



# WOMEN BISHOPS

## Understanding the Arguments

Jane Steen  
Mark Steadman

Affirming Catholicism UK & Society of Catholic Priests 2011



# CONTENTS

<b>1</b>	<b>How come this debate?</b> Sub-heading / explanation	page 5
<b>2</b>	<b>Why (not) Women Bishops?</b> Sub-heading / explanation	page 7
<b>3</b>	<b>By what means women Bishops?</b> Sub-heading / explanation	page 14
<b>4</b>	<b>The Archbishops' Amendment</b> Sub-heading / explanation	page 16
<b>5</b>	<b>The Draft Measure in Dioceses</b> Sub-heading / explanation	page 18
<b>6</b>	<b>But what about ...?</b> Sub-heading / explanation	page 20
<b>7</b>	<b>The question for the Synods</b> Sub-heading / explanation	page 21
	<b>Conclusion</b>	page 22
	<b>About the Authors</b>	page 23

# WOMEN BISHOPS

## Understanding the arguments

### Introduction

If you are a member of a diocesan synod you will have a meeting in the near future at which your Synod will be asked if it approves the General Synod's draft law concerning women bishops. This is a matter of such significance that the church asks as many as possible of its people to become involved in the decision making process. The General Synod can only proceed with this legislation if at least half of the dioceses do support the draft law. Your views and your vote matter. You need to have reflected on the issue, listened to those you agree and disagree with and prayed about what your decision might be.

In many dioceses, deanery synods will also think about this issue, and their views can inform the diocesan synod. PCCs or parish groups might also want a discussion. These are all important ways for the whole church to come to a mind.

Both authors of this Guide believe that men and women should be ordained to the episcopate. But the material here also tries to explain why not everyone agrees. It is impossible to do justice to any arguments in a guide of this size, so we offer 'headline' points, not exhaustive treatment.

In 1911, a prime minister's son described a compromise as two people agreeing to do what they both think is wrong. The Church of England does not need a compromise like that. It is easy to feel overwhelmed by a decision such as this, where all the options seem to hurt someone. But the last day of debate on the draft Measure in the General Synod of July 2010, people for and against women bishops recognised in their speeches that everyone would have to sacrifice something if we are to continue as one Church of England. The Holy Spirit guides the Church, and we must open ourselves and commit ourselves to the Spirit as we play our part in discerning God's will in this matter.

# 1

## HOW COME THIS DEBATE?

The Church of England agreed to ordain women as priests in 1992. It did so in 1994. In 2000, the General Synod asked the House of Bishops for further study on women bishops. The Bishop of Rochester chaired the resulting study group, which published *Women Bishops in the Church of England?* (2004). General Synod discussed this and a further group chaired by the Bishop of Guildford produced *Women in the Episcopate*. In July 2006, the Synod passed a motion to 'welcome and affirm the view of the majority of the House of Bishops that admitting women to the episcopate in the Church of England is consonant with the faith of the Church as the Church of England has received it and would be a proper development in proclaiming afresh in this generation the grace and truth of Christ.'

A group to draft legislation was appointed, chaired by the Bishop of Manchester. This reported on the issues involved. In July 2008, General Synod requested draft legislation, by February 2009 which would admit women to the episcopate and make special arrangements for those opposed, through a statutory and national Code of Practice. The February 2009 Synod meeting set up a Revision Committee of General Synod bishops, clergy and laity; some members of the committee did, and some did not, want women bishops. The Revision Committee revised the draft legislation. In July 2010, Synod commended, with small amendments, the work of the Revision Committee to the Dioceses.

The Synod Reports on these debates show that a lot of theological thinking has been done over women bishops. Much of the debate has been about how to care for those who would not accept the ministry of such bishops. We now turn to the arguments in the current debate.



# 2

## WHY (NOT) WOMEN BISHOPS?

We can group the discussion about women bishops in the Church of England under three headings: Scripture, Theology, and the Church of England. Some of the arguments apply just as well to women in ministry as priests, (e.g. as curates, chaplains, vicars and rectors); others just apply to bishops.

### **What does the Bible say?**

Many Scriptural texts address relations between Christians and between men and women. Some texts receive particular focus in the current debate. But although we look at texts below, Scripture is not simply a collection of (sometimes contradictory!) 'proof' texts. It is important to ask what, overall, God is saying to the Church through and beyond Scripture.

