations "gather"? Will the local churches of tomorrow serve communities or create communities? New kinds of sector ministries could also be explored, particularly within the realms of education and "casual" employment (retail, hotel and catering). And with over 85% of homes set to have a computer by 2010 (presumably with e-mail and the Internet), it will certainly be absolutely vital for all clergy and parish leaders to harness and deploy information technology.

Will the local churches of tomorrow serve communities or create communities?

But some things never change. Over the past 15 years, gender roles for couples living together have hardly altered at all. During the same period of time the number of women employed in management positions has nearly doubled. Yet in most shared households a woman still finds herself doing almost all the cooking, cleaning and washing. It will probably come as no surprise to many of them that, in all probability, they will still be tied to the kitchen sink in 2010 —even the lucky few who, by then, may be dressed in purple cassocks!

The Reverend Stephen Laird is Anglican Chaplain and Lecturer in Theology and Religious Studies at the University of Kent at Canterbury.

(The Report, Britain Towards 2010: The Changing Business Environment, written by Richard Scase, is part of the UK Foresight programme and is published by the Department of Trade and Industry (ISBN 0 85605 407 0). Its author is Professor of Organisational Behaviour at the University of Kent at Canterbury.)

#### HONORARY TAX CONSULTANT

The Reverend Brian Rice has acted as Honorary Tax Consultant to the Association and its Members since the death of Father Borland in 1983 when he took over the Clergy Tax Service which the latter founded in the 1960s.

This is a *service* to clergy: advice is freely and gladly given. Clergy wives, widows and families are also assisted. If Members have income tax problems or need advice or practical help, they may contact the Reverend Brian Rice direct, mentioning the E.C.A.

Jasmine Cottage, 16, Forest Lane, Kirklevington, Stockton on Tees, Cleveland, TSI5 9LY.

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#### LATTER-DAY ECUMENISM?

# Lionel Atherton seeks to understand Mormonism through Pastoral Theology

In my parish, the second English Mormon Temple was dedicated in 1997. It is a huge, granite building which dominates the town of Chorley. The site houses a complex of smaller buildings which are used to train missionaries, not only in doctrine, but also in foreign languages. At the Mission President's invitation, my wife and I went to dinner there. The facilities are second to none, the Mormons are wonderfully polite, and the food is good.

The Church of Jesus Christ of Latter-day Saints is numbered among the New Religious Movements, though it was founded in 1830. I wondered how to relate to the members who are so certain of their doctrinal stance that they consider themselves to be the only true Christians. This did not herald a friendly ecumenical future. In fact they became extremely upset when "Churches Together in Lancashire" published a pamphlet which was distributed among the pupils of our five aided schools to take home. It set out the differences between Mormon belief, and that of Catholic Christendom.

In 1998 I availed myself of the offer to attend a Mormon Studies Conference. This was held at the College of St Hilda and St Bede, Durham, under the auspices of the Reverend Professor Douglas J. Davies, the leading non-Mormon exponent of Mormonism. It was an enlightening experience, for I met some leading Mormon academics, as well as those who challenged their assumptions. The Conference studied Mormonism through social science rather than theology as a potentially worldwide religion.

In 1999 I had the opportunity for three months' sabbatical study leave. As I wanted to know what to expect from the long-term effects of a Mormon Temple on the local community, I went to New Zealand. In the town of Hamilton, North Island, there is the first Mormon Temple built outside the USA. It was dedicated in 1955. Owing to our Diocesan regulations, I was obliged to take the last month as holiday. I was only too happy to oblige. I am grateful to the English Clergy Association for a Holiday Grant which enabled my wife to join me.

For most of the two months' study, I lived with Mormon families, joining them in their churches, and talking informally with them. It has been most constructive, for whatever we may think of their doctrines, their Pastoral Theology is of the highest order, and this is something from which we can re-learn. Without strong Pastoral Theology, Mormonism could not work.

There is a real care for family and community. Indeed I found it a very moving experience to kneel with families in their homes for evening prayers. It reminds me of what it must have been like in the best kind of Puritan households. Monday evenings are Home Evenings when family and friends will spend the time in education and social activities. Every adult member is a "Home-teacher" to someone else, so they have to learn in order to be able to teach. They will also have a care for the elderly and infirm, not leaving it to the equivalent of "the Vicar" to do all the visiting. I go so far as to believe that theology is at the service of all that supports community and "traditional" family life.

