

Faith and Order Committee: Church, State and Establishment

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INTRODUCTION

1 The background to this report is the process of informal and then formal conversations between the British Methodist Church and the Church of England, culminating in the entry into a Covenant with each other in the autumn of 2003. In the light of the report of the informal conversations, *Commitment to Mission and Unity*, the Faith and Order Committee initiated work with a narrow brief: 'to prepare a report on Church and State with particular reference to establishment'.¹ The members of the Working Group who were involved in drafting this report were: Dudley Coates, Jane Craske, Peter Hatton, Susan Howdle, Rachel Lampard, Stephen Plant and Kathleen Richardson. Jonathan Rodell was involved in the early

stages and Martin Wellings, Stephen Wigley, Paul Avis (of the Church of England) and Graham Blount (of the Church of Scotland) have acted as consultants for particular sections. Alongside this work, one member of the Working Group has also been a member of the Evangelical Alliance's wide-ranging Faith and Nation Inquiry.

2 This report does not deal with all the issues which might properly be classified under the wider heading of 'Church and state'. The narrow remit also means that the report has primary focus on the situation in England and the establishment of the Church of England.² The position in the other parts of Great Britain is discussed briefly, but not all the varied forms of Church/state relationship which exist elsewhere in Europe or in the rest of the world. In this report when the state is mentioned, the term essentially refers to the sphere of operation of the supreme political power which forms the basis of civil government over a geographical area.³

3 Methodism in Britain has had quite a lot to say about politics (see Appendix on previous reports) but very little about establishment. Since Methodist union in 1932, the only discussion of establishment has been in a Free Churches report in the 1950s in which British Methodists were involved⁴, with some preliminary discussion in the Anglican-Methodist conversations of the 1960s. The first report of the Anglican-Methodist Conversations in 1963 said:

It is to be assumed that the united Church will be free to settle its own forms of doctrine, worship and discipline, and to appoint its own officers, and to settle disputes in its own courts with the same degree of freedom from State control as is now possessed by the Church of Scotland.⁵

The subsequent 1968 report went on to affirm the hope that, before a united Church as such came into being:

both Churches in consultation with Crown and Parliament will make plans to secure . . . (a) a governing body that will be truly representative and finally responsible for the doctrine, worship, and administration of the Church; (b) a procedure whereby bishops and principal officers may be appointed by a united Church in such a way that they will be recognised by the State and nation; (c) a positive clarification of the relation of the Sovereign to the united Church. If as we believe, there is substantial agreement within and between our Churches as to our common calling to serve the nation, agreement on these matters should not prove impossible to secure.⁶

The subject was not, however, discussed at great length at that time partly because work was proceeding in an Archbishops' Commission. Its report, *Church and State* (the Chadwick Report) was published in 1970.

4 It appears that the British Methodist Church has not felt the need to discuss establishment for itself alone, but only when it becomes necessary because of ecumenical circumstances. *Commitment to Mission and Unity* (1996) noted that this was an issue around which further work would need to be done in the search for greater unity between British Methodists and the Church of England, simply because, at present, the two denominations have significantly different relationships to the state in England.

5 Yet this report is not written jointly between the two denominations. It is instead an attempt to examine Methodist attitudes and theological reflection, where we are and where we have come from. This is a necessary preliminary step. In due course work on this subject will need to be undertaken between the Church of England and the British Methodist Church. We hope that this report, and discussion in the Connexion which will arise from it, will inform Methodist participants in such future conversations. The writing of the report has been considerably affected by the Covenant in that the new step in relationship between British Methodists and the Church of England makes it proper for us to ask questions of the Church of

England which we might not have asked before. It is also imperative that this report looks to future direction and the implications of the Covenant, rather than having relevance to the Methodist Church alone, and only up to the present. This report is written out of a Methodist self-understanding that Methodism is a movement concerned with mission to all.

The developing situation

6 Paragraphs 7-10 below offer a brief account of the complex and changing context within which this report was prepared. That context is the background to this narrow report focusing on establishment.

7 Indeed one of the reasons for this report being presented now, rather than a few years ago, is that the situation with regard to relations between churches and the British state was recognised to be changing rapidly, not least because of perceived changes in the state itself. Within the territorial sphere, there are the challenges presented on the one hand by devolution and regionalisation, and on the other by the increasing influence of European institutions and legislation. Churches are having to learn to relate to and work with new structures of government in Scotland and Wales, with particular implications for churches which relate to more than one nation within the United Kingdom.

8 Moreover, the matters which are seen to be essentially the functions of the state and how they are to be delivered continue to change. The boundaries of the state recede or become blurred as traditionally public service-based functions, especially in the area of service provision, are privatised or exercised at arm's length by non-departmental public bodies or agencies. But this in turn is counter-balanced by massive growth in 'regulators' and statutory intervention in an increased number of areas traditionally regarded as not within the state's purview.

9 Britain is now a multi-faith society. Discussion of issues of Church and state can no longer take place as though Christianity was the only faith in the country. It is striking that several representatives of other faiths have in recent years written and spoken in support of the establishment of the Church of England usually on the grounds that this legitimises the presence and practice of all religions in the nation and guarantees faith communities access to the state. In the local and regional context, the requirement on local authorities to consult with faith communities opens up new ways of working between faith groups, including churches, and local government.⁷ In the European context, Article 51 of the proposed European Union Constitution⁸ provides that the Union 'shall maintain an open, transparent and regular dialogue' with churches and non-confessional organisations. Churches have also been engaged in debates about the absence of an explicit reference to God in the preamble of that draft Constitution.

10 Yet a report cannot wait forever on a situation which will probably continue to change in significant ways over the next few years. Society is faced with many questions and issues to debate: the increasing disengagement of people from the democratic process; issues of privacy and openness in the age of electronic communication; government response to the threats of global terrorism; concepts of national identity and human rights. The churches need to engage with these wider debates as well as with the more detailed issues involved in charity law reform, or changes to the House of Lords.

BEGINNING WITH STORIES

11 We turn to stories: examples of the kind of stories that are remembered and told by Methodists, or in some cases about Methodists. They are stories which first and foremost say

something about the identity, attitudes and perceptions of British Methodists, not about our ecumenical partners.

12 When he first preached at Wednesbury, John Wesley was welcomed by the vicar, the Revd Edward Egginton. But by April 1743, due in part to what Wesley described as ‘the inexcusable folly’ of one Methodist preacher, the vicar had turned against the Methodists. Wesley believed that from then on, with others, the clergyman’s ‘unwearied labours, public and private’ were directed ‘to drive these fellows out of the country’.

In October, Wesley’s visit was interrupted by serious rioting in the course of which he was taken by a mob to the houses of two magistrates. At the time of the riots, the magistrates refused to interfere. Yet Wesley’s journal entry describing the riots at Wednesbury ends with a copy of a letter from the same two justices of the peace, dated just before the riots, denouncing the Methodist preachers and demanding they be brought for examination.⁹

This incident, though difficult to interpret, has gained iconic status in Methodism through artistic representation.

13 In the late nineteenth and early twentieth centuries, there was considerable controversy over education. Primary education became compulsory in 1870 and where existing denominational schools were unable to meet local needs, communities could elect school boards and levy rates to fund non-denominational education. The 1902 Education Act sought to rationalise the system by replacing boards with local education authorities, answerable to the new county councils and funded by their rates. The Act also allowed LEAs to give rate aid to denominational schools. Nonconformist rate payers objected to funding Church of England schools and launched a campaign of ‘passive resistance’.

In just one Methodist instance, John Gladden Craske, of Sheringham, (Free Methodist) Society and Circuit steward, Local Preacher, councillor and registrar of marriages, took a stand as a passive resister, refusing to pay the amount of the local rates devoted to education, often only a few shillings. Summonses were issued to him between 1904 and 1912.

14 Tom and Kitty Higdon were appointed to Burston school in 1911. Their support for the Agricultural Workers' Union soon brought them into conflict with the local farmers, who exploited child labour in the fields, and with the Rector, the Revd Charles Tucker Eland. In 1914, Kitty was accused of discourtesy towards one of the school managers; this was followed by other accusations, not found to be proved, but both Higdons were sacked. However as they left the school 66 out of 72 of the children followed them out, and a "strike school" was established, which lasted for 25 years.

A Primitive Methodist local preacher, John Sutton, led services on the Green every Sunday for the families of the strike school children. However he was censured by his church for this activity, and most of the congregation left Burston Chapel with him. Sutton became a United Methodist and was supported in offering ministry to the striking families by the Revd J.G. Williams from Diss.¹⁰

15 Every day prayers are read at the start of business in the House of Lords. The regulations of the House state: "Ordinarily they are read by one of the Bishops ... In the absence of a Bishop, prayers are read by a Lord who is a member of the clergy of the Church of England, if one is present. If no such Lord is present, the Lord on the Woolsack reads them." On an occasion when a Bishop was absent, but a minister of the Methodist Church was present, the prayers were still read by the Lord on the Woolsack.

16 From *The Methodist Worship Book*: "God of mercy, we pray for the life of the world...and for those who exercise power...Show us how to live as members of the human family; to reject the ways of war; to bear each other's burdens and to work together for justice and peace."¹¹

From *Common Worship - Services and Prayers for the Church of England*: "Bless and guide Elizabeth our Queen; give wisdom to all in authority; and direct this and every nation in the ways of justice and of peace; that we may honour one another, and seek the common good."¹²

17 "Notice of Motion 18

While retaining the practice of a Conference Address to HM the Queen, Conference recognises the sensitive issue of national identity in a Conference of more than one nation and thus agrees to cease the practice of singing 'God Save the Queen'.

The Conference adopted the Motion."¹³

18 "Your Majesty

The Methodist Conference meeting in Llandudno ... sends loyal greetings.

We are delighted to be meeting in Wales at a time when the diversity of culture and self-understanding of our people is recognised as a strength and a gift

It is then in this growing awareness of unity in diversity that the Methodist people assure Your Majesty of our continuing prayers for you, for the communities we each seek to serve, and for the peace of the world founded on the principles of love and justice which we believe to be at the heart of the gospel of Jesus Christ."¹⁴

19 "In 1999 Cornwall was granted Objective One status by the EU in recognition of its significant poverty and economic deprivation. The Church in Cornwall had played an important part in the campaign to obtain that status, and when it was granted was given a lead role in the social inclusion agenda. It was not, however, the Methodist Church which had taken that lead and been entrusted with that responsibility on behalf of all the churches, despite its historically

dominant position in the county, but the Church of England. There is no doubt whatsoever that it was its 'established' position which gave it the access to areas of the county's life - both among the movers and shakers and among the excluded - which made this role possible, and that it was also its 'established' position which had enabled its pioneering role in social responsibility in the previous decade and had made it credible." Methodist minister

20 "In the early 1990s, when I was newly stationed, the local Anglican vicar visited me. 'I want to welcome you' he said, 'because you have moved into my parish.' He went on to set out his understanding of the parameters that should surround my relationship with the parish community. These included seeking the vicar's permission before visiting the local state school, because it fell within the parish boundary." Methodist minister

21 "When we moved to this rural community we inherited a much more balanced handling of Remembrance Sunday than we have experienced in many other places. The service always takes place in the parish church, whose churchyard also contains the war memorial. But in one year the Methodists take responsibility for the service and an Anglican preaches and in the next year the arrangement is reversed. The Anglicans come to the Methodist Church in January for the Annual Covenant Service which is also shared between the respective clergy." Methodist Local Preacher married to Anglican priest.

22 "To a member of the United Reformed Church it can sometimes seem as if the only denomination that matters to the Methodist Church is the Church of England. One example of this is the decision for the Covenant discussions to proceed bilaterally, with 'informal' tri-lateral talks tacked on as an afterthought. This is in spite of the fact that there are literally hundreds of LEPs around the country involving both the Methodist Church and the URC. On other occasions Methodists locally have given the impression that things will only really start happening when the Methodists get involved, even if the URC has already committed people and resources to situations such as chaplaincy."

URC member

USING STORIES AND EXPERIENCES

23 Aspects of identity, instinctive attitudes, differences and conflict are often named through the telling of stories and experiences. Yet it must also be acknowledged that people often recall their bad experiences more quickly than the good, even when the bad experiences were the exception. The most easily remembered stories are not always complimentary and certainly not unbiased. Some stories that are told may be the kind of personal experiences that are new to those who hear and unique to those who tell them. Others are the stories of a more remote history which have been told many times in different ways by different people. Such stories may come to attain the status of 'myth', which is nothing to do with whether or not they happened historically. It is rather that they become 'typical' stories and bearers of meaning for us in significant ways.