### **The old order...**

Genesis 3:16 makes inequality in marriage a consequence of the Fall. I Timothy 3:16 says that the writer permits no woman to teach or have authority over a man; she is to keep silent. Paul says this in I Corinthians 14:34 as well. And before the resurrection, Jesus appointed twelve men, 'whom he also named apostles' (Mark 3: 14), although many, including women, followed him (Mark 2:15, Luke 8:3).

### **...and the new?**

Genesis 1:27 is very clear that before the Fall, God created humanity, male and female, in his image. In the New Testament, Paul also allows women to pray and prophesy (I Corinthians 11:2f) and he seems quite happy with women in ministry (Romans 16:1). And after the resurrection, Jesus himself made a change.

### **The post resurrection reality**

In John 20:17-18, the risen Jesus tells Mary Magdalene to proclaim the resurrection to the disciples. The only other person so distinctively called to this proclamation after Jesus' rising was Paul. Before the resurrection, then, Jesus called Jewish men, in accordance with the Jewish law. After it, he called a woman to announce the resurrection and a Jew to go to the Gentiles.

We can see that Mary Magdalene is sent to instruct the first (male) Christians. Her task is to go and tell people of the resurrection. Some argue that this means that this is the limit of her task, it is simply evangelistic and there is nothing about her presiding over the remembrance of the Last Supper. This is important as there are those that say such presidency is an apostolic task and can only be exercised by those who are apostles. Luke talks of the twelve at the Last Supper as being apostles, whilst John refers to them as disciples. It is on this basis that some argue that as only the twelve are properly described as apostles then only men can exercise this ministry. Yet it is assumed in 1 Corinthians that all members of the church are present and welcome at the Lord's supper and it is not clear that such presidency is limited solely to men. An apostle is one who is sent with a particular task – that apostolic task is essentially to tell others about Jesus. The apostle is also an evangelist. Mary is given a task, to be an apostle to the other apostles. Since this time the understanding of the apostolic task has developed and is often seen as belonging to Episcopal ministry. Sometimes Bishops are described as the successors of the apostles. If Mary, in her time, can be entrusted with the key apostolic task of telling others about the resurrection then many question why women can't be entrusted with what this apostolic task is now understood to be.

## Is the ordination of women good theology?

The debate about women bishops is a debate about faithfulness: faithfulness to Scripture, faithfulness to the teaching of the Church, faithfulness to other Christians. We have chosen three theological topics concerning God's faithfulness and ours.

### Incarnation

Jesus came to redeem humanity - men and women. The incarnation demonstrates God's faithful, steadfast love for humanity. Individually, we still sin. But the Incarnation makes a restored relationship with God possible through Jesus. This could imply that the household of God should always be ordered in accordance with such texts as 1 Timothy 3:16 and that Genesis 3 applies to the Church. Or it could imply that the church, as the community of those accepting this restored relationship, should have structures reflecting our created equality (Gen 1:27), as the Incarnation reverses the Fall. Women bishops in the Church of England should be one part of fully establishing an apostolic ministry which bears witness to what Jesus has done for us.

### Baptism

Baptism makes us members of the Church, and incorporates us into Christ. Of course baptism does not destroy human difference. But women and girls are as fully baptized into Christ

# 2

*... all priestly ministry is Christ's, for Scripture tells us that we have one high priest, Jesus.*

as men and boys. We all, regardless of gender, participate in the life of God through being baptized into the death of Jesus. This is what St Paul says in Galatians 3:27-28: 'As many of you as were baptized into Christ have clothed yourselves with Christ. There is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female'. The Archbishop of Canterbury agreed, in the July 2010 General Synod, that this has consequences for ministry.

## **Ministry**

We can only exercise Christian ministry if we are baptized; all priestly ministry is Christ's, for Scripture tells us that we have one high priest, Jesus (Heb 4:14). We have seen that men and women are equally baptized Christians. So if the baptism of women and girls leads to the same union with Christ as the baptism of men and boys, then it leads to the same participation in Christ's ministry. On the other hand if Genesis 3 and 1 Timothy 3 are privileged over Galatians 3 and John 20, this argument fails and so we need to hear overall what the Spirit is saying.

## **Who has authority in the Church of England? – is it a Church which can make its own decisions?**

The Reformation did not change English church structures; England continued to have bishops and priests, dioceses and cathedrals. This is partly why the Church of England is described as catholic and

reformed. But what do these structures mean?