Mormon temples are not in relationship to the local churches as are cathedrals to parishes. They are for the spiritually committed —rather like the traditional Anglican link between Confirmation and Communion. The "spiritually committed" are called "Recommends", because the (Mormon) bishop has to recommend them before they are allowed into the temple. A recommend pays his or her 10% tithe of gross income, is faithful to one spouse (in this life), and "testifies" to exaltation in the name of Joseph Smith, the Book of Mormon, the Bible, Jesus Christ, and the Living Prophet —who, at the moment, is the nonagenarian, Gordon B. Hinkley. What temples do is of a different order than the churches. In them, marriages are "sealed" into eternity, children and parents are "sealed" to one another, baptisms for the dead take place, and a film of Creation is shown which is linked to ritual ordinances for which the participants are dressed all in white.

In the churches, all is different. Boys from the age of twelve are ordained "priest" and "consecrate" the elements of bread and water (no alcohol!). A three-hour attendance is expected every Sunday. The first hour is "The Sacrament Service" which, apart from the "priests", is similar to Free-church methodology. Like the Free churches too, the architecture is of the elders facing the congregation from an elevated series of pews. "Testimonies" are given by men and women, to the work of salvation they believe God to have done in their lives *because* they believe in the Prophet Joseph Smith, the Book of Mormon, the Bible and Jesus Christ —and this is the usual order in which these subjects are mentioned. The second hour is spent in the Book of Mormon and other studies as a Sunday School, the men and women being separated and the children taken for their own programme. The third is spent in general doctrinal-application conversation. I could not but admire the commitment and the knowledge of the taught content.

Mormon doctrines have changed over the decades, but because "history" is seen as the servant of contemporary revelation, this presents no problem

for them. They still believe that God has a physical body, being originally a man who has attained the highest degree of exaltation through the observance of the Gospel ordinances. No longer, though, do they believe him to have been Adam who came into the Garden of Eden, "bringing Eve, one of his wives, with him." Until 1977, "blacks" were debarred from the priesthood (this did not apply to the Maories). Exaltation for humanity is to become G(g)od, plural marriage will be practised, and such Man/Gods will rule over other planets. The place of women in all this is being hotly debated by Mormon feminists who point out the early teaching of "Heavenly Mother" whose spiritual offspring we are jointly with "Heavenly Father".

After my fascinating sabbatical I am amazed that, given the mutual love and support among family members, we are not all Mormons; yet, given their doctrines, I am amazed that anybody is. Pastoral Theology supplies the answer; for what is happening is the sanctification of our gregarious natures. The cynic might see this as nothing more than American Romantic Frontierism, but there is more to it than that. There is a very real mutual respect and trust which might be the envy of members of our own congregations who remain lonely because the fellowship of the Holy Spirit is not recognisably working for them. As Anglicans, we have a rich inheritance of liturgy, as well as George Herbert domesticity and Benedictine earthly spirituality. They need to be kept in balance.

Given the "oddities" of Mormon doctrines, I wonder if we should be preparing missionaries to Latter-day Saints, for all-too-often their current teaching avoids what is now politically incorrect. Some Mormon academics are losing belief in the literal "Golden Plates" and historicity of the Book of Mormon. But if Anglicanism is to hold out a welcoming hand it will need to compensate for the fellowship from which a convert will be leaving. Our own commitment to prayer, worship, study, and mutual help and support will be noted.

Is ecumenical work possible? I doubt it, although the Re-organised Church of Latter-day Saints applied, unsuccessfully, to join the World Council of Churches, and has members on clergy fraternals in the USA. But so far as a Latter-day Saints' temple is concerned: as huge as it is, it is the local church presence, with its family and missionary outreach and certainties, that has the power to gather and convert.

The Reverend Lionel Atherton, Vicar of Chorley St Peter in the Diocese of Blackburn, is currently working on a MA thesis on this subject.

#### EAVESDROPPING ON A 'PHONE CONVERSATION

Two private patrons anxiously try to carry out their responsibilities for their crumbling piles – as they have done for hundreds of years.

Henderson! Is the Countess in? Thank you....

Oh, hello Joan dear. How are you? —Henrietta here.

Oh, I'm fine. I'm just having *frightful* trouble with my Bishop — and that's what I'm ringing you about.... What's yours like?