24 Using stories for this sort of report means that there is no pretence that Methodists (any more than those in the Church of England) come to this subject from a neutral or 'objective' point of view. In this report stories have been told briefly because they may illustrate or explain some Methodists' present instinctive attitudes. Reflection on the stories we have highlighted may reveal that Methodist attitudes to establishment are affected by the experiences re-presented in stories such as these as well as by historical and theological reflection. The subject of establishment may actually turn out to be a key subject for bringing into the open memories that

need to be healed, as referred to in *An Anglican-Methodist Covenant*, because it involves our understanding of what it is to be the Church, and of how we experience our political and social context.

25 Even at this early stage, the stories and experiences we have shared lead to tentative lines of interpretation. During the period of separation between the Church of England and the Methodist Church, the different relationships of the two churches to the state and the different legal status of the two churches have formed individuals, congregations and churches in distinct ways. The history of separate formation has engendered differences in both practice and experience. For the period of our mutual separation, members of the Church of England have experienced Christian life and politics as members of the established church; Methodists have experienced Christian life and politics as members of non-established churches. These different experiences have contributed to the shaping of the political views and practices of members of the two denominations. Unless acknowledged, such differences could still work against our growing unity. Differences in experience may be harder to handle than differences in practice.

26 Identities are inevitably shaped by experiences. Methodist identity, for historical reasons, has been shaped in part by experiences of being ‘outsiders’ to the establishment, ecclesologically, socially and politically. This results in what can be interpreted as both inferiority and superiority complexes. Methodists may have a sense of lack of privilege, even at times of jealousy, as well as a pride in being intentionally non-conformist and outside the system. Methodist history, of course, holds within it also the arrogance of majority Wesleyans over against other Methodist groupings as well as a range of social class tensions which are similar to those which have been simplistically read as differences between Anglicans and Methodists. Furthermore, it is possible to point to situations where Methodists in the majority, in particular regions or countries, have acted towards others in ways that assume superiority or greater significance for themselves, whether or not they have a close legal relationship to political authority.

27 It is also far from easy to interpret how Methodists’ attitudes may be interwoven with a broader social context. The conflicts over church schooling in the early years of the twentieth century had an impact on those Methodists who identified themselves with non-conformity whilst Wesleyans had a strong history of their own church schools. But by the 1940s and 1950s, perhaps partly because there was little direct contact between Anglicans and Methodists, Methodists seem to have been relatively uncritical of the establishment of the Church of England. If there is a greater questioning again now, is that really rooted in Methodist history or tradition, or is it actually a product of a more general cultural change in which attitudes to authority - and hence to ‘establishment’ in its widest sense - have markedly altered?

28 There is a need in this context to identify the different ways in which phrases about ‘the establishment’ are used. Regular references to ‘the (connexional) establishment’ in the letters pages of the *Methodist Recorder* serve to remind us of the tendency of all institutions to have, or be perceived to have, a group exercising power and influence through tacit arrangements and shared assumptions and networks. The particular arrangements which form the establishment of the Church of England are only a part of the much more nebulous and broad sense in which ‘the establishment’ refers to ruling elites and social hierarchies of which people are often suspicious. In exploring these issues there needs to be an awareness of the distinction between the two uses of the word ‘establishment’.

29 Having explored our initial attitudes and experiences, the discussion now turns to the broader analysis and wider resources needed to inform British Methodist reflection on the establishment of the Church of England.

ESTABLISHMENT

30 The Christian Church, embodied in its many historical forms, has always had to relate to the society around it and to the people and structures through which societies are governed. (See the 'Reflections' section for further discussion.) Under some circumstances the relationship is legally defined, involving some mutual recognition of the related existence and purpose of Church and state within a particular nation. Those arrangements may be referred to as 'establishment'. The details of such arrangements vary widely depending on historical circumstances. Defining establishment in the abstract, therefore, is an almost impossible task. Establishment needs to be discussed in a much more contextual way, taking historical accidents and particular situations into account. This report deals with the subject in that way, rather than trying to locate a meaning for establishment more broadly in the nexus of possible Church/state relationships.

31 The Anglican writer, Paul Avis, notes the many different degrees and forms of establishment. He argues that what forms the substantial and important content of establishment is:

the principle of partnership in service between Church and civil society; the national pastoral mission of the Church that aims to reach the whole community, territorially understood; the State's recognition of the things of God and its responsibility for the spiritual welfare of its citizens, in preference to a purely secular constitution; the acknowledged role of the Church in the debate over public issues.¹⁵

Avis argues that this is what matters about the establishment of the Church of England as well as suggesting that it might be more fully shared ecumenically. Many Methodists will appreciate such a strong statement of a positive partnership between Church and civil society, including a sense of pastoral mission to the whole community. Recent work affirms the self-understanding that, 'The Church of England exists to be a Church for the nation...The Anglican calling, because of theological conviction, is to be a Church for all.'¹⁶

32 The establishment of the Church of England is a whole network of laws, rights and responsibilities which flow from the special relationship between the British state and that church.¹⁷ The Church of England is 'by law established'. Church law is part of the general law of England. Many of the roots of establishment in its present form come from Henry VIII's break with Rome, though some aspects of the present relationship between the Church of England and the state reach back to earlier medieval times. The sixteenth century break with Rome was essentially about who had authority in church governance matters, rather than doctrinal issues. Henry laid down the governance of the Church of England in a series of Acts of Parliament. Much of the Henrician legislation was reinstated by Queen Elizabeth after the reversion to Rome under her half-sister, Mary. Parliament was seen as the representative body of the Church of England, as of the state. So Parliament made church law just as it made the law of the land. Parts of the Tudor legislation remain in force today.¹⁸ The monarch remains Supreme Governor of the Church of England.

33 At one level the Methodist Church today is also established by law. It is governed by an Act of Parliament (now the Methodist Church Act 1976). It enjoys certain privileges and owes certain responsibilities to the state. But Methodism's existence and self-awareness as church developed for well over a century, in its different manifestations, before any Parliamentary intervention. Legislation governing Methodism has always been via the private Bill procedure.¹⁹ Indeed the 1976 Act represents a lessened degree of Parliamentary involvement compared with its predecessor, the Methodist Church Union Act, 1929: the power to amend the

doctrinal standards now rests with the church, as it did not from union in 1932 to 1976. That is very different from the position of the Church of England which is so closely woven into the British constitutional system that,

- a. its legislation in General Synod has the force and effect of an Act of Parliament;
and
- b. its courts are part of the judicial system with judgements having general legal authority and being reported in the official Law Reports.

34 But there are some features of the establishment of the Church of England which usually attract particular comment and this report needs to address them. So in the next paragraphs these specific features are discussed. They are

- a) the degree to which the established church is self-governing;
- b) the system for appointing diocesan bishops;
- c) the territorial claims made by the Church of England.

We then turn briefly to models of establishment other than that in England.

Self-government in the Church of England

35 The Church of England has over the last hundred years gained a very considerable degree of self-government. It now has complete freedom over worship and doctrine subject to the entrenched standards of the Thirty-nine Articles, the Book of Common Prayer and the Ordinal. Its freedom to govern its worship and doctrine is therefore akin both to that which applies to the Church of Scotland and to that which applied to the Methodist Church from 1932 to 1976.

36 The General Synod can legislate both by Canon (where it acts alone) and by Measure (where its proposals go to Parliament for endorsement). Under the Worship and Doctrine Measure of 1974, the Synod can

approve, amend, continue or discontinue and make provision for any matter (except the publication of banns of marriage) to which the rubrics of the Book of Common Prayer relate. These powers are exercised without reference to Parliament and no Measure is required. The only condition is that the Synod is required to ‘ensure that the forms of service contained in the Book of Common Prayer continue to be available for use in the Church of England’. Similarly the Synod now decides the form in which ministers and officers of the Church of England are required to assent to the doctrine of the Church of England (the declaration of Assent). Again no Measure or reference to Parliament is required.²⁰

The Measure constrains these powers by reference to the doctrine of the Church of England as defined in Canon but also gives the Synod effective power to determine whether or not what is proposed falls within that definition of the church’s doctrine. The relevant Canon (A5) reads:

The doctrine of the Church of England is grounded in the holy Scriptures, and in such teachings of the Fathers and Councils of the Church as are agreeable to the said Scriptures. In particular such doctrine is to be found in the Thirty-nine Articles of Religion, the Book of Common Prayer and the Ordinal.

37 But in other areas the Church of England’s freedom to legislate remains subject to a Parliamentary veto on a case by case basis. In particular Parliament sees itself as the protector of the rights of ordinary lay people. Many Measures proposed by the General Synod subsequently pass through the Parliamentary process easily. But Parliament, usually through its Ecclesiastical

Committee,²¹ can and does still frustrate the wishes of the Synod from time to time. Recent examples of the influence of Parliament are:

- a. a Measure on churchwardens where the Ecclesiastical Committee made it known that they would not deem the Measure 'expedient' unless what some regarded as arbitrary powers to remove churchwardens were removed. The General Synod withdrew the original proposal and then passed a replacement omitting the provision to which the Ecclesiastical Committee objected.²²
- b. the Ecclesiastical Committee objected to an unlimited period during which the Church Commissioners could continue to meet pre-1998 pension liabilities from capital.²³
- c. fears that Parliament, or at least the Ecclesiastical Committee, would not approve the Measure permitting the ordination of women as priests were also a factor in the adoption of the Episcopal Ministry Act of Synod 1993 which added significantly to the protection for opponents of women's ordination.²⁴

The state and church appointments

38 A second contentious aspect of establishment is the appointment of bishops. The 1533 Appointment of Bishops Act still applies. Technically, a diocesan bishop is elected by the College of Canons of the relevant Cathedral. But they conduct that election under a binding direction from the Crown as to whom they should elect (and no chapter has sought to resist such direction). So in practice it is the Crown which appoints. Since it is a cardinal constitutional principle that the monarch acts only on the advice of her or his Ministers, this means that the Prime Minister actually makes the appointment. Thus, the announcement of new episcopal appointments comes from No. 10 Downing Street, not from the church.

39 The present system of appointments derives essentially from a 1976 agreement between the Church of England and the then Prime Minister, James Callaghan. It is clear from the published documents on that agreement that one reason why the state has resisted giving the Church of England complete control over the appointment of diocesan bishops is that the 26 most senior diocesan bishops sit in the House of Lords.²⁵ At present, the proposals for the reform of the House of Lords preserve the bishops' seats. It is not clear whether a different view about the control of appointments would be taken if bishops were to lose automatic seats following any further reform of the House of Lords.

40 Since 1976 the system has been that a Crown Appointments Commission (CAC) offers two names to the Prime Minister in order of preference. The Prime Minister either recommends one of those names to the monarch or asks for more names. The CAC currently comprises 12 voting members and 2 non-voting members. The voting members are the two Archbishops, six elected representatives of the General Synod (three from each of the Houses of Clergy and Laity) and four representatives of the Vacancy-in-See Committee (a Committee representing the diocese and charged with defining the needs of the diocese).²⁶ The relevant Archbishop chairs the Commission except when a new Archbishop is being sought (and in that case there are also some changes in the composition of the CAC). The non-voting members are the Prime Minister's Patronage Secretary and the Archbishops' Appointments Secretary. Until recently, the CAC met in great secrecy and its recommendations to the Prime Minister are still not made public. In most cases Prime Ministers are believed to have recommended to the Queen the first name from the CAC, but it is widely rumoured that this has not always been true.

41 The General Synod is now considering important changes to these procedures following a review chaired by Baroness Perry.²⁷ The current proposals include much less secrecy, the renaming of the CAC as the Crown Nominations Commission and an increase (from four to six) in the representation of the diocese on that Commission. However, a proposal to seek changes in the basic 1976 agreement with the state was defeated in the General Synod in July 2002.