The Diocesan Bishop is both Principal Minister and Ordinary in the diocese, and therefore has the responsibility to provide ministry and exercise Ordinary jurisdiction (that is basically to be responsible for governing the life of the diocese). The Diocesan Bishop has these responsibilities by virtue of being Bishop of the Diocese. In the Church of England, bishops can only be Bishop of Somewhere, just as vicars can only be Vicar of Someplace. Ministry and governance go together. This is formally and legally the case and is governed by Canon law and statute law.

Other bishops in a diocese exercise the Diocesan Bishop's ministry and responsibilities. They do not exercise their own ministry because all ministry in a diocese is the Diocesan's and is shared by the Diocesan Bishop with others. Delegation is the formal mechanism for Episcopal sharing. An Area Bishop is likely to have responsibilities delegated through a formal Scheme. Suffragan bishops and others may have less formal arrangements. As a vicar might delegate responsibility for the youth group to the curate but remain the vicar and ultimately responsible, so it is in a diocese. The Diocesan Bishop cannot give away the responsibilities which come with the diocese. They can only be delegated.

We see this when parishes receive new ministers. They are given the Diocesan Bishop's licence to exercise (the bishop's) ministry or the Bishop says, 'Receive this cure, which is yours and mine' (again it needs to be remembered



that a licensing presided over by Area or Suffragan Bishop they still act in the name of the Diocesan).

Delegation is a key term in the debates over women's ministry. In 1993, the Episcopal Ministry Act of Synod created the 'Flying Bishops' in response to women priests. This enables a parish which does not accept women priests to petition the Diocesan Bishop to delegate some responsibility for that parish to a bishop who will not ordain women. But even if parishes regard themselves as belonging to a 'flying bishop,' they actually belong to the diocese. There is no such thing as 'the Ebbsfleet Apostolic Area', the 'Fulham Jurisdiction' and so on. The 'flying' bishop ministers by delegation.

## **Women Bishops and the Church of England**

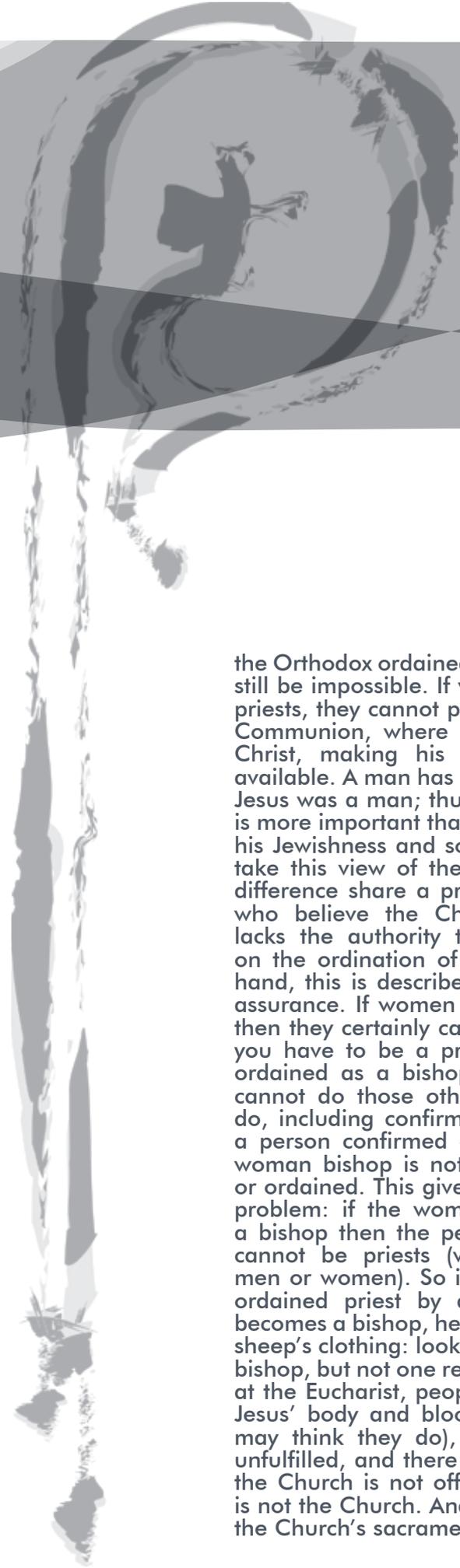
We consider the catholicity of Church of England, its sacraments and its relations with other churches. Then we look more at women bishops and delegating ministry.