Hmmm.... I thought so....

Did he? —He didn't! ...You mean, he didn't know which fork to pick up? How frightful!

Well my Bishop doesn't drink sherry. I found that out when I had him and his chaplain round to drinks at Christmas. The chaplain was such a nice young man, and said what nice *can-apes* they were.... Yes, *can-apes*, that's right dear! Of course, I didn't bat an eyelid. I suppose our dear Lord didn't mind too much about forks and canapes, so why should I? But we certainly live in changing times! Anyway, my Bishop has suddenly said that he's going to put a priest-in-charge into the benefice here.

....No dear, there are three parishes: Great Munching and Much Twitching, with Little Piddlington, and they need a good man, and I need time to make proper inquiries.

He said he *had* consulted me —but he *hadn't*. He rang at 8.15 in the morning one day last week when I was in the bath — yes dear, that was the "consultation" — and now he wants to sell the Vicarage, and build another little one in the garden. He's shown me an outline plan of what he has in mind....

My dear, it would be smaller than my kennels! I didn't say anything because he can't even ride to hounds! But I had the last laugh, because my uncle was so vague and never conveyed the Vicarage to the Incumbent, so I had to appear not to crow when I gently informed the Bishop that the diocese wouldn't be able to profit from what actually belongs to *me*, and was given solely for the benefit of the parish and the parishioners.

Yes, it was rather funny —his face was a picture. But it is rather shocking, isn't it? —I mean, it's just asset-stripping.... Anyway how are you getting on?

What, a burst pipe in the attics? Oh dear! Are you going to get a plumber in? I had that problem last winter —an overflow coming from the tank through the gargoyle on the south wing, and a plumber came up from the village and kept telling me I needed a new *float-activated valve*. Well, can you imagine, I didn't know what he was talking about. I told him I just thought the *ballcock* needed fixing, but he looked a bit embarrassed and said that wasn't "pc" anymore. Can you believe it? —the times we live in! But, you know, I shall miss James, our outgoing priest. He's been a good man. He preached the Gospel, and didn't mind using the Prayer Book from time to time, and he even used to join us for croquet on summer evenings... Mind you, there was that time when I was walking the dogs in the field behind the Vicarage, when I heard a noise like a dying cow, and it was the Vicar playing his 'cello!

And the other thing the Bishop said was that he was considering amalgamating the benefice with St Ethelreda's on the edge of town; and St Ethelreda's is in the *Bishop's* gift, and that way I suspect he'll try to do me out of mine.... It's a bit steep, isn't it?

What's that you say? ....Your Bishop wants to sell your Vicarage as well? I don't believe it!

For \$175,000? You mark my words, it will be sold again for half a million in three years; and then for a million and-a-half in 10 years....

How did you hear? Oh, the Diocesan adviser for pastoral reorganisation told you. Well, where will your £175,000 go?

To pay for all the other diocesan advisers, you say? Of course, it really belongs to the parish —but what can one do?

What, it was bought by five families 100 years ago for the new incumbent, you say? Well, what are you going to do? Have him to dinner? And when you get to the port, and he's all warm and mellow, sweetly tell him that you can't go along with his proposal, and you'll fight him all the way. And I'll do the same with my Bishop!

Yes, brace thy heart and nerve thine arm, as the good hymn says.... So nice, dear, to have a chat....

You first, dear. Your move! Bye bye!

This report was sent to Parson & Parish anonymously. The names have been changed to help protect the identities of those concerned.

#### IN ALL THINGS LAWFUL AND HONEST

# Alex Quibbler, Parson & Parish's legal agony uncle, responds to some recent questions arising in parish life

**OUESTION**: I've been the priest-in-charge in this parish for nearly five years now. It's a suspended living, and we've just received a letter from the secretary of the diocesan pastoral committee, telling us that they're thinking of renewing the suspension for a further five years, and that the PCC must reply to them with any representations within 28 days from the date of their letter. For a start, with Christmas intervening, I can't really call a meeting in time for this, but are they really allowed to impose another five years just like that? There was some talk, when I arrived, of our parish going in with another, but that's not been on the cards for some time now, and there's no real pastoral scheme in the wind at all. It's so dispiriting for the people here, quite apart from the effect on me. We raise the money for the quota, we have pretty good figures for Sunday attendance, but continuing with another bout of me being priest-in-charge (while the people keep asking, "When are you going to be made up into a real, proper Vicar?") is rather depressing and sounds out a signal of insecurity for the mission of our church. Is there anything we can do about it?