42 The Church of England has more freedom over the appointment of suffragan bishops in that, whilst the diocesan bishop submits two names, it is understood that the Prime Minister invariably accepts the first name offered. But even then it is the Crown which appoints, as is clear both from the fact that the announcement comes from No. 10 Downing Street and from the mandate read at their consecration. The Crown (and therefore in practice the Prime Minister) also appoints to a number of other offices in the Church of England such as Deans of Cathedrals, Royal Peculiars (like St George's, Windsor and Westminster Abbey) and parishes of which the Crown is the patron.²⁸

Territorial claims

43 The territorial dimension of the Church of England's ministry and mission flows essentially from the fact that everywhere in England is in a church-defined parish and every

parish is in a diocese. At one level, every baptized parishioner who lives in England is entitled to be treated as a member of the Church of England. This is reflected in the fact that all residents, not just those on the church electoral roll, can vote in the election of churchwardens. Residents also have rights in their parish church particularly for baptism, marriage and funerals. The precise rights differ in each of the three cases and in fact the exercise of those rights is restricted by some Anglican incumbents.

44 The other side of the territorial dimension is represented in the notion that a bishop exercises spiritual oversight within a territory, which he then shares with the priests of his diocese. This is reflected, for example, in the use by the bishop in Anglican induction services of the words 'the cure of souls which is both yours and mine'. Essentially, this represents a claim to the privilege of spiritual oversight within a diocese or parish which is not explicitly related to the ministry and mission of other churches. The ways in which that privilege or right is exercised vary greatly. The problem is that, as perceived from outside, this territorial system very easily becomes a form of ecclesial imperialism. It is within current experience and recent memory, as well as older history, that Anglican clergy assume that they must be in charge of religious aspects of local events. In many places, it is still true that other traditions are involved in acts of commemoration in the local community on Remembrance Sunday only to the extent that the local Anglican incumbent permits. Many parish clergy still consider it their right and responsibility to act as *the* pastor for the parish, irrespective of the ecumenical circumstances. Some, for example, claim a right to conduct the funerals of any parishioners not attached to another church.

45 The language of privilege is contentious: as soon as that language is used it looks as though one person's or organisation's privilege has become the object of envy of another. Those identified as privileged, in many contexts, point to the obligations and responsibilities that are very often the 'other side' of privilege.²⁹ However, the privilege which is problematic in the context of the present discussion is the privileging of one denomination over another and, perhaps more controversially, the privileging of Christian groups over those of other faiths and no faith. This is not necessarily only about the position of the Church of England. It also applies where Methodists have assumed that they can speak or act as representatives of other Free Churches without seeking agreement to that effect.

46 Nevertheless, there are signs of a different attitude in some places, for instance, where Churches Together groupings are widely accepted as a representative Christian body. A good example is Borough Deans in London who genuinely represent a wide spectrum of Christian traditions. Many Christians have now experienced the value of a joint exercise of responsibility and voice in debates, on behalf of all Christian traditions, either by ecumenical bodies or through properly agreed ecumenical procedures.

Alternatives to the English model of establishment

47 In Scotland, where the Reformation took place several decades before the union of the English and Scottish crowns in 1603, the Scottish Parliament guaranteed the liberties of the Church of Scotland and its presbyterian form of government in 1592. Presbyterian government was restored in 1690 after an episcopal interlude. The Church of Scotland is often described as the established Church in Scotland, but its law has never been as integrated with that of the state as in the case of the Church of England. The General Assembly is the supreme court of the Church in matters spiritual; its decisions in such matters are final and cannot be appealed against in the civil courts. The Assembly can legislate for the Church; in some cases (constitutional matters or alterations of existing law and practice), it is required to consult the presbyteries. Each presbytery regulates and controls the appointment and work of ministers, superintends the work of the parishes within its bounds and deals with property matters. Matters of worship,

doctrine and church discipline are all clearly within the control of the General Assembly. The Presbyterian form of government and the Confession of Faith (the Westminster Confession) are laid down in the founding legislation. The Church of Scotland considers itself to have 'the right, in dependence on the promised guidance of the Holy Spirit, to formulate, interpret or modify its subordinate standards [i.e. subordinate to the Word of God in scripture], always in agreement with the Word of God and the fundamental doctrines of the faith contained in the [Westminster] Confession, of which agreement the Church itself shall be sole judge.'³⁰ In the 1980s, the Kirk explicitly decided in General Assembly that it no longer believed some of the more blatantly anti-Catholic sections of the Westminster Confession, and there was no question of needing statutory provision for this.

48 In Scotland the monarch is a member of the Church of Scotland and attends the sessions of the General Assembly, in person occasionally, or through her or his appointed representative, the Lord High Commissioner. In the nineteenth century, the Church of Scotland split over the issue of patronage but the Church of Scotland itself reformed the patronage system in 1874 placing the right of appointment in the hands of congregations subject to regulations of the General Assembly, with compensation to private patrons. Most of the splits were healed by the reunion of several bodies into the United Free Church in 1900 and the reunion of that church with the Church of Scotland in 1921. Legislation recognised the united church as the national church, in the Church of Scotland Act 1921.

49 The (Anglican) Church in Wales formed part of the Church of England until it was eventually disestablished in 1920. Through the later years of the nineteenth century, the campaign for Welsh disestablishment was a major issue in British politics. The fact that Free Churches were better attended than the Anglican Church and that the Welsh regularly elected Liberal (later Labour) members of Parliament were but two of many factors which fuelled the long campaign for Welsh disestablishment. The Church in Wales was separated completely from the Church of England (though both remain members of the Anglican Communion) but the separation of church and state was not total. Vestiges of establishment remain in the areas of marriage and burial. As in England, parishioners in Wales have rights to be married in the parish church and buried there (at least where they are baptized and there is an open graveyard).

50 The Church in Wales legislates for itself through the Governing Body without reference to Parliament (except in relation to marriage and burial) but this freedom is restricted by the adoption of a procedure under which, for major business, there has to be a two thirds majority in each of the 3 Houses (bishops, clergy and laity). The Church in Wales has also benefited from a uniform system of patronage in appointments to parishes which are in the hands of the church with no involvement by private patrons. The presence of elected representatives on the Patronage boards and on the Electoral College to appoint Bishops strengthens the local voice in appointments (and may help with their reception locally.)

51 There are many other models of churches which have a legally defined relationship to the state elsewhere in the world, particularly in Europe.³¹ Clergy in some European countries, particularly in Scandinavia, are civil servants with standard employment contracts paid at least partly from taxation. In much of Scandinavia and in Germany churches benefit from taxation, usually in the form of an explicit 'church tax' element within the income tax system. In Belgium, Spain and Italy churches (not just the dominant Roman Catholic Church) benefit from taxation to support their buildings and other costs. Even in the overtly secular French state, local authorities own and maintain Catholic Churches built before 1905. Many states require churches and other religions to register and in most European countries registration gives benefits in terms of the tax treatment of the church and of voluntary contributions to it.

52 It should be noted at this point that the British Methodist Church has signed up to the Leuenberg agreement. Through this the Methodist Church is in fellowship with churches, such as in Denmark, which could be said to have a much closer relationship to the state than the Church of England has. Furthermore, when negotiating the SCIFU proposals for church unity in Scotland, British Methodism appears to have seen no problems in a unity scheme with the established Church of Scotland.

BIBLICAL AND THEOLOGICAL RESOURCES

BIBLICAL MATERIAL

53 The biblical material in this section is not a catalogue of all the texts that could bear on the relationships between Church and state. Given the scope of this report, attention is focused on those scriptural passages that have been seen as providing biblical warrants for the establishment of the Church of England. This focus leads us to consider a tradition of interpretation that has made much of a supposed parallel between the people of England and the people of Israel and Judah in the Old Testament.

54 In the English Reformation Protestant apologists found in the Scriptures a justification of the national Church governed by the monarch which had emerged after the break with Rome. This built on an understanding (which did not originate at the Reformation but can be found in medieval commentators going back as far as Bede) that the history of the English people was, as it were, prefigured in the history of Israel³². According to this typological³³ reading of Scripture, the English were the new chosen people. They replaced as his favoured children both the people of Israel who had rejected Jesus and the corrupt Church of Rome. Sixteenth century apologists for the Reformation settlement developed this understanding to make a strong parallel between the reforms of the cult of Judah recorded in Scripture and the reforms of their own time. The faithful kings of Israel and Judah, who had purged the national worship of idolatry, were regarded as types of the reforming English monarchs. Their role as governors of the Church of England was held to be prefigured by the kings who, in the scriptures, had acted as guardians of the cult of the Lord. So, for example, Edward VI (1537-1553) was compared in sermons and homilies to three biblical monarchs: to Josiah, like him, a boy-king and one who had purged the cult of idolatry; to Solomon, wise beyond his years and the builder of the temple; and in the days of his final illness to Hezekiah who had recovered from severe illness thanks to divine intervention.³⁴

55 Such parallels continued to be crucial for those who sought biblical warrants to defend the Church of England's position against both other Protestant and Roman Catholic opponents. Edward VI was again portrayed as a reforming Judean monarch in the reign of Elizabeth I.³⁵ Charles I, in controversy with a Presbyterian theologian, asserted that it was the monarch's prerogative, not the people's, to govern the national Church because 'the good Kings of Judah reformed the Church in their own time.'³⁶ One of the most important Anglican apologists in the Restoration period, Edward Stillingfleet, buttressed his rationalising defence of the right of particular national churches to reform themselves with an appeal to the 'instance of the Church of Judah.'³⁷ In the controversy over the legitimacy of the Glorious Revolution of 1688 both the Non-jurors (those Anglicans excluded from office in church and state for continuing to support the deposed James II) and their opponents on the government side used arguments drawn from this parallel to support their positions.³⁸

56 This understanding exerted a controlling influence on the officially sanctioned expositions of other biblical passages that bear on the relationship between Church and state. Thus, it was

held that since the English Monarch was in the same position as the good Kings of Judah, then he, or she, was owed an almost unlimited loyalty. It followed that, as the Homilies³⁹ repeatedly assert, Romans 13:1-7 is to be understood as enjoining unqualified obedience even to monarchs whose actions appear evil.⁴⁰ For Stillingfleet, the 'Christian Religion above all others, hath taken care to preserve the Rights of Sovereignty, by giving unto Cesar the things that are Cesar's (Matthew 22:21) and to make resistance unlawful by declaring that those who are guilty of it shall receive to themselves damnation (Romans 13:2).'⁴¹

57 Furthermore, the crucial position given to the monarchy by this tradition encouraged an existing tendency to ascribe a quasi-mystical significance to the Lord's anointed. At one level this manifested itself in the political doctrine of the 'Divine Right of Kings'⁴²; at another it was seen in the Stuart monarchs' practice of washing the feet of the poor and giving them gifts on Maundy Thursday and by their claim to have miraculous powers of healing over the 'King's Evil' (scrofula). It is in this context that the sufferings and execution of Charles I, 'Charles King and Martyr', could be explicitly paralleled with those of Christ in the royalist text *Eikon Basilike*,⁴³ published shortly after the King's execution and purporting to be his own meditations on the calamities of his life and reign.

58 Moreover, it is clear that, at a ceremonial and liturgical level, this claim that continuities between the history of Israel and that of England can be discerned has remained significant into modern times. For instance, it was discernible in the coronation ceremony of Queen Elizabeth II in June 1953. This was informed by biblical themes with a particular focus on one scriptural episode, the anointing of Solomon by the priest Zadok (1 Kings 1:39-40). The Handel anthem just before the anointing, as well as the moving prayer that accompanied it, both referred explicitly to this episode. These references sought to establish correspondences, not only between the ceremony in Westminster Abbey in 1953 and the anointing of Solomon in ancient Israel, but also between the roles of monarch and priest in both societies.

59 In the absence of a written Constitution, this ceremony and the Scripture references it contained offer clues as to how both the Church of England and the British state understand the nature of their relationship. It suggests that the commonly held view that the Church of England is wholly subordinated to the state⁴⁴ should be modified by a recognition of the mutuality of their relationship. The monarch is legitimised by the Church of England's blessing and she has her own role to play in its rituals, for instance, in the annual distribution of the Maundy Money. Furthermore, the Old Testament parallels may be drawn in such a way as to urge on the church the duty of prophetic protest and to oblige the powerful to listen. Zadok was accompanied at Solomon's anointing by the prophet Nathan, who can be understood to represent the church's duty to challenge the powerful over issues of justice.

60 Thus it was possible in the past to use the Bible to defend the establishment of the Church of England and a sacral role for the English monarch. Is it still possible to do so today? The historical-critical approach, dominant, at least in academic circles, until recently, would rule out the method of using scripture we have been examining. From such a standpoint this approach is invalid because there can have been no intention on the part of the ancient Deuteronomistic historian(s) to speak of the future history of the English Church and people. However, in the present climate when some scholars are less dismissive of "pre-critical" methods of scriptural interpretation, could a case be made for re-asserting the validity of the biblical warrants used from the Reformation onwards to buttress the case for the relationship between the English Church and state? It could for instance, be argued that the close relationship between the monarch and the national cult in ancient Israel offers a divinely-sanctioned pattern for the relationship between Church and state.