## **Being the Church**

The Church of England's place as part of the universal Church, doing what the Church does is, for some, threatened by women bishops. Why is this? It may be because, if the Church of England thinks it can ordain women when neither Rome nor the Orthodox do, then it is schismatic, not a proper part of the universal Church. Or it may be because, although the Church of England is properly part of the universal Church, this is such an important issue that the whole Church, East and West, must decide together. Canon A1 (the first of the Church of England's Canon Laws) says that no member of the Church of England is at liberty to deny that the Church of England truly belongs to the Church of Christ. If the Church of England is part of Christ's Church, it does what the universal Church does. So if the Church of England has women bishops, women are bishops. Instead of women bishops making the Church of England questionable, the Church of England, by virtue of its participation in the universal Church, guarantees that women bishops are properly bishops and so they may minister, delegate ministry and exercise delegated ministry.

## **Sacramental assurance**

For some, women cannot be priests, as rain cannot be butter; even if Rome and



the Orthodox ordained women, it would still be impossible. If women cannot be priests, they cannot preside at the Holy Communion, where the priest acts in Christ, making his body and blood available. A man has to do this because Jesus was a man; thus Jesus' maleness is more important than his humanity, or his Jewishness and so on... Those who take this view of the effect of gender difference share a problem with those who believe the Church of England lacks the authority to proceed alone on the ordination of women. In short hand, this is described as sacramental assurance. If women cannot be priests then they certainly can't be bishops, as you have to be a priest before being ordained as a bishop. Therefore they cannot do those other things bishops do, including confirming or ordaining; a person confirmed or ordained by a woman bishop is not really confirmed or ordained. This gives rise to a further problem: if the woman bishop is not a bishop then the people she ordains cannot be priests (whether they are men or women). So if a man who was ordained priest by a woman bishop becomes a bishop, he is a sort of wolf in sheep's clothing: looking like a priest or bishop, but not one really. If he presides at the Eucharist, people do not receive Jesus' body and blood (although they may think they do), John 6:53-56 is unfulfilled, and there is no salvation. If the Church is not offering salvation, it is not the Church. And the only way for the Church's sacraments to be assured,

is for men to be ordained by men, and to be known to have been ordained by men, all the way back to the first Apostles.

If we consider the earlier arguments about the Church of England as Church, we see a different way to look at this. However doubtful we might be about the personal worthiness of an individual priest or bishop, the sacraments they celebrate are true and valid because the Church guarantees the effectiveness of the ministry of those entrusted with that ministry.

## Reception

In order for a decision of the church to endure, it must be said to have been received, over a period of time, by the whole church through the guidance of the Holy Spirit. Some take this to mean that any change in the Church of England's ordination needs to be received by the rest of the church (by which is generally meant by those who argue in this way the orthodox churches of the East and the Roman Catholic Church). However, it is often said, even in the Church of England, that the ordination of women to the priesthood has not yet been received. If women are not regarded as priests by the wider Church, some would say that it is clearly inappropriate to ordain women bishops.

The difficulty with this argument is that the orders of male Anglican priests are

# 2

not “received” by the Roman Catholic and Orthodox churches. For these churches, there is no valid ministry and no sacramental assurance in the Church of England.

One alternative to this seeming cul-de-sac, is to return to the argument that the orders the Church of England confers are those of the universal church. Rather than saying that therefore, the whole church must accept them, we might equally well say, since its orders are those of the universal church, then those whom it ordains are truly bishops or priests.

Reception is a difficult concept in this debate – partly because there is considerable debate about what reception actually is and how you determine when the process is concluded. Indeed, it might be said that reception has yet to be fully received by the whole Church! However, at its heart, reception rests on an understanding that the Spirit leads and guides the Church and we shall return to this when considering the prophetic voice of the Church of England.

## **Will women bishops improve or damage Ecumenical Relations?**

Despite what we have said about the Church of England being able to ordain women bishops, some would argue that the fragmented nature of Christianity means that we need to look to Christians in other denominations over this decision.