I'm afraid this question is all too frequent. Let me deal with the more straightforward aspect first: the point about the 28 day deadline. There is, in the Pastoral Measure 1983, no statutory deadline, so we're talking about what, in the final analysis, a court would deem "reasonable". The Code of Recommended Practice which complements the Measure (and to which a court may have regard - so it is not altogether without teeth) recommends a period of six weeks as reasonable for a PCC to respond to a diocesan pastoral committee (DPC) as it allows for monthly PCC meetings together with a further two weeks for correspondence (para. 2.35). A 28-day deadline is not acceptable and the DPC should be asked to agree a reasonable time.

Your principal concern, however, is not so easily answered. The diocesan bishop, under section 67 of the Pastoral Measure, is given the power to suspend the right of presentation, provided he has the consent of the DPC, and that he has consulted with the patron, the PCC or PCCs and both chairmen of the deanery synod. In this consultation, which the Code of Practice stresses must be genuine consultation ("the bishop should not have made up his mind before carrying out these statutory consultations" – para.9.22), the bishop is required by section 67(1) to give the reasons why he is considering whether to suspend presentation. I don't know what

reasons your bishop gave when he was contemplating the possibility of the first period of suspension; hopefully he did more than allude, as some some bishops do, to a diocesan "strategy" document about deployment. This power to suspend is not an instrument for wholesale changes in the deployment of clergy but is ancillary to the main purpose of the Measure: to provide for the better cure of souls, through pastoral reorganisation. The very fact that the consent of the DPC is required indicates that there must be a proposed pastoral scheme or order, or some pastoral reorganisation in contemplation, and the Code of Practice urges that the power to suspend be confined to such cases (para 9.24). From what you say, it sounds as though this may have been the case five years ago, but not evidently now.

Further periods of suspension are permitted under the same section, but the same consultation with the same people and the same requirement to give reasons are needed as should have happened before the original consultation. Invite your PCC to make some strong representations through the deanery pastoral committee, and to write to the bishop, reminding him of the provisions of both the statute and accompanying Code, while spelling out the "viability" of the parish and the need, given that no pastoral reorganisation is in the wind, to have full freehold status restored. If he doesn't budge, and you're not afraid to put your head over the parapet (part of your very difficulty of being only a priest-in-charge, and always only a few months away from a revoked licence!), then some publicity about his cavalier attitude, not properly consulting, misusing the law, and not following "best practice" may possibly work. You're not, I suspect, going to have the money — unless your patron is a wealthy individual or body to have the bishop's decision (if he decides on a further period of five years) judicially reviewed, but the threat of it sometimes works, and mention of the case of St. Luke's Kingston (where proceedings were begun) has been known to unsettle a bishop's composure.

<u>QUESTION</u>: I am a parishioner who has recently come into some money which I'd like to use to help with the life and witness of our parish church. All around me, however, I see a Church of England where much "assetstripping" has taken place, and even the parsonage house, I know, can end up in the diocesan coffers. Would there be any way, perhaps by some sort of trust, in which I could keep the diocese's hands off?

I have to confess that trust law is not my speciality, although the Editor tells me that we are hoping to run an article on precisely this point in a forthcoming issue. Meanwhile he has just handed me a form of words for a

Ministry Trust which, I gather, the Charity Commission has seen and largely approved. I don't know whether this would give effect to what you want, but for what it's worth, and for the interest of our readers generally, it is reproduced below.

## Sir John de Hauteville Ministry Trust

### Whereas

- It is intended and desired by this means and through subscriptions, donations, loans and bequests, or any of them, or otherwise, as may be, to establish in the area of the Benefice which includes Bohun Magna a religious and charitable fund to be called the Sir John de Hauteville Ministry Trust hereinafter called the Trust or the Charity
- 2. The sum of Twelve Pounds has been settled upon the Trusts of this Deed
- 3. The Trustees are the Trustees of the Charity