61 In fact, no attempt appears to have been made by modern defenders of the establishment of the Church of England to re-invigorate the traditional methods of interpretation along these lines. Such an attempt would be almost inconceivable because, for one thing, it would involve the wholesale editing out of the many negative evaluations of the monarchy contained in the historical books of the Bible. Josiah and Hezekiah might suggest the possibilities of reform and renewal, but their achievements should be set against the damage done by faithless Kings such as Ahab or Manasseh. The Deuteronomic historian sums up Jehoi'akim, (the last king of Judah whose reign attained to any length) with a strong version of an often-used formula, remarkable for the sweeping nature of its condemnation, 'he did what was evil in the sight of the LORD according to all that his fathers had done' (2 Kings 23:36). This suggests that the historical books are most plausibly read as presenting an overall picture of a decline to the apparent disaster of defeat and exile⁴⁵. In spite of temporary reversals under the 'good kings', the close relationship between monarchy and cult facilitated a co-option of the representatives of the LORD by the royal power that contributed to this decline. We are invited to trace a trajectory that begins with the representatives of the LORD being needed by the emerging monarchy to legitimise their power, but ends with them being totally subservient to apostate kings. Thus, King Ahaz of Judah adopted a new type of altar for the temple based on a pagan model and reorganised the cult as a token of his total acceptance of Assyrian over-lordship. The representative of the cult accepts the King's orders meekly, in spite of the offence they represent to the LORD. The laconic editorial comment speaks volumes, 'The priest Uriah did everything that King Ahaz commanded' (2 Kings 16:16).

62 Furthermore, even such a passage as the anointing of Solomon resists the reading of an untroubled legitimisation implied by its echoes in the 1953 Coronation service. Solomon is anointed in the midst of a disputed succession, of palace intrigues, the execution of a rival claimant and the bloody settling of old scores. The editorial comment in 1 Kings 2:46 'so the kingdom was established in the hand of Solomon' appears a bland and innocuous summary of these proceedings. However, the ambiguity of the Hebrew idiom *beyad*, which could mean 'by the power' not simply 'in the hand', suggests in context a devastating criticism of Solomon and his supporters.⁴⁶

63 Indeed other accounts of anointing in the historical books can also be seen as passages in which deep ambiguities about the very institution of kingship are focused. Thus Samuel's anointing of Saul (1 Samuel 10:1) comes after passages in which the demand for a king for the people of Israel is declared to be tantamount to their rejecting the kingship of the LORD (1 Samuel 8:7-22). It is further qualified by the subsequent anointing of David (1 Samuel 16:13) in an act which subverts the authority of Saul, even though Saul remains 'the LORD's anointed' (2 Samuel 1:14). A further complexity is introduced when David is anointed for a second time at Hebron (2 Samuel 5:1-5), not by a priest but by the 'elders of Israel'. Rather than a redundant repetition arising from the artless cobbling together of sources, this is better understood as signalling the writer's unease in regard to the initial anointing of David by Samuel and even, perhaps, his reserve about the whole monarchical project.⁴⁷ It appears that David's legitimacy must be confirmed by popular consent not solely by the blessing of a priest or prophet.⁴⁸ The anointing of Jehu (2 Kings 9:1-12) is another example of a 'subversive anointing' which legitimates a rebellion rather than the smooth transfer of sovereignty to a legitimate hereditary ruler. Indeed, the historical books suggest that the purposes of the LORD can be accomplished by foreign kings as well as by Israelite monarchs.

64 It might be argued that the readings offered in paragraphs 61-63 are merely the result of a typically twenty-first century tendency to find problematic elements in the scriptures. However, it should be noted that similar difficulties were noted by some pre-modern commentators who were unsympathetic to the Reformation settlement. For instance John Milton (1608-1674),

though he believed as much as any Royalist that God reveals himself ‘as his manner is, first to his Englishmen’,⁴⁹ derided the ruler who ‘while he thinks himself Asa, Josia, Nehemia, ... be found Jeroboam.’⁵⁰

65 Furthermore, in this context changes in the coronation service in the seventeenth century may not be insignificant and may betray a, perhaps unconscious, awareness, even among contemporary Anglicans, of the complexities present in the biblical accounts. When Archbishop Laud crowned Charles I, the references were to the anointing of David.⁵¹ The references in subsequent coronation ceremonies were to the anointing of Solomon. The most plausible explanation for this change connects it with the trauma the Church of England and the monarchy had experienced as a result of Civil War, regicide and a republican Commonwealth. After such experiences it might have seemed desirable to highlight what appeared to be a rather less contentious anointing than that of the David who had been provoked into rebellion against the Lord’s anointed.

66 It seems clear then that this appeal to Scripture to justify the establishment of the Church of England and the Royal supremacy is flawed because it represents an impoverishment of the richness and complexity of the biblical passages upon which it rests. Moreover, the notion, crucial to this understanding, that the English people had superseded the historical people of Israel as the community at the centre of God’s purpose is dubious in view of the limitation imposed on such supersessionist⁵² tendencies by important New Testament passages. For instance, it is difficult to justify in the light of Paul’s clear teaching in Romans 9-11 that, in spite of the failure of many among the people of Israel to accept God’s grace offered in the Gospel, Israel continues as a community chosen by God and will receive mercy in God’s good time (Romans 11:28-32). The continued existence of the Jewish people implied by Paul’s argument and observed as an historical reality, is hard to reconcile with a strong form of the supersessionist understanding that the English people had simply replaced the Jews in God’s favour.

67 Without the support of the controlling typology the insistence in the Homilies that the state must be obeyed unquestioningly is revealed as imposing a false unity on more complex biblical witnesses. Thus those passages such as Romans 13:1-7 in which the authorities⁵³ are said to be ‘of God’ and even ‘his ministers’, or 1 Peter 2:13-17 which urges respect and obedience to rulers, are not to be privileged above others that are critical of the powers that be. A more balanced exegesis must pay attention to texts that reflect a disquiet about the claims of the imperial system; texts in which, for instance, perceptions of injustice and persecution produce the coded condemnations of Revelation 18:1ff⁵⁴; or in which the claims of the heirs of Augustus to maintain a new ‘golden age’ of ‘peace and security’ are cast into doubt by eschatological convictions as they are in 1 Thessalonians 5:3.⁵⁵

68 Moreover in evaluating biblical passages which may bear on the establishment of the Church of England it is important to point out that the possibility of identification, or even close co-operation, with the state is simply not envisaged in the New Testament. Still less is there any thought among the communities that produced these scriptures that they should aspire to become the official cult of the Empire. Significantly, even severe persecution did not lead to any desire for a territorial jurisdiction in which the Church’s security could be assured. Though written in diverse contexts, the New Testament documents unite in pointing to a settlement which is seen in eschatological rather than this-worldly terms. So Philippians 3:20 asserts that the Christian’s ‘citizenship is in heaven.’ Revelation 21:2 expects ‘the holy city, the new Jerusalem, coming down out of heaven from God.’

69 Both negative and positive views of the authorities assume that the Church and the state are not twin aspects of a single entity. This separation had been clearly affirmed in the episode of the trap that the Pharisees and Herodians attempt to spring on Jesus in the matter of the tribute levied by Rome (Mark 12:13-17; Matthew 22:15-22; Luke 20:20-26). In Mark's version Jesus' opponents flatter him for his supposed impartiality in deciding matters of truth. 'We know that you are sincere', they say 'and show deference to no one; for you do not regard people with partiality...' (Mark 12:14). Jesus' request for a coin ironically picks up the last phrase quoted, which translated literally means 'you do not look at the face of any one.' Jesus draws attention to a face, the image of Caesar on the coin, the iconic projection of imperial power worshipped as a god.⁵⁶ He provokes his hearers to consider the collusion with this idolatry attendant on their use of the coinage. He concludes with ironic words that, although they leave much ambiguous, imply that some degree of separation must be made between the kingdom of God and the Roman empire. 'Give to the emperor, the things that are the emperor's and to God the things that are God's' (Mark 12:17).⁵⁷ In John's Gospel a similar separation, (though here an eschatological dimension is much clearer), is manifest in Jesus' word before Pilate, the representative of the Roman state, 'My kingdom is not of this world' (John 18:36). It is not, however, possible to draw straightforward parallels between the kingdom of God and today's Church, or the Roman empire and the modern state.

70 Furthermore, a separation between the kingdom of God and the Roman empire does not legitimise a dichotomy between a supposedly private religious sphere in which God may be invoked, and a public realm in which power politics prevail. Such a dichotomy cannot be sustained in view of both the Old and New Testament's proclamation that God's reign embraces all the earth and all aspects of life (e.g. Psalm 96:10-13; Romans 14:11).

THEOLOGICAL MATERIAL

71 Given the narrow brief of this report and as with the biblical section, the following paragraphs do not try to cover everything that could be said about Church/state relations or to offer a comprehensive political theology. Instead this section reflects on the theological underpinning and explanation for the particular form of establishment of the Church of England.

72 The identity of the Church of England, ecclesiological and politically, was forged in the struggles and debates of the English Reformation. Both theological and political factors lie behind ideas of establishment. In particular there were debates over the identity of 'true churches', in the wake of Reformed churches breaking away from papal authority. These led to reflection on the status of 'particular', i.e. national, churches, which the English Reformers argued were equal with others and justified in themselves. In the varied circumstances of the sixteenth and seventeenth centuries, as English Anglicans situated their church in relation on the one hand to Roman Catholic positions and on the other to Puritan theology, the Church of England developed a unique identity.

73 Richard Hooker (1554-1600) is generally seen as the supreme theological exponent of the establishment of the Church of England in this critical, formative period. For Hooker, Church and nation were two sides of one single community or commonwealth. This expressed the co-operation between two God-given spheres - the spiritual and the temporal. Church and state had their differences in nature and function, but for Hooker they were made up of the same persons, not different persons as claimed by more radical Protestants who were intent on separating Church and state. Within Hooker's vision, Church and nation were governed by the Christian prince, according to the laws of the realm. The sovereign was supreme ruler of the realm and Supreme Governor of the Church. This meant that the laws enacted by the monarch were

effectively laws of God for the people of the land. Theologically, the notion of establishment was bound up with the notion of sacral kingship - the idea that the monarch is both lay and anointed by God. For Hooker the role of Parliament as the lay synod of the Church of England was also important.

74 This model of the relationship between Church and state, so formative for the Church of England, can be described as the 'nation as church' model.⁵⁸ To most people in the sixteenth and seventeenth centuries it was axiomatic that there should be one church for one people. It was inconceivable 'that a State should not maintain some religion, or should be neutral in religious matters.'⁵⁹ Hooker took this for granted and it was virtually unquestioned until the Enlightenment. Those who held territorial jurisdiction in the church held it under the jurisdiction of the Christian ruler. As explored above in paragraph 57, the theological and political understanding of the role of the sovereign was developed in the seventeenth century as the doctrine of the divine right of kings. The experiences of Civil War, the Commonwealth after the execution of Charles I, and the Restoration of the monarchy gave rise to challenge to, and re-statement of, that doctrine.

75 However, the ecclesiological assertion that Church and nation were one and that the Church of England consisted of all the people of England was strained from the very beginning. It was challenged by the presence of both Catholics and Puritans. The ideal of the 'comprehensiveness' of the Church of England, with its attempts to include all the people, was undermined by concessions made to Dissenters under Charles II and James II (in both cases in order to protect Roman Catholics). It was further undermined by the splits in the Church of England caused by the replacement of James II by William and Mary, so opposed by the Non-Jurors. This theological underpinning has only continued to erode in the centuries since. Yet it was also restated in the last century: William Temple spoke of the Church of England as 'the whole people of England in its religious capacity.'⁶⁰ The remnant of such a foundational understanding may still be influential.

76 Hooker's construal of the relationship between Church and state owes much to the medieval background and theology of Thomas Aquinas, as well as to aspects of the theology and practice of the Reformers. But his model was developed in opposition to other voices, which have retained their witness within the Christian tradition, arguing either for greater distance or complete separation between Church and state.