This may be because Rome has indicated that relations with the Church of England would be harder if we have women

bishops. However, formally Rome does not talk to the Church of England alone, but rather to the Anglican Communion through the Anglican Roman Catholic International Commission, or ARCIC. Some provinces of the Anglican Communion have had women bishops for over 20 years, yet this has not stopped dialogue. The Pope’s invitation, of November 2009, to disaffected Anglicans to set up a sort of “Anglican branch” within the Roman Catholic Church (known as an ordinariate) has added a further dimension. Those joining must accept the doctrine of the Roman Catholic Church and Anglican priests will need to be ordained (not, according to Rome, reordained, because they do not consider Anglican clergy to be ordained). The Ordinariate will be part of the Roman Catholic Church but allowed to retain aspects of Anglican identity in its worship. It is to be self-supporting and accountable to the Vatican. Some have seen the Pope’s offer as pastoral and generous; others see it as assimilating Anglicanism into Roman Catholicism, whereas true ecumenism should recognise difference. Some in the Roman Catholic Church have wondered if joining them for a negative reason (“we don’t like what the Church of England is doing”) is the right approach. The Archbishops of Canterbury and York responded courteously – but there is a sense the offer was undermining of ecumenical process and relationships.

Other ecumenical relations could be improved by the ordination of women as bishops: for example, with the Methodist Church. And the Church of England has formal agreements allowing for the inter-changeability of ministry with some Lutheran Churches that have women Bishops.

# 2

## A Prophetic Voice?

The Church of England has both clergy and laity involved in Synodical decision making. In some churches, it is harder to determine how the Spirit might be leading the whole church (not just the clergy), because the people have no voice (at least not directly). We should also remember here the Church of England's relation to the whole universal Church, which we discussed above. This has been debated since the English church broke from Rome at the Reformation. However, it is sometimes said that developments then were subsequently seen in other churches. We might argue that on the question of women bishops too, the Church of England is acting prophetically for other Christian churches, enabling the Spirit to be discerned in the leading forward of the Church.

Now we return to delegation.

## Women Bishops and Delegation

**Jurisdiction** We have seen that, in the Church of England, ministry and jurisdiction go together in the person of the bishop. No one can delegate what is not theirs, and so if a woman cannot be a bishop, she cannot delegate ministry. This is the problem which the Archbishops' amendment tried to solve in the July 2010 Synod and we look at it later. Of course, if a woman can be a bishop, and the church guarantees that this ministry will be valid and authentic, then the delegation problem goes away.

## Headship

We have looked at some of the biblical texts on men and women. We said that Genesis made inequality in marriage a consequence of the Fall. We can find arguments a little like this in Paul. 1 Corinthians 11: 2-3, for example, and Ephesians 5:23 offer a sort of hierarchy of subordination, with the divine at the top, husbands in the middle and wives at the bottom. But there are two points to remember here. First, both passages are about relations between husband and wife, not minister and church. Calling bishops 'Father in God,' or seeking male ministerial leadership may blur the New Testament distinction between relations in the domestic household and in the household of God.

Furthermore, we should remember that Paul wrote to a specific culture. 1 Corinthians 11 does not prohibit women from ministry; it explains the appropriate cultural norms to be observed if men and women are to co-operate in ways compatible both with Christianity and with their society. Here, Paul does not use Christianity to overthrow culture, but neither does he let culture compromise the radical equality of Christians.

Finally, however we interpret headship or some of the other Scriptural principles, we should consider whether they are commanded norms of Scripture, or symptoms of the society in which Scripture was written. We might compare charging interest (usury), divorce and slavery. Usury and divorce are variously prohibited in Scripture and slavery is accepted. Christians today often see it the other way around.

# BY WHAT MEANS WOMEN BISHOPS?

# 3

The Revision Committee considered five ways of drafting which would enable both those in favour of women bishops and those opposed to remain within the Church of England. They were:

- Simplest possible legislation
- Separate Dioceses;
- Transferred Episcopal Authority;
- The Society Model;
- Delegation.

When General Synod debated the legislation in July 2010, it also had before it

- The Archbishops' Amendment

The Revision Committee Report describes the debates it had. It is online at <http://www.cofe.anglican.org/about/gensynod/agendas/july2010/gspapers/g1708-09y.pdf>.