# Now this Deed Witnesses and it is hereby Declared as follows:

1. The objects and purposes of the Charity are to provide housing and other benefits or assistance for clergy of the Church of England and authorized lay persons in or entering upon the Church's Ministry whether stipendiary or no ministering or to minister in the aforementioned and hereinafter defined Benefice and to that end by direct provision upon such terms as the Trustees shall see fit or by gifts or loans with or without interest or by other means ensure that clergy or other ministers who may in the Trustees' absolute discretion be intended to benefit hereunder are able to reside and subject to the Laws Ecclesiastical minister in the general

area of the said Benefice provided always that particular and if so decided exclusive preference shall be given to such Clergy as are [Beneficed or]¹ Licensed or who hold other Permission to Officiate within the Benefice of Bohun Magna with Much Haddup and Sutton Bishop and subject always thereto as the Trustees shall in their absolute discretion determine for other ecclesiastical purposes within the area of the said Benefice, as the case may be, or failing that to the relief of any persons in need, hardship or distress who shall reside therein

- 2. The Trustees shall invest all monies received whether by way of legacy subscription loan or otherwise in any investments including land authorised by law for the investment of trust funds with power to vary such investments for others of the like nature at their discretion which power shall include a power to hold free-hold, leasehold or otherwise, including by rental payment or other agreement, any accommodation that they shall see fit to provide for the habitation of such a Clerk in Holy Orders.
- The Trustees shall have power to distribute conformably with their purposes and objects both the capital of the Charity and the income arising therefrom in such ways as they may conclusively determine conformably thereunto.
- 4. The Charity shall be governed by the Trustees in accordance with the Schedule of Rules annexed hereunto or such other Rules as they may make and enact in addition or substitution for the same.
- 5. The statutory powers of appointment of new Trustees shall apply hereto in such manner that any vacancy which shall occur at any time in the number of the Trustees by death, resignation or otherwise shall be filled by the remaining Trustees without limitation upon the number of Trustees save that should the remaining Trustees fail at any time to ensure that there are at least two Trustees extant as Trustees of the Charity then at the expiration of one calendar month from the date at which the number of Trustees shall have become less than two the Nominee of the Rector for the time being of the Benefice of Bohun Magna with Much Haddup and Sutton Bishop howsoever then styled shall be taken and had for all purposes to be a Trustee of the Charity as if he or she had been elected by the Trustees.

6. In this Deed anything relating to the Benefice of Bohun Magna with Much Haddup and Sutton Bishop or to the Incumbent thereof shall in the event of the inclusion of the Benefice in the area of another Benefice or Parish or Parishes or in the event of any division or redefinition of the Benefice be taken and construed as referring to the Incumbent or Clergyman in Charge of the Benefice or Parishes howsoever styled who shall have the custody of the Registers of the Church of St. Andrew, Bohun Magna, and to the other Clergy and parishioners thereof in such manner as the Trustees shall resolve absolutely provided always that in any Vacancy of the Living the Churchwardens for the time being of the Parishes constituting the said Benefice shall certify jointly should need arise any Clerk in Holy Orders to be the Clerk to whom these provisions including the provisions of the immediately foregoing section of this Deed shall apply as if he were such Incumbent.

<sup>1</sup> N.B.: if the words in square brackets are left in, then the Incumbent cannot be a Trustee of the Charity except by special permission of the Charity Commission. This is because a Trustee may not be a beneficiary of the Charity of which he is a Trustee.

Readers are invited to continue sending in their questions about parish law and practice to the Quibbler in forthcoming issues of the magazine. All names and addresses are, of course, withheld.

#### **BOOK REVIEWS**

By What Authority?

Anthony Harvey

SCM Press AD 2001

ISBN 0334028493

£14.95

Your reviewer had just read *The Dignity of Difference* — the recent book by the Chief Rabbi, Dr. Jonathan Sacks — when he was asked to write a paragraph about Dr. Harvey's book. It is remarkable how a Jewish philosopher and a Christian theologian are moving within the same territory, pursuing a quest for the understanding of the world's problems from the perspective of an honest theology.

Dr. Harvey in *By What Authority?* has written a most valuable critique of recent Church pronouncements, Anglican and Roman Catholic, on moral, social and political questions. He affirms that the Church, if it is to engage with the secular world, must accept that there is still a generally received consensus of what constitutes human behaviour and that Christian pronouncements must show real theological understanding as distinct from a mere following of secular fashion and modes of thought.