77 The founding of some of the settlements in America in the seventeenth century was, of course, driven by those seeking to escape the theological and political arrangements of the establishment in England. Beginning a new life in the colonies was an escape from possible persecution and a safeguard for conscience. A nation which began such a stage of development in that way eventually, more than a century later, shaped its federal identity as based on religious toleration and the prohibition of the establishment of religion.

78 The principle of 'nation as church', in its theological and its political senses, remained dominant until the nineteenth century. It was defended by such as Edmund Burke, who wrote of the established church 'consecrating' the state, but it is notable that Burke needed to write in order to defend the establishment of the Church of England. Gladstone's 'swansong' defence of such a notion was admitted to be impracticable, not compatible with a religiously plural state.⁶¹

79 As the nineteenth century progressed, Parliamentary reform both recognised and developed an increasing sense of religious pluralism. Some commentators began to re-shape the notion of the established church's role to take on board new social circumstances. Theologically, there was still a role for the Church of England in guiding the nation; also developing further was the sense of that church's mission to all in the nation. Others opposed

the establishment arrangements. In 1833, John Keble's Assize Sermon on 'National Apostasy' launched the Oxford Movement. He attacked the government's decision to reduce the number of Irish bishoprics. The leaders of the Oxford Movement argued that the Church's identity should be separate from that of the state, grounded in episcopal succession, ruled entirely by church leaders, not political.

80 Questions of establishment remained controversial throughout the nineteenth century and into the twentieth century. Between 1870 and the 1960s (prior to the Chadwick Commission) nine commissions and committees were appointed by the Church of England to consider matters pertaining to the relation between Church and state in England.⁶² The Chadwick Report produced the most significant contribution to the debate in laying the foundations for the 1974 Worship and Doctrine Measure and the 1976 system for appointing bishops. The report, however, devotes just one of its 67 pages to theology. There it is said that it is differences in understanding what the Church is that lead to different views of establishment. Neither the majority of the Commission nor any of the four dissenting notes from individual members use lines of argument like those from Hooker to justify establishment. Indeed the final paragraphs of the report recognise as legitimate views ranging from the belief that 'the Christian tradition and the English inheritance go hand in hand' and that it is therefore right for England to have an established church right through to those which argue that establishment is at best anachronistic and at worst dangerous because it damages the gospel to be associated with what is in reality a secular state. The Chadwick Commission say that they 'tried to recommend what the majority of us think to be desirable and practicable'.⁶³

81 Reflecting on the continued relevance of this developing theological understanding, Avis argues that there are aspects of the 'nation as church' model which can still be theologically helpful for today's reflections. For him, these are: the Church's mission to all in the nation; the role of the laity in church government, and the right of a national church to govern and reform itself.⁶⁴ Furthermore, a notion of establishment more responsive to Britain in the 21st century may draw on other theological themes touching more generally on the relationship of Church and state. These include the notion that society cannot but have a foundation in transcendent truths and values, so the governing authorities have to have some relationship to spiritual matters and spiritual governance. If the state, though not particular regimes of government, is ordained by God⁶⁵, those who serve the state do God's work. Since the Church too is God-given, these institutions must relate to each other and in relating to each other they will mutually affect and shape each other.

82 Neither the theological nor the political justification of the establishment of the Church of England has remained the same over the past 500 years. However, many of the strands of explanation and justification are still available. Clearly, the central plank of the argument for establishment in Hooker's theology - the notion of Church and nation as one single commonwealth - no longer holds as a theological basis understandable or justifiable in the 21st century. The theological justification of the establishment of the Church of England has adjusted to take more account of a religiously pluralist landscape, though it may be further challenged by continuing decline in church attendance and participation in baptisms, weddings and funerals in the Church of England. Some argue that establishment has proved to be as flexible as it needs to be; others argue that only a radical break will enable the Church of England to live well with a variety of denominations, a variety of religious faiths and a lack of cultural unity in the nation. Those who argue the former would see the Church of England as a force for national unity and cohesion; those who argue the latter would be more likely to argue that cultural unity *is* a distinctly problematic notion in Britain today and recognition of diversity *with* equality (including between religious traditions) is a good thing in itself.⁶⁶

METHODIST HISTORICAL BACKGROUND

83 In this section, the first three paragraphs summarise the general political situation in the United Kingdom during the period of Methodism's history before we turn back to specific details about Methodism. The Wesleys' Methodism developed in a society which was used to religious establishments but was also growing accustomed to the qualified acceptance of religious dissent.⁶⁷ The kingdoms of England and Wales, Scotland and Ireland each had an established church in the early eighteenth century; in the first two (but not the third) this church also commanded the allegiance of an overwhelming majority of the population. Since 1689, however, a measure of legal toleration had been conceded to Protestant nonconformists, thus breaching the principle of the 'confessional state' and placing the established church in local competition with dissenting congregations. Toleration was grudging and limited, but various attempts to challenge discriminatory legislation were fruitless until the 1820s.

84 In 1828 seventeenth century legislation penalising Protestant dissenters was repealed and in 1829 Roman Catholics were also allowed to stand for election to Parliament. Although Parliament continued to legislate for the established churches, therefore, its membership from then on included Christians who openly dissented from their doctrines and discipline. After further controversy later in the century, adherents of other faiths and professing atheists also entered Parliament. These developments, coupled with changes to the framework of national and local government in the 1830s, provoked calls for the separation of church and state from within the establishment in England and Scotland, while Protestant nonconformists extended their campaign for relief from their remaining civil disabilities to advocacy of disestablishment.

85 Notwithstanding conflicts over education, Free Church pressure for disestablishment fell away after the first decades of the twentieth century. Arguably the keenest advocates of disestablishment were Anglicans who protested, for instance, against Parliament's rejection of the revised Prayer Book in 1927-28. Freedom from state control remained part of the 'distinctive Free Church witness', but it was not urged with the zeal and militancy of the nineteenth century Anti-State Church Association.

86 To return to the origins of Methodism, Puritanism, dissent and High Church Anglicanism were mingled in the Wesleys' family background. Although descended from ministers ejected from the Church of England for nonconformity, John and Charles Wesley were raised in a staunchly High Church household and educated at Oxford, the seminary of the establishment. The High Church school of their youth cherished the principle of religious establishment and held that the state had a God-given duty to protect and uphold the church. Dissent was scorned and feared as doctrinally heterodox and politically subversive. Conformity to the Church of England remained a high priority for Charles Wesley, who was perennially anxious lest Methodism should lapse into dissent. John Wesley, on the other hand, brought important qualifications to his commitment to the establishment of the Church of England, while Susanna Wesley's sympathies lay with the Non-jurors. John Wesley was prepared to use his status as a clergyman to justify his itinerant mission, and he appealed to the law to defend Methodists and Methodism against attack. In utterance and action, however, Wesley consistently placed the cause of the revival above the order, laws and discipline of the church. Moreover, he challenged an underlying principle of establishment, claiming that Constantine's espousal of Christianity was 'the grand blow which was struck at the ... whole essence of true religion.' Wesley did not, however, advocate disestablishment and he felt little affinity with dissent, but neither was he a thorough-going church and state loyalist.⁶⁸ He eventually, with reluctance, decided to register Methodist preaching houses as places of worship under the Toleration Act on the grounds that it gave Methodist property and people more legal protection.

87 During the half-century or so after John Wesley's death Methodism expanded rapidly. This period of numerical growth, institutional consolidation and evolving identity was also an era of conflict and secession, giving rise to many competing connexions, from the Methodist New Connexion (1797) to the United Methodist Free Churches (1857). Thus there was no single Methodist response to the dissenting campaign for relief from civil disabilities and then for disestablishment. Generally, the Wesleyan Conference and connexional authorities stood aloof from alliances with radical dissent and from causes which might imply hostility to the Church of England. The Conference of 1848, addressing the societies, pronounced in favour of religious establishment, while the *Watchman*, mouthpiece of the connexional leadership, suggested in 1862 that the lack of a state church might be a major cause of the American Civil War. On the other hand, the legacy of the Oxford Movement shook Wesleyan confidence in the established church, while Anglican pastoral practice could easily offend Wesleyan sensibilities. Beyond official caution, individual Wesleyans might be more sympathetic to the dissenting programme, while the New Connexion, Primitive Methodists and Free Methodists showed no inhibitions in attacking 'establishmentarian bigotry' and supporting disestablishment.⁶⁹ The last decade of the nineteenth century saw the Wesleyans taking a more active part in a broader Free Church platform, with Hugh Price Hughes as one of the voices of the so-called nonconformist conscience. But even the cause of Free Church unity and the provocation of the 1902 Education Act failed to persuade the connexion officially to endorse disestablishment.

88 As noted above, after 1918 the issue subsided across the Free Church constituency. Although the question of the relationship between Church and state was raised in the Free Churches' response to the Lambeth Appeal of 1920, it is interesting to note that explorations of Christian unity in the inter-war period and thereafter focused on issues of ecclesiology and not on establishment. The Methodist statement on 'The Nature of the Christian Church', adopted by the Conference of 1937, although offering a thorough apologia for Methodism's 'place ... within the one Church of God' saw no need to consider the church in its relation to the state. This had not changed by the time *Called to Love and Praise* was adopted in 1999.⁷⁰

REFLECTIONS

89 The Christian Church exists not for itself but because it is to be involved in God's mission to the world. *An Anglican-Methodist Covenant* describes the Church's mission in these terms: 'As an expression of the mission of God, the Church's gospel mission conveys God's saving power in its fullness and wholeness for the salvation or healing of humanity (cf Titus 2:11) ... Mission addresses the whole person, that is people in all their social, economic, political and cultural relationships.'⁷¹ The Church is also a part of the world to which God comes in love. It is part of many, varied cultures and it is also counter-cultural. This is a tension in Christian history and tradition. Christians are citizens of both Church and society, having a responsibility to stand with and over against the society of which they are a part. Mission is enacted in this place of creative tension.

90 *An Anglican-Methodist Covenant* also cites the arguments in *Commitment to Mission and Unity*, following other ecumenical work, which link unity together with mission: 'The Gospel message ... is compromised by our divisions and consequently our witness to reconciliation is undermined.'⁷² In Covenant together, the Methodist Church and the Church of England need to work out exactly how the search for unity and the energy for mission inform and infuse each other.

91 Since the Christian Church exists for mission, whatever is a hindrance to mission is to be avoided and that which enables mission is to be promoted. However, it is in the discernment of these things that the debates begin, as much within denominations as between them. With regard to the subject of establishment, what some see as a hindrance to mission is seen as a help by others. What is interpreted by some as a problematic identification of the Church of England with state authorities is read by others as an engagement which makes demands on the Church to be prophetic and in fact is the only place from which the prophetic voice can really be heard.

92 As the call to mission is heeded, the importance of a territorial dimension becomes clear. In New Testament times, Christian mission spread beyond the boundaries of the land of Israel (see Acts 1:8). Because of this geographical expansion, Christians had to consider their relationship to the authorities which governed particular geographical areas. Throughout their history, Christians have on the whole sought co-operation with governing authorities so that the mission of the Church might progress. Where that co-operation has not been possible, Christian mission has continued, but with difficulties that Christians have sought to overcome.

93 Those who find the theological basis of establishment in the territorial outworking of a sense of mission to all should find a resonance in the Methodist concern for mission to all. There are arguments in favour of a territorial approach which seeks to reach all. Indeed Methodism's circuits have a territorial dimension. Like many Anglican churches, many Methodist churches see themselves as having a mission to the community or neighbourhood within which they are set. They are not purely gathered or associational in intent. In fact in both the Methodist Church and the Church of England today the reality is that some congregations are predominantly 'gathered', whilst others have a clearer sense of obligation towards the geographical community as a whole. Methodists need Anglicans to recognise that other churches share their sense of responsibility to the community beyond their own congregations. Genuine Christian mission happens where churches acknowledge this and work at it in equal partnership.

94 Sometimes Local Ecumenical Partnerships can give members of other traditions a sense that they share in the territorial privileges of the established church. Stories can be told, for example, of Methodist ministers who have been fully part of an ecumenical team ministry in such LEPs. But if one Christian tradition claims, or seems to be claiming, privileges for itself over others, Christian unity is inhibited. Unity can only be developed on the basis of equal partnership in God's mission. Such partnership is equally inhibited where one partner takes, or is given and does not reject, the responsibility for representing and leading on behalf of others without the agreement of those others.