## **Here, we consider each of the options in turn.**

The Simplest Possible Legislation, or single clause, legislation, would have enabled women to become bishops without any legal provision for those opposed. It would not have offered mechanisms like Resolutions A and B in the 1993 Priests (Ordination of Women) Measure, by which parishes could avoid female priests or vicars. It would not set up another Episcopal Ministry Act of Synod – though the House of Bishops could do so. The Revision Committee rejected it partly because General Synod requested simple (but not 'the simplest') legislation with a Code of Practice and partly because some conservative evangelicals and some conservative catholics said they could not accept it. The Revision Committee decided not to legislate those holding these theological convictions out of the Church of England. It sought to maintain the highest possible degree of communion within dioceses and within the Church of England.

Separate Dioceses for those opposed to women bishops were also considered. The bishops of these Dioceses would always be male – so at first sight this seems a simple and coherent way forward. However, there are complications. We have seen that bishops are Bishop of Somewhere. But the parishes opposed to women bishops are not all in the same place. The Revision Committee rejected the separate dioceses option, partly because of this fragmentation. It also felt that separate dioceses would institutionalize division. The 'Separate Dioceses' option was tested again in the July 2010 Synod, and overwhelmingly rejected.

Transferred Episcopal Authority avoids the matter of delegation discussed above. Transferred authority would have transferred, not delegated, authority from the diocesan bishop to another bishop for those parishes which were opposed to the ordination of women as bishops. The transfer would have been effected by the Measure, regardless of the wishes of the diocesan bishop. It would therefore be similar to Separate Dioceses, and would similarly fragment the Church of England. This option was originally agreed by the Revision Committee but, when members worked through its implications, it was rejected. Transfer breaks the connection between ministry and jurisdiction in diocesan bishop. The Revision Committee rejected the novelty of alienating the responsibilities of the diocesan bishop. The Committee also found that it could not agree on the content of that which would be transferred. Transfer was tested in the July 2010 Synod and again overwhelmingly rejected.

The Society Model would have created a Society, including bishops, for those opposed to women as bishops. Such a Society would have been given statutory legitimacy and purpose by virtue of the Measure. 'Society' bishops could have ministered in parishes opposed to women's ministry. But the relation between the Society and the dioceses of the Church of England was unclear: for example, who would choose 'Society' bishops? or ask them to minister? The Revision Committee rejected it partly because of this lack of clarity but also because it would not offer anything which Transfer or Separate Dioceses could not achieve. This decision does not prevent people from forming societies within the Church of England, of which there are plenty. Examples might include Modern Church, Forward in Faith, WATCH, Affirming Catholicism, the Society of Catholic Priests, Reform, and the recently formed Society of St Wilfrid and St Hilda. Of course, any society is a gathering of the more or less like minded, and, now that the Measure contains no provision for the 'Society Model', none could fulfill that function, even should they so wish.

Summing it all up, the Society, Transfer and Separate Dioceses models have some things in common. They are, for example:

- **about men not women.** For people who cannot accept that women can be bishops, a man who ordains a woman is doing something impossible. He loses his credibility – and his ministry and authority have no credibility either;

- **not about gender.** It is often said that this debate is not about gender. But it is: if women were of the same gender as Jesus, the problem would disappear. Or, would it? Since the 1993 Episcopal Ministry Act of Synod, male bishops can be unacceptable too, and alternatives provided. Throughout history, Christians have disagreed with their bishop's theology. But bishops, like vicars, are traditionally located somewhere, and relate to the people who live there. Being able to choose your own bishop was novel – perhaps more novel than women bishops;

- **overegging the pudding** – in two ways. They would move parishes beyond the diocesan bishop's ministry and authority, as if influential members of the congregation caused some streets to 'join' a distant parish whose theology they shared. They forget that the parish church is for everyone in the parish, not just the congregation; parishioners might differ from the congregation and their voice matters too. So while consecrating women is one thing, redesigning the Church of England is another. It seemed unwise to make laws which only did the first by doing the second.

None of these models really solve the problem; they just make it look less of a problem, insulating people from bishops the Church ordains. So what was left on the table was a delegation model supported by a Code of Practice. This brings us to the Archbishops' amendment

See;  
<http://www.archbishopofcanterbury.org/2925>

# THE ARCHBISHOPS' AMENDMENT

# 4

This proposed sharing the jurisdiction of the bishop with a nominated bishop so that parishes unable to accept women's ordained ministry were provided for. Sharing the jurisdiction was to be achieved by the law – that is, by the Measure for consecrating women. Both the diocesan and the nominated bishop would have equal jurisdiction in the parish over those things that a Code of Practice or diocesan scheme specified. The diocesan bishop would just choose not to exercise jurisdiction.