The bibliography at the end of the book reveals how widely the author has spread his net: no fewer than twenty-nine encyclicals, reports and statements come under his scrutiny. They deal with subjects ranging from war and peace, economic justice, unemployment, marriage, divorce and family values to information technology and the re-ordering of the structure and government of the Church of England —the "Turnbull Report."

Dr. Harvey's searching analysis is presented in the clear, eminently readable style which characterises all his writing, and is to be welcomed by all who share a concern for today's Church.

# **Isaiah 40–66** *Michael Thompson*

Epworth Commentaries, Epworth Press AD 2001

ISBN 0716205505

£9.95

This well produced small volume joins twenty-four commentaries already published on individual books of the Old and New Testaments, based on the *Revised English Bible* translation of the Scriptures, first available in 1989.

The author presents in a direct and uncomplicated way the message of the prophet, its meaning and relevance for Christian faith and modern living. At the same time, he explains Hebrew words and phrases and elucidates problems and obscurities in the biblical text. Pages 61 and 62 show how he handles the meaning and application of Isaiah 45, vv. 14 to 25: when God's people suffer, the Lord's power and presence, though hidden, is undiminished. The passion of Christ, and the ensuring experience of Pentecost, says the author, are prefigured in these verses. On pages 6 and 7, and also on page 52, he offers a straightforward comparison of texts: Hebrew, Septuagint and Qumram (the Dead Sea Scrolls) in the case of Isaiah 40:6ff and 44, verse 21.

There is one weakness: and that is a matter of presentation. Other comparable commentaries set down the *text* as well as the commentary upon it —printed, often, in a different format and indented from the margin. Is it not a great help to read both the unit of the text, and the commentary on it, within one book? Publication costs may be somewhat higher but there is an immense gain in convenience and portability.

The Reverend Canon John Laird is Chaplain to the Marquess of Salisbury, one of the Association's Vice-Presidents.

#### **CHAIRPIECE**

#### A Church too important to be left to Bishops and Synod....

If Henry made himself Head, Elizabeth had the sense to take the title rather of Supreme Governor. She ought to have won the *Great Britons* television contest —worthy and indeed outstanding as both Churchill and Brunel are. I enjoy the freedom of Churchill's Britain, and the facilities and style of Brunel's Bristol...... and Elizabeth's Church, still very much up and running, and still under the Elizabethan Settlement. She would *not make windows into men's souls*, cleverly amalgamated the 1549 and 1552 Words of Administration into those so loved and familiar from the 1662 Book of Common Prayer, and prescribed that the surplice should be worn, the most distinctive part of the garb of a clergyman still.

The Church owes little to the period of the usurped rule of Oliver Cromwell, beyond the founding of the Corporation of the Sons of the Clergy —I think I have come across just one Parish Church built in that period. Yet Cromwell was, for all his bigotry, comparatively speaking a man who if not holy could at least be described as righteous, and within the covenant of Grace.

By contrast, kings who have had little going for them on the moral front, like Charles II and George IV, have seen great achievements in their reigns. The former restored the Church to its own, and the bishops to theirs (and granted a Royal Charter still in force to the Corporation of the Sons of the Clergy — first President, Sir Christopher Wren); and under the latter, in the Regency and the Sovereignty, many, many fine Waterloo Churches were built — and Catholic emancipation, albeit with reluctance on the King's part, the Duke of Wellington thrusting the pen into his hand ("Sign, Sire"). William IV left all of his many known illegitimate children well-provided-for, some with titles to boot — and left us to his legitimate niece, Queen Victoria, whose long and serene reign saw the greatest volume of ecclesiastical legislation, and the foundation of the Ecclesiastical Commission.

It is paradoxical perhaps that finally under the idyllic public morality of Victoria and Albert the Ecclesiastical Courts lost most of their remaining influence in the life of the nation — powers and jurisdiction over Probate, Admiralty and Divorce — and Doctors' Commons, so lampooned by Dickens, bit the dust. And the Convocations of Canterbury and York began to meet again....

As a historian, I do not see the morals of the Sovereign either adding to, or detracting from, the legitimacy or effectiveness of the Church over which he or she remained Supreme Governor, and whose integrity by the Coronation Oath every Monarch remained sworn to defend. Sovereignty is a matter of sovereignty, of law, not of morality. This may seem a very simple-minded thing to say, but it is true.