95 To take a further example, the responsibility taken on by the Church of England on behalf of other churches is often evident in consultation processes with government, symbolised and in part effected by the presence of Church of England bishops in the present House of Lords. However, Methodists need the Church of England, as our Covenant partner, to hear that we do not always feel represented or included when it is claimed that, for instance, the bishops speak for all Christians, or for all people of faith. Consultation processes within our churches may distinguish the polity of the British Methodist Church from that of the Church of England. The Methodist Church has to take time over consultation precisely because a particular leader does not necessarily speak on behalf of the whole church except in very urgent circumstance. This is a point about time taken in a process, not about quality of consultation. It is a feature of our ecclesiology, expressed in the way that the Conference is the ultimate governing body of the Methodist Church. Though it may be difficult for government to understand, we trust that a partner church will understand and respect that polity. In many areas either ecumenical instruments or other agreed ecumenical processes could be the way forward in consultation and

representation between and on behalf of Christian churches, so that genuine partnership enables growing unity which can in turn enable mission.

96 The Church of England develops its sense of mission territorially with the claim that only the governing authorities can grant the appropriate recognition that gives spiritual jurisdiction within particular geographical boundaries; hence state involvement in senior appointments.⁷³ As Methodists, we need to hear that argument, but also to put the counter argument that state recognition is not the only or necessary basis for a relationship of responsibility to and for the communities in which we live. For Christians, the authority needed for such is not in the end the authority of the state but the authority of God. Territorial issues are, however, only one part of the much broader relationship which has to be negotiated between Church and state.

97 Beyond the specific theological material discussed above (in paragraphs 71-82), Christian history and theology bear witness to two broad strands in the Church's response to the state. They might be referred to as 'the state as beast' and 'the state as instrument of God.' There is broad theological agreement in Christian traditions that the gospel cannot be identified with particular political structures, for the state is penultimate and limited. It is not of the essence of the Kingdom of God. Most Christian churches have understood the state as an instrument of God, but the fundamental tension between this view and the 'state as beast' picture is important. Christian history shows the tension between working with and standing out against the governing authorities, from biblical times on. This is probably a tension which must remain and cannot be resolved.

98 It is possible from Christian traditions to infer that certain relations between Church and state are not appropriate. If the gospel cannot be identified with particular political structures, one option that is closed off theologically is that which merges Church and state. That suggests that it is not a Christian option for the state to run the Church or for the Church to run the state.

99 At the other extreme is a complete non-engagement between Church and state which we believe also to be theologically inappropriate for those within the Methodist tradition. Methodism's history and theology with its emphasis on the gospel 'for all', draws us to engage both with those who seem to be at the margins and also with those at the centre of society. Engagement with civil society and with the state would, then, seem to be a theological imperative for us in a way that separation never could be. That does not, however, imply only one theologically prescribed pattern of engagement. Our history has shown the manner of that engagement from a non-established place.

100 What further may be said about the particular patterns of engagement between Church and state under discussion? For many, including some Methodists, the establishment of the Church of England is seen as a gift to all the churches, and even to all faith communities, in England. It is as if the Church of England fulfils a role as 'broker' or 'host' between state and faith communities, opening the way for others. Judgement on whether this happens or whether it is helpful is likely to be made on the basis of what individuals and communities have actually experienced of the Church of England's role in their own situations. Many in the Church of England, and in other faith communities, would argue that the current framework of establishment ensures that religion has a firm and distinctive place in the complex web of relationships which makes up any society. Disestablishment, they argue, would put that place at risk. Methodists need to hear that argument, perhaps particularly when it comes from other faith communities who feel protected by the present arrangement as they certainly were not under earlier forms of establishment. For instance, the present Chief Rabbi, Jonathan Sacks, has made this kind of argument both positively and forcefully on several occasions.

101 With reference to the patterns perceived in the biblical tradition (for instance, paragraph 70), the establishment of the Church of England ensures that it engages fully with the country's national life. This resonates strongly with the biblical claim that God's reign embraces all the earth and all aspects of life. The history of Israel and Judah, as recorded by the Deuteronomist, offers a warning of the dangers of a complete identity of interests between Church and state. We can recognise that, where the Church of England is concerned in modern times, such dangers have been avoided and Anglicans have been prominent amongst those Christians who have borne a prophetic witness against injustice.

102 The symbolic role of the Church of England in relation to the English nation has been noted, with the coronation of the monarch used as an example. Relating to the state is not necessarily the same as identifying with the 'spirit' of the nation as the Church of England is sometimes seen to do. But symbolic associations are extremely difficult to change and Methodists have not experienced the responsibility of carrying those associations. It is not in the British Methodist tradition to see ourselves as representative of or to the nation. Furthermore the Methodist Church sees itself as simply a part of the whole Catholic Church within England or any other nation. It has been suggested that, buried in the arrangements of establishment, is the claim that the Church of England is the whole Catholic Church for England. However, a recent Church of England report states, 'No one denomination, nor a strand within it, will be sufficient to respond to the call [to be a sign of the kingdom of God].'⁷⁴

103 It is clear that establishment has changed shape over time. A century ago Sir Lewis Dibdin could write: 'The Establishment has survived so many modifications that, whatever we may think, it would be rash to assert that the irreducible minimum has now been reached.'⁷⁵ Since then the Church in Wales has been disestablished and establishment in England has changed in considerable ways, notably with the creation of the Church Assembly (now the General Synod) and the 1976 agreement on episcopal appointments. However, whenever further changes are proposed there is a tendency to argue that the establishment of the Church of England must remain (in its then current form) because there are no better models of Church/state relations. The Committee would argue that there are other possible models both of a form of establishment and of other working relationships appropriate for Christian churches.

104 There is another model of establishment within Great Britain - that of the Church of Scotland. The authors of the Anglican-Methodist reports of the 1960s seem to have taken the view that establishment on the Scottish model might be acceptable to Methodists. The Scottish model combines the sense of responsibility for service, geographically interpreted, with a particular legal status and, hence, a form of state recognition of the Church. The Church of Scotland also has complete freedom to order itself through appointments, through liturgy and through doctrine, subject to an entrenched standard. But this is not necessarily an ideal model particularly since in Scotland it is applied in an exclusive way to just one denomination.

105 A different model of relationship is that between the state and the entity traditionally known as a voluntary society (as opposed to a public body).⁷⁶ Historically, this has been how Christian churches (and indeed other faith communities) have been treated by the British state, generally through the operation of the law relating to charities. They have therefore enjoyed a status which brings certain benefits, such as various types of tax relief as an acknowledgement of the public utility of their activities. The 'ecclesiastical exemption' has given certain churches control over alterations to the interior of listed buildings used for public worship. So churches which can show that they have internal approval mechanisms comparable to those exercised by the Church of England through the diocesan faculty jurisdiction are not subject to the control normally exercised by the local planning authority over listed buildings. The basic powers extend to all faith communities but to date exemptions have only been given to churches. From the state's point of view this model of 'voluntary society' puts churches into a competitive

arena, having to ‘earn’ the right to be heard through engaged responsibility and appropriate expertise. It is a model of how churches might be viewed by the state, and might relate to the state, but not about how churches identify themselves in their own terms. Theologically, the Church does not regard itself as ‘voluntary’. In Christian terms, the Church has a God-given duty which enjoins engagement and responsibility in society and in political processes.

106 As for the state’s responsibility, in a democratic society, it could be described as the state’s business to promote common goals and to allow for diversity. But that idea does not necessarily lead to the maintaining of a particular religion, let alone one Christian denomination. It is a considerable step from such a statement of the state’s responsibility to the suggestion that a particular Christian tradition should be afforded representative responsibilities and privileges.

107 The Church of England has a distinct and unique experience of a close relationship with the state. That experience has informed the Church of England’s self-understanding. It remains the case that for many Methodists the difficulties arise in what Avis calls the ‘visible’ areas of establishment (self-government, appointments and territorial claims), though we stress again that these need to be seen within a broader vision of the partnership between the Church and civil society (see paragraph 31 above).

108 All these reflections suggest that more than one option is left open for the way in which Church and state might relate to each other. It is not possible to argue that the relationship between the Church of England and the British state is one in which either church or state runs the other (cf. paragraph 98). The Church of England and the British state are not one and the same. But nor is that relationship the only possible option. Beyond the very broad prohibitions to be inferred from Christian Scripture and traditions, options will have to be assessed within particular historical circumstances, without assuming that only one option will be right and all the others wrong. However, in making judgements, we need to be responsive to the situation as it now is. There is no point in pretending that it is possible to start from a clean slate. The only place to begin is where we already are, with one established church and others that are not established.

109 In the nineteenth century there was a considerable political debate about the establishment of the Church of England, including a vigorous campaign for disestablishment. Another feature of our present situation is that there is currently little active support for disestablishment either within the Church of England or in wider society, even if present arrangements may not have universal support even within the Church of England. Disestablishment is not currently on any significant political agenda. But, should the Church of England itself demonstrate a clear majority in favour of radical change in the present framework, it is hard to believe that Parliament could not be persuaded to act.

CONCLUSIONS AND RECOMMENDATIONS

110 The Committee recognises that Methodists will respond in various ways to these issues. There is no one ‘Methodist’ way of interpreting or selecting from the tradition on this subject. Such variety does not make agreement or recommendation easy.

111 However the Committee concludes that:

- i) The context of the Covenant entitles us and enables us to ask questions of the Church of England on this matter. It likewise entitles and enables the Church of England to ask difficult questions of us.

- ii) A distinction needs to be made between the individual Christian's rights and responsibilities to be involved in politics (for which see the 1995 *Statement on Political Responsibility*) and the relationship of institutional churches to the state, especially when one institutional church has a different relationship from the others.
- iii) Methodist instincts which challenge establishment need to be acknowledged and heard. They are not universal but are part of our history. One of the subjects most mentioned in Methodist responses to *An Anglican-Methodist Covenant* was the established position of the Church of England and almost all such comments questioned or were hostile to establishment. For that reason, both Methodists and Anglicans need to take the issues identified seriously. As part of doing that, we must be prepared to name where Methodist responses are based on lack of knowledge or false beliefs about what the establishment of the Church of England entails, particularly about control of worship and doctrine.
- iv) Methodist experiences of the abuse of privilege by some Anglicans need also to be acknowledged. However much Methodists recognise that privilege at its best bears the heavy cost of responsibility, still there are many stories in our experience of the abuse of privilege. They must not be lightly dismissed. This is part of what *An Anglican-Methodist Covenant* called the process of 'healing of memories'. But those stories must also be told alongside stories of Methodists' abuse of privilege where they are the larger or more powerful church for whatever reason.
- v) Two extreme theological positions which a church as an institution might take with regard to the state seem to be untenable in the light of British Methodist theological heritage. One is an identity between Church and state in which neither has independence from the other, wherever the directing power lies. The other is a complete lack of engagement on the part of the Church with matters of government. The established position of the Church of England does not fit either of those extremes. Beyond the extremes, there remain many possible relationships between Church and state.

112 With regard to the specific arrangements that make up the establishment of the Church of England, one attitude it would be possible for the Methodist Church to take is that they are entirely a good thing and that Methodists would seek to share the privileges and responsibilities of that position as the two churches draw closer together in unity. At the other extreme the Methodist Church might say that the current establishment of the Church of England is so unhelpful to both unity and mission that we would require our Covenant partner to seek complete disestablishment before some specified point in our progress towards full visible unity. From the foregoing discussion, it is clear that the situation is more complex than either of those options suggests. The Committee therefore suggests a more nuanced, middle course.

113 Any call for the disestablishment of the Church of England would have to recognise the sheer complexity of the legal ties between the Church of England and the British state. But the Methodist Church could seek changes in the current form of establishment of the Church of England. While there has been much change in the form of establishment, the Committee believes further changes would better enable our growing together in Christian witness in England. In particular, the Methodist Church might ask the Church of England to do more to share its opportunities and responsibilities with its ecumenical partner churches.

114 With these ecumenical and theological principles in mind first and foremost, the Committee also offers guidance on the narrower issues which have been highlighted in this report, to those who will be engaged in on-going conversations with the Church of England in the context of the Covenant relationship.

115 While noting that it is now unthinkable that major national services should involve only the Church of England, the Methodist Church might ask that the planning for such events is invariably ecumenical, not the preserve of one church (nor even Methodists and Anglicans together) which then invites others to participate. Recognising that the Church of England does not have machinery for directing local clergy and congregations, we might nevertheless ask that the House of Bishops and the General Synod make clear their view that a similar approach should characterize planning for local events, such as Remembrance Day services. The Methodist Church should encourage Methodist congregations proactively to seek such an approach, not simply waiting for others to take the lead.