This was not sharing by delegation, as the diocesan bishop had no part in the process or decision about sharing. The Archbishops called it "co-ordinate" jurisdiction, but it looked closer to transfer (moving to a different bishop), except that – in law if not in practice – ministry was both left with the diocesan bishop and given to another.

The concept of shared equal jurisdiction was a new idea. But the draft amendment

was not clear how it would work. Some of the questions asked in General Synod were about conflict, perhaps because it was unclear how two bishops would relate, especially when one would not regard the other as a bishop. And some speeches pointed out (perhaps on behalf of the parishes) that no one can serve two masters.

The Archbishops sought to answer some of these questions with a comparison to some areas of law, where two different courts or regulatory authorities might share jurisdiction. However, legal structures usually have clearly defined terms indicating in what circumstances the parties will exercise jurisdiction - and there is usually a body, such as a higher court, supervising the relationship. The Archbishops indicated that these and other matters were to be left until the publication of the Code of Practice. They recognised that it was asking a great deal of the Synod to vote for something they could not completely see.



Some people enthused about the Archbishops' amendment; others regretted that, unlike other amendments, it had not been to the Revision Committee for scrutiny. Much of the debate on the Amendment focused on the desire for a solution rather than on whether the Amendment would provide one. On balance, it probably did not.

This is because the Amendment tried to create a new way for a bishop to exercise authority. This source was the Measure, or, since that is passed by the Church of England, the will of the church. But ultimately, what was created was not new enough: it was a new authority for exercising jurisdiction, but not new jurisdiction to exercise.

Arguably, the Amendment addressed the wrong problem. It tried to free parishes from the jurisdiction of women bishops or male bishops who ordain women. But women archdeacons exercise jurisdiction in parishes

opposed to women's ministry, without difficulty. So the real issue is ministry, not jurisdiction.

Seen like this, the Archbishops' Amendment clarified the nub of the issue. If a woman cannot be a bishop, and if men consecrating women are unfit to be bishops, transfer, delegation and shared jurisdiction are all unhelpful. The only solution is to ensure a line of male bishops always and completely separated from ordaining women. The Revision Committee had already decided that formally instituting such a line in the Church of England through its laws would be creating a Church-within-a-Church. This would be schismatic – the Church rent asunder, its lines of ministry as separate from each other as from another denomination. This did not commend itself. The Archbishops' Amendment was rejected by due Synodical process after a tight vote and General Synod returned to the Revision Committee's draft legislation and to the Church's usual method of sharing ministry: delegation.

# THE DRAFT MEASURE IN DIOCESES

The Diocesan Synods of the English dioceses (and the Bishop's Council of the Diocese of Europe) will be asked to debate the legislation as the General Synod has sent it. They may also be asked specific questions about the legislation, and they can also frame 'following motions' – which are comments or suggestions to help the General Synod and House of Bishops as it moves towards making a final decision. The legislation to make women bishops comes in two parts:

- The draft Canon: the specific piece of church law that gives permission for women to become bishops;
- The draft Measure: the statute law that makes it possible to make the Canon to enable women to be bishops and contains the provisions to support those unable to accept women's ministry. This is done using a model of delegation, but providing male Episcopal oversight for parishes that request it. A Code of Practice will govern how the system operates.

We shall look at both of these documents, beginning with the draft Measure.

## The Draft Measure

Draft Measures, like Parliamentary Bills (both have the same force) are broken into Clauses.

Clause 1 of the draft Measure enables the Canon to be made to permit women to be

consecrated as bishops. This also repeals the 1993 Measure permitting women to be ordained as priests, and makes provision for the ordination of women as priests to continue.

Clauses 2, 3 and 5 are concerned with making provision for those who are unable to accept the ordained ministry of women or women in leadership positions. The remaining Clauses contain incidental provisions, such as technical details of how the Measure will come into force.

Clause 2 covers Diocesan Schemes. These are a straightforward part of the provision for those not in favour of women bishops. Each diocesan bishop will, after consulting with the diocesan synod, make and publish a Scheme which will provide for the pastoral and sacramental care of parishes that request it. In this Scheme the diocesan bishop will nominate a bishop who will look after such parishes. The only legal condition is that this bishop be male.