The position of the Queen, or the King hereafter, in the life of the Church has nothing to do with morality — even if we are blessed with a Queen who sets such a wonderful example to us all. It has everything to do with sovereignty. If the Queen in Parliament does not govern the Church, by the laws of her realm, then by whom and by what should the Church of England be governed? The Church is much too important in the life of the nation to be left to the Bishops, or to the General Synod.

The rule of law in the Established Church is fundamental. Some arrangements within the Church's daily working "on the ground" are merely contractual, but the general law of the Church of England is statutory. Synod's Canons as approved by the Crown deriving their authority from Parliamentary law, or at least not being repugnant to it. Talk of disestablishment perhaps grows from an accelerating desire to minimize the role of Parliament in the Church. The Clergy Discipline Measure 2000, before the Ecclesiastical Committee of Parliament as I write, derogates from the objective systems of justice to which under parliamentary sovereignty the Church has been accustomed. The Measure as drafted is confused. It talks of conciliation and adjudication, on the one hand, and on the other leaves the clergy of the Church of England the only subjects of Her Majesty who could be found guilty of an offence not by proof beyond all reasonable doubt, but on the balance of probabilities, by majority, with hearsay evidence perhaps admitted to boot! And the jurisdiction of the Church through these new courts and tribunals extends even to a retired clergyman. or an unfrocked one, or to one who has joined another denomination.... This is to eat one's cake and have it, too. This is still criminal jurisdiction, as the law knows it; but without the standards of the law. It wriggles in the direction of a disestablished Church, governed by contract, which would make its own rules, albeit subject always, as we all are, under the Oueen, to the jurisdiction of her High Court —but without the clergy receiving any rights under employment law, or the Church acquiring any duties....

Archbishop watchers will be on tiptoe now. Does he really want disestablishment, and increasingly arbitrary government, with clergy — so far as the rights of the citizen go — very much left out in the cold? Or will he stay within the sure bounds of public law, whose standards here are the highest in the world?

I remember once at a pastoral committee someone saying that a particular action should not be considered strictly, since it was an expression of the

Bishop's pastoral care —to which an archdeacon replied, "Pastoral.... ah, you mean arbitrary, unfair, and wrong."

Fiat justitia ruat coelum! may be the old maxim, and the heavens may fall if justice be done (that is, it is expensive for the Church) but fall the heavens certainly will if justice isn't done. Judicial review is too expensive for the clergy, and not all, like Ray Owen, will be able to take their case to Europe.

The Prince of Wales is entitled to behave as he wishes, within the law. If he, or Prince William more to the point, were to wish to marry a Roman Catholic the problem is not so much theological as legal. A Roman Catholic owes allegiance to a foreign jurisdiction. The Bishop of Rome, one of the few bishops left using the once all-but-universal style and title of Pope, or Papa, claims an immediate and universal Ordinary jurisdiction over every living soul...... which is exactly the claim that Henry VIII, and his Parliament, excluded. James II, as a Roman Catholic, found that the foreign angle was more than England, or Scotland, would stomach. (Today, all you have to do is to consider the story of birth control and contraception in Eire.) As we have seen, to dwell, like the popular media, on morality is to miss the point. That is not what the supreme governorship of the Church is about. What it is about is parliamentary guardianship through the law of the liberties of all Her Majesty's subjects, in affairs equally of Church and State. God save the Queen: God save us all.

O.K., Archbishop? (He wants to get away from pomp and ceremony). Titles, forms of address, orders of precedence, dressing up, Guildhall dinners – these are not the essence of establishment. Nor is the morality of the royal, or any other family. We live in the real world. We are all sinners.

The essence of establishment is the rule of law.

J.W.M.

#### PARSON & PARISH

is produced by an Editorial Committee of the English Clergy Association:
Jonathan Redvers Harris (Chairman of the Committee),
Nigel Atkinson, Mark Binney, John Masding and Michael John Smithson
Enguiries about the magazine or material for inclusion

Enquiries about the magazine or material for inclusion should be sent to:

The Editor, Parson & Parish, The Vicarage, Bedford Road, Houghton Regis, Bedfordshire LU5 5DJ

Telephone & Facsimile: 01582-867593 E-mail: j.redvers\_harris@virgin.net While the magazine seeks to uphold the aims of the English Clergy Association, the views of the contributors are, of course, entirely their own, and do not necessarily represent those of the Association, its Editorial Committee, its Council, or of its members in general.

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