116 Turning to relations with the state on matters of common interest, it is now widespread practice that the Government consults with faith communities generally and not just with the Church of England. The Inner Cities Religious Council, formed in 1992 within the Department of the Environment, was one of the earliest bodies established for this purpose. More recently, a Faith Communities Unit has been set up within the Home Office, specifically to aid such consultation. However, Methodists might ask the Church of England invariably to draw to the attention of Government the need to consult other denominations directly in any case where it appears to have consulted only with the Church of England when seeking a Christian input. Methodists, and those of other Christian traditions, need to recognise that we would then have to be ready to respond to a wider range of Government consultations and indeed to be more proactive in making clear to Government the issues in which we have an interest.

117 In terms of legislative issues, the most controversial issues where the Methodist Church might seek changes to the current pattern of establishment are the role of bishops in the House of Lords and episcopal appointments. We might also seek clarification about the role of the monarch as Supreme Governor of that church. On reform of the House of Lords, Methodists might challenge the Church of England to rethink its defence of the current number of episcopal seats. Methodists might ask the Church of England to engage in a serious discussion with other faith traditions, including other Christian denominations, about the best and most effective way of ensuring that the voice of a proper range of those traditions is heard in the Upper House of Parliament. Such discussions would need to take seriously the fact that many faith traditions have no leaders as clearly identifiable as bishops. The Church of England might also need to take seriously the criticism sometimes made of bishops in the House of Lords that they are too part-time and that fewer people who could attend more often might be more effective representatives.⁷⁷ Such discussions could, in due course, lead to a joint approach to the Government and to the proposed independent Appointments Commission about the ways in which faith traditions as a whole can properly be represented in the House of Lords.

118 If reform of the House of Lords were to proceed along lines which did not allow for bishops of the Church of England to sit in a second chamber by right of office, an important argument for the current role of the Crown in episcopal appointments would disappear. More generally, Methodist representatives might argue that when it comes to church appointments, however senior, the process of choosing leaders should be solely the business of the Church, with no involvement from the state. However, if we were to seek a way to meet what Anglicans find valuable in the appointment system, it might be acceptable, perhaps even valuable, for senior appointments to be affirmed, and thereby recognised, by the state *if the process of nomination was transparently and solely in the church's hands*. Thus it might be possible to develop an acceptable system in which the role of the state was as limited as it currently is in the appointment of suffragan (rather than diocesan) bishops in the Church of England. On that basis, there is a possible route forward in the interests of closer unity between our churches, though we would continue to resist any role for the state in purely Methodist appointments.

119 This report has been written in the belief that, in the light of the Covenant, it is important that the Methodist Church should reflect on the subject of establishment from a Methodist perspective in the first instance. However, we can only achieve so much before we must engage in further conversation with others. Clearly this involves our Covenant partner, the Church of England. Further discussion must also now proceed with other ecumenical partners. Our wider ecumenical relationships could have a considerable bearing upon how this conversation is taken forward, beyond any conclusion that might be drawn now.

***RESOLUTIONS

- 23/1. The Conference receives the report and commends it for study and consultation in the Districts and Circuits, and in ecumenical and inter-faith groups where possible.
- 23/2. The Conference directs the Methodist members of the Joint Implementation Commission to take the conclusions of this report into account in their discussion of the implementation of the Covenant.
- 23/3. The Conference directs the appropriate members of the Connexional Team to draw this report to the attention of the Church of England and other ecumenical partners and to invite their responses.

APPENDIX

PREVIOUS METHODIST REPORTS

The Methodist Conference has not touched directly on the issue of establishment in previous Conference reports. This appendix, however, details the resources available in previous work for consideration of the wider relationship between Church and state, as well as the individual's participation in civil society.

The relevant Conference documents are:

- *A Declaration of the Methodist Church on Christian Social and Political Responsibility*, 1949 (approved)
- *Declaration on Christian Social and Political Responsibility*, 1967 (adopted)
- *Accept and Resist: A Study of Civil Disobedience in Christian History and Today*, 1986 (commended for study)
- *Statement on Political Responsibility*, 1995 (adopted as an official Conference statement)

The statements draw on a range of biblical and theological resources. Each of the documents listed above was written at a time of great change - after the Second World War, in the midst of the social shifts of the 1960s, during the Cold War, and in the post-Thatcher period. All these reports were concerned with the involvement of the Church, and of individual Christians, with the state in matters that go beyond their own self-interest.

The Nature of the State

Across the years the documents acknowledge the state as necessary to the good of humanity. In the 1949 *Declaration*, Christians are described as being members 'of two societies at one and the same time': through God's grace they are members of a redeemed society of God's own creation in the Church and as citizens they are members of the secular community formed by villages, towns, cities, nations and internationally. The 'state' is defined as

the particular governmental organisation set up by communities in order, through the enactment and administration of law, to defend life, uphold justice and maintain liberty. The particular feature of the State in which it differs from other aspects of community life is that in the last resort it claims the right to uphold its law by the sanction of physical force. Hence the fact that politics so often resolves itself into a struggle for power.

The Church should defend liberty and witness against absolutism, but the 1949 *Declaration* states that the church is not an antagonist of the state, but a fellow servant of God – ‘There are necessary relations between the two’. The Church should uphold the state in pursuit of righteousness, but if the state threatens justice and liberty, particularly against human rights, the church’s duty is to withstand the state.

The 1967 *Declaration* emphasises the changing nature of society, and in particular reminds the church of the implications of the decline in the predominance of Christianity in its relation to the state and to politics, and sounds a note of realism: ‘The Church must proclaim and commend the highest good...But politics - even for Christians - is the “art of the possible”’.

The 1986 study paper focuses on the concept of civil disobedience in theology and the history of the Church. Within a tradition in the Church of both obedience and protest, the state is seen as an expression of human community which from time to time requires reform or reshaping in order to realise God’s purpose for the earth.

The 1995 *Statement* updates earlier documents on political responsibility and focuses on the growing complexities of modern society. The Church and the state are players in a network of human relationships, rather than twin agents of God’s purposes. The statement lays out the nature of ideology - liberalism, social democracy, conservatism etc - in forming the state, as well as the key institutions of the free market, democratic politics and the enabling state. Alongside these lie the web of human interactions which form civil society, and are crucial for bringing about change. Thus the Church has a role in civil society and in relating to key institutions.

Political Responsibility of Christians and the Church

All of the documents promote the responsibility of Christians and the Church to be involved in the political life of the country. As the 1995 *Statement* says:

Individual Christians display a great variety of gifts and ministries, through the working of the Holy Spirit. Some are very enthusiastic about political involvement; others are not at all keen. We believe, however, that in the church it is desirable for all members to share in a general awareness of the political issues of the day.

Two themes predominate. First is the need for the Church and Christians to be involved at a local level and for political activity to be rooted in the experiences of local communities. The 1949 *Declaration* says that Christians should:

share as fully as [they] can in the wide range of community life open to [them]: home and friendship, in the relationships of daily work, in trade unions and industrial and professional associations, and in the cultural and recreative life of the community.

The 1995 *Statement* warns that where public Church declarations seek to address a context in which people are victimised and marginalized, then such people should be directly consulted by the Church and their contributions considered seriously before any declarations are made.

The second theme which runs through the statements on political responsibility is the need to ensure that engagement with politics is of a high standard. Contributions to political debates should not consist of ‘resolutions couched in generalities’, as the 1967 *Declaration* warns.

Church statements must demonstrate a competence and a comprehensiveness regarding the subject under discussion which will be recognised and respected by all serious commentators. (1995 *Statement*)

The thinking behind the statements on political responsibility was reinforced by the Conference report *Speaking on behalf of the Methodist Church* in 2001 which lays out processes to be followed when the Methodist Church engages with the state or other public bodies.

Generally it is assumed that the Methodist Church abides by the law of the land except where it has been granted specific exemption. There are hardly any hypothetical situations which can be imagined in a society recognisably in continuity with what we now know in Britain, in which the Methodist Church as a whole might refuse to abide by the law. Engagement with political life can, however, result in an individual feeling that in conscience they are required to resist the actions of the state. The 1986 study paper concludes that in certain limited situations non-violent resistance to the state, even civil disobedience, is not only acceptable but a necessary part of Christian discipleship. Indeed in the mid-nineteenth century and early twentieth century, Methodists were involved in civil disobedience over the payment of local taxes, and others have since been involved in protests against apartheid and nuclear armaments. However the Methodist Conference as a body has never formally endorsed civil disobedience against a particular action of the state. Although the individual choice over civil disobedience exists, the Conference might argue that, if a semblance of political democracy remains, institutions have to live with decisions reached democratically.

¹ The conventions with which we have worked within the report are that capital letters will be used for ‘Church’ only when it is part of a specific title, or when the meaning of ‘Church’ is the universal catholic Church.

² See paragraphs 47-52 for some discussion of contexts other than England. Material about the other nations in the United Kingdom to which the British Methodist Church relates, i.e. Scotland and Wales, is to be found there.

³ A definition of ‘the state’ is also found in the appendix, quoting the 1949 report, *A Declaration of the Methodist Church on Christian Social and Political Responsibility*. The difference between these definitions illustrates the way in which definitions change according to the historical circumstances to which they relate.

⁴ *The Free Churches and the State*, report of a Commission appointed by the FCFC in March 1950, Free Church Federal Council, 1953.

⁵ Conversations between the Church of England and the Methodist Church, SPCK and Epworth Press, 1963, p.52.

⁶ Report of the Anglican-Methodist Unity Commission, *Anglican-Methodist Unity, Part 2, The Scheme*, SPCK and Epworth Press, 1968, p.98f.

⁷ See guidelines issued by the government, “Faith and Community, a good practice guide for Local Authorities”, February 2002 and “Guidance on Community Cohesion”, December 2002.

⁸ As adopted by the European Convention and presented to the European Council on 18 July 2003.

⁹ *The Journal of John Wesley*, ed. Curnock, standard edition volume III, entries for 9th January, 15th April and 20th October 1743; letter to John Smith, dated 25th June 1746, *The Works of John Wesley*, vol 12, p.78-9.

¹⁰ Noel G. Edwards, *Ploughboy’s Progress: The Life of Sir George Edwards*, Univ. of East Anglia, 1998, p.62-3; p.70: “The story of Burston is well told in B. Edwards, *The Burston School Strike*, London, 1974”.

¹¹ *The Methodist Worship Book*, Peterborough: Methodist Publishing House, 1999, Holy Communion for Ordinary Seasons (3), p.214.

¹² *Common Worship: Services and Prayers for the Church of England*, Church House Publishing, 2000 p.281.

¹³ From the Daily Record of the Methodist Conference, 1999.

¹⁴ From the annual letter of greeting to the Queen sent by the President and Vice-President on behalf of the Methodist Conference, 2003.

¹⁵ Paul Avis, *Church, State and Establishment*, London: SPCK, 2001, p.x.

¹⁶ *Mission-shaped Church: Church planting and fresh expression of Church in a changing context*, GS 1523, London: Church House Publishing, 2004, p.35

¹⁷ In this context the position in the Channel Islands and the Isle of Man is similar to that in England. We discuss the position in Wales and Scotland at paragraphs 47-50.

¹⁸ Notably the Submission of the Clergy Act and the Appointment of Bishops Act, both of 1533.

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- ¹⁹ A private Bill is one promoted by an organisation other than the Government (such as a local authority, public corporation or company) and has ‘local or personal character’. The Parliamentary procedure is quite different from that for public general Bills; in particular, the key committee stage in each House consists of lawyers supporting and opposing the bill arguing their cases in front of a Committee of the House.
- ²⁰ Colin Podmore, *A Brief History of Synodical Government* (issued to all new members of the General Synod), p.13.
- ²¹ “The Ecclesiastical Committee is a statutory Committee appointed under the Church of England Assembly (Powers) Act 1919. It comprises thirty members, fifteen of whom are Members of Parliament, appointed by the Speaker, and fifteen of whom are members of the House of Lords, appointed by the Lord Chancellor. Its remit is to examine draft Measures presented to it by the Legislative Committee of the General Synod of the Church of England. It reports to Parliament on whether or not it considers the measures to be expedient.” Extracted from House of Commons Library Factsheet L10.
- ²² The replacement Measure received the Royal Assent as The Churchwardens Measure, 2001.
- ²³ GS 1444, July Group of Sessions 2002, Report of the Business Committee, paragraph 24.
- ²⁴ Jean Mayland, “An Act of Betrayal” in Monica Furlong, ed., *Act of Synod, Act of Folly*, London: SCM Press 1998, p.67f.
- ²⁵ GS 1405 *Working with the Spirit: Choosing diocesan bishops*, Church House Publishing, 2001, Appendix 2.
- ²⁶ The Vacancy-in-See Committee consists of the General Synod members elected by the diocese supplemented by the Dean of the Cathedral, a second Archdeacon, the Chairs of the Diocesan Houses of Clergy and Laity and at least two extra clergy and two extra lay people. Fuller details can be found in GS 1405, p.60ff.
- ²⁷ GS 1405.
- ²⁸ Every parish has a patron who is entitled (when there is a vacancy) to nominate (‘present’) someone to hold the ‘living’. However, bishops can now ‘suspend’ patronage rights and fill vacancies with ‘priests in charge’ rather than incumbents, particularly where there are plans for pastoral reorganisation. Some patrons are individuals (including Diocesan Bishops as well as the Crown), others are organisations like Diocesan Boards of Patronage, Oxbridge colleges and various trusts (many designed to protect the ‘churchmanship’ of the parish). The Crown also takes over patronage rights where the vacancy arises because the previous incumbent has been appointed as a bishop.
- ²⁹ This is a point argued strongly in John Habgood, *Church and Nation in a Secular Age*, London: DLT, 1983, chapter 6.
- ³⁰ From the preamble used in Church of Scotland Ordination services, based on the “Articles Declaratory of the Constitution of the Church of Scotland in Matters Spiritual”, Uniting Act of 1929.
- ³¹ The material in this paragraph is drawn from Gerhard Robbers, ed., *State and Church in the European Union*, Baden-Baden: Nomos Verlagsgesellschaft, 1996, updated by material from Avis, 2001.
- ³² For a discussion of the crucial role of scriptural typology of this kind in shaping both the English national consciousness and the relationship between the state and the established church, see Adrian Hastings, *The Construction of Nationhood, Ethnicity, Religion and Nationalism*, Cambridge: Cambridge University Press, 1997. In popular form, see Clifford Longley, *Chosen People: the big idea that shapes England and America*, London: Hodder and Stoughton, 2002.
- ³³ In ‘typology’ claims are made that important continuities pertain between people or events separated by time. The first person or event is a ‘type’ of the second; it is fulfilled by its successor. The significance of both events is only clearly understood when these typological correspondences have been established. A classic example of such an understanding is Paul’s use of Adam as a type of Christ in Romans 5:12-21, though there the correspondences are of a complex and contrasting kind: Christ reverses Adam’s sinfulness even as he fulfils the purpose of his prototype. In the Reformation the typological parallels claimed between the kings of Judah and England were of a simpler kind; the Judean monarchs were regarded as foreshadowing the more complete reformation accomplished by the English kings.
- ³⁴ See Diarmaid MacCulloch, *Tudor Church Militant: Edward VI and the Protestant Reformation*, London: Allen Lane, the Penguin Press, 1999, pp.14-18.
- ³⁵ See Margaret Aston, *The King’s Bedpost: Reformation and Iconography in a Tudor Group Portrait*, Cambridge: Cambridge University Press, 1993.
- ³⁶ “The Papers which passed betwixt His Sacred Majestie and Mr Alexander Henderson concerning the change of Church-Government”, 1646, published in Basilikon, James Fletcher, London, 1661, p.158.
- ³⁷ Edward Stillingfleet, “A Rational Account of the Grounds of the Protestant Religion”, 1664, in his *Collected Works* volume 4, London, 1709, p.345.
- ³⁸ See Lucy Hawkins, *Allegiance in Church and State: the problem of the Non-Jurors in the English Church*, London: Routledge and Sons, 1928, for the way that the Non-Jurors John Kettlewell and Charles Leslie based their arguments on the Old Testament parallels. Their opponents’ use of typological arguments is illustrated by Samuel Hill’s *Solomon and Abiathar: or the case of the deprived Bishops and Clergy discussed*, London, 1692.
- ³⁹ The Homilies were officially sanctioned standard sermons appointed to be read in churches in conjunction with the Prayer Book services.
- ⁴⁰ See Homilies X “Of Obedience” and XXI “Against Disobedience and Wilful Rebellion” in Homilies appointed to be read in Churches in the time of Q. Elizabeth and now thought fit to be reprinted by the Authority of the

King's Most Excellent Majesty, London, 1673.

- ⁴¹ "Sermon VII, preached before the King, Jan 30 1668" in Stillingfleet, Works volume 1, p.169.
- ⁴² See Robert Filmer, *Patriarcha or the Natural Power of Kings*, 1680.
- ⁴³ Eikon Basilike, 1649, supposedly written by Charles himself but claimed by John Gauden (1605-1662) to be his work. Published in Basilikon.
- ⁴⁴ See Roger Scruton, *The West and the Rest*, London: Continuum, 2002, p.47.
- ⁴⁵ Gerhard v. Rad argues that the Deuteronomist ends optimistically, but see the bleaker view of Martin Noth in *The Deuteronomistic History*, Sheffield: Sheffield Academic Press, reprint, E.T. 2nd edn. 1991, 2001, p.149.
- ⁴⁶ Robert Alter, *The David Story: A Translation with Commentary of 1 and 2 Samuel*, New York: W.W. Norton & Co., 1999, p.384.
- ⁴⁷ Robert Polzin, *David and the Deuteronomist: A Literary Study of the Deuteronomistic History. Part 3, 2 Samuel*, Bloomington: Indiana University Press, 1991, p.43.
- ⁴⁸ Alter, *The David Story*, p.220.
- ⁴⁹ *Areopagitica* (1644) in John Milton: Selected Prose, ed., C.A. Patrides, London: Penguin English Library, 1974, p.237.
- ⁵⁰ *Treatise of Civil Power in Ecclesiastical Matters*, 1659, in Patrides, p.320.
- ⁵¹ *The Manner of the Coronation of King Charles First of England at Westminster 2 Feb 1626*, ed., Christopher Wordsworth MA, Henry Bradshaw Liturgical Text Society, London 1892. *Three Coronation Orders*, ed., J. Wickham Legg, Henry Bradshaw Liturgical Text Society, London 1900.
- ⁵² 'Supersession' is used to describe the controversial theological assertion that the Christian Church has completely replaced the people of Israel in the purposes of God.
- ⁵³ There is a consensus among commentators that the word used here refers to human political authorities (rather than angelic powers) but there is a continuing debate over whether it is meant to refer to the central imperial authorities (which might be termed 'the state') or the power exercised by officials at a more local level (see C.K. Barrett, *Romans*, London: A&C Black, 1962; J.D.G Dunn, *Word Biblical Commentary: Romans 9-16*, Word Publishing, 1988; John Ziesler, *Paul's Letter to the Romans*, London: SCM Press, 1989). The passage itself makes clear (Romans 13:3) that, whoever these authorities may be, they are not envisaged as tyrants but as those who bring order to human society. Paul could thus call for their divinely appointed role to be respected in a way that is paralleled in other contemporary Jewish teachers.
- ⁵⁴ Christina le Moignan suggests in *Following the Lamb: A Reading of Revelation for the New Millennium*, Peterborough: Epworth Press, 2000, p.76, that this passage expresses the writer's indignation at the Empire's arrogation to itself of the power and glory that belong to God.
- ⁵⁵ Klaus Wegnst, *Pax Romana and the Peace of Jesus Christ*, London: SCM Press, 1987, p.78: 'Here the words "peace and security" - and therefore that for which they stand, the Pax Romana - clearly stand on the side of night and darkness.'
- ⁵⁶ See Paul Zanker *The Power of Images in the Age of Augustus*, Ann Arbor: Ann Arbor Press, 1990, p.133-5 for the way that Augustus and his successors consciously used coinage to project their power and divinity especially in the eastern Empire.
- ⁵⁷ To suggest that such a separation is implied here is not to endorse any full-blown 'two kingdoms' political theology. Jesus' saying can be interpreted to show that what Caesar can legitimately demand is as nothing relative to the absolute claims of God upon human beings, who bear the divine image.
- ⁵⁸ Model discussed by Paul Avis, *Anglicanism and the Christian Church*, 2nd edition, T&T Clark, 2002, p.xiv
- ⁵⁹ Avis, 2001, p.46, describing the views of Hooker.
- ⁶⁰ Temple, quoted by Adrian Hastings, *A History of English Christianity 1920-2000*, London: SCM Press, 2001, p.49.
- ⁶¹ Avis, 2002, pp.177-179.
- ⁶² David Nicholls, *Church and State in Britain since 1820*, Routledge and Kegan Paul, 1967, Introduction.
- ⁶³ *Church and State: Report of the Archbishops Commission* (The Chadwick Report), Church Information Office, 1970, paragraph 220.
- ⁶⁴ Paul Avis, *The Anglican Understanding of the Church: An Introduction*, London: SPCK, 2000, p.27.
- ⁶⁵ See note 53 above on the interpretations of the words in Romans 13:1 referred to by describing 'the state' as 'ordained by God'.
- ⁶⁶ Theo Hobson's recent polemic, *Against Establishment*, DLT, 2003, argues that the form of establishment even as modified in recent years owes more to what is politically useful to the state than to theological necessity or coherence. From a firmer base within the establishment, Colin Buchanan has been a consistent supporter of the disestablishment of the Church of England: Buchanan, *Cut the Connection: Disestablishment and the Church of England*, DLT, 1994.
- ⁶⁷ The definitive study of Dissent in this period is Michael Watts' *The Dissenters. From the Reformation to the French Revolution*, Oxford, 1978
- ⁶⁸ Slightly different interpretations are given by Frank Baker, *John Wesley and the Church of England*, London,

2000 [1970], chapter 9, and David Hempton, "John Wesley and England's 'Ancien Regime'", in *The Religion of the People*, London, 1996, pp.83-4. The quotation is from Wesley's sermon of 1783, "The Mystery of Iniquity", published as number 61 in Albert C. Outler, ed., *The Works of John Wesley*, 2 (Sermons ii, pp.34-70), Nashville, 1985, pp.462-3.

- ⁶⁹ Timothy Larsen, *Friends of Religious Equality: Nonconformist Politics in mid-Victorian England*, Woodbridge, 1999, p.59.
- ⁷⁰ H.T. Wigley, *The Distinctive Free Church Witness Today*, Wallington, 1949, pp.64-5; 'The Nature of the Christian Church, 1937', in *Statements of the Methodist Church on Faith and Order 1933-1983*, London, 1984, pp.5-42 (reprinted in *Statements and Reports of the Methodist Church on Faith and Order Volume One 1933-1983*, Peterborough: Methodist Publishing House 2000, pp.7-28). *Called to Love and Praise* is available as a separate publication (Peterborough: Methodist Publishing House 1999) and is reprinted in *Statements and Reports of the Methodist Church on Faith and Order Volume Two 1984-2000*, Peterborough: Methodist Publishing House 2000, pp.1-59). This emphasis is echoed in the minutes of the Faith and Order Committee for this period.
- ⁷¹ *An Anglican-Methodist Covenant*, Methodist Publishing House/Church House Publishing, 2000, paragraph 88, p.30.
- ⁷² *Commitment to Mission and Unity*, paragraph 43.
- ⁷³ "Who commits to a bishop the portion of the people of God, within a given territory, that it be his care or cure? In constitutional terms only the Crown can award that responsibility." Avis, 2001, p.26.
- ⁷⁴ *Mission-shaped Church*, p.34.
- ⁷⁵ From *Establishment in England; being essays on Church and State*, cited in William H. Mackintosh, *Disestablishment and Liberation*, Epworth Press, 1972, p.331.
- ⁷⁶ The terminology of 'public body' in relation to the Church of England is not without ambiguity and dispute. See *Aston Cantlow and Wilmcote with Billesley Parochial Church Council v. Wallbank* (2003) 3 W.L.R. 283, where the question of whether a Parochial Church Council was a 'public authority' for the purposes of the Human Rights Act 1998 divided the judiciary right up to the House of Lords.
- ⁷⁷ Note that there are very different understandings about what or whom the bishops represent. Some see them as representing the Anglican tradition; many of the bishops see themselves as non-partisan representatives of the people within their dioceses, representing the religious life of the nation. This is precisely the understanding to which others object.