The Synod and the Revision Committee debated whether the male bishop should have to be ordained in male succession. This was rejected, to avoid both a separate line of ministry and legal distinctions between bishops. The legislation proceeds on the basis that all Church of England bishops must be regarded as 'properly' bishops.

There is, however, nothing to prevent particular dioceses ensuring particular characteristics in their own arrangements.

# 5

The bishop nominated by the diocesan scheme will have certain functions delegated to him by the diocesan bishop. These functions will include, but are not limited to, the celebration of the sacraments and other divine worship and pastoral care. The nominated bishop will also have to be (or be made) a member of the House of Bishops of the diocese concerned. This means he will need to be a working English Bishop (not someone who is retired).

The Measure assumes that the normal position for a diocesan bishop is to ordain women to the priesthood. However, it also recognises that not every diocesan bishop will feel that it is right to ordain women as priests. So the diocesan scheme can also include a declaration from the bishop that he will not ordain women to the priesthood. In such circumstances the scheme must then make provision for the ordination of women as priests and their ongoing support.

The Scheme has to be reviewed regularly. It may be changed.

Clause 3 allows parishes to request male episcopal ministry under the Scheme. This provides for a parish to write a Letter of Request to their diocesan bishop. The Letter is sent in the form specified in the Measure

(a pro-forma is provided) and on receipt of it the bishop implements the Scheme. The letter can be withdrawn by the PCC on

giving notice as specified in the Measure. The PCC must pass a resolution to send or withdraw a Letter of Request, at a meeting at which either two-thirds of the PCC is present, or an absolute majority (that is over half of all the members) votes in favour of making of the request. The vicar has the right of veto over this decision.

If there is no vicar, a PCC may resolve to send the diocesan bishop a Letter of Request during a Vacancy. This letter asks the bishop and patron for the provision of a male vicar. It also ensures that only male clergy minister during the vacancy. Clause 3 ensures that the bishop notifies a parish of a forthcoming vacancy and explains who receives copies of Letters of Request.

Clause 5 establishes a national statutory, Code of Practice to ensure some consistency across dioceses. Anyone doing anything governed by the Measure must have regard to this Code. This is a legal obligation, which is set out in Clause 6. Failure to have regard to the Code could result in serious disciplinary proceedings. The Code will provide a framework for the operation of the Measure. It has not yet been drafted, so this Guide cannot comment on it, neither can Diocesan Synods give their views on it. However, the House of Bishops will have drafted the Code before General Synod makes a final decision on the legislation. The Measure cannot become law until the Code has been made and published.

This concludes our look at the draft Measure.

# BUT WHAT ABOUT ...?



Here we look at some current provisions which disappear, and consider possible future situations.

## **Resolutions A, B and 'C'**

Resolutions A and B are in the 1993 Priests (Ordination of Women) Measure, which is primary legislation. 'Resolution C' is a made-up term for requesting the 'flying' bishops established by the Act of Synod, which is an agreement within the Church of England and not legislation.

Resolution A currently enables a parish to avoid a woman presiding at Holy Communion or pronouncing absolution. Resolution B enables a parish not to have a woman vicar. These would disappear under this Measure. The Letter of Request system replaces them. Some have felt that parishes are less protected as a result. However, a Letter of Request in a Vacancy allows a parish to request a male vicar. And it is the vicar who decides who ministers in the parish. Evangelical parishes who accept women's ministry but not female oversight, should find this particularly helpful.

The intention is that, if the draft Measure becomes law, the Act of Synod will be repealed. This means that the current 'flying' bishops arrangements end. However, the suffragan sees of Ebbsfleet, Richborough, and Beverley remain all the while bishops are appointed to them. The Code of Practice might make further arrangements for these. Dioceses may make their own arrangements with male bishops whose ministry would be welcomed in petitioning parishes. There has never been statutory provision for the 'flying' bishops scheme and there will not begin to be so.

## **Money**

Financial arrangements were made for clergy who left the Church of England because of women priests within 10 years of the 1993 Measure. About 500 clergy did so, at a cost of nearly £28 million; 58 returned, keeping their compensation payment. The General Synod decided not to make similar arrangements for those opposed to women bishops. It would be difficult to afford and divert money from mission. The House of Bishops will consider some provision in cases where genuine hardship would result if priests felt that they had to leave the Church of England because women were bishops.

## **The Amending Canon**

The amending Canon is the draft of the change to the Canons of the Church of England. In order for women to be ordained as bishops the Canons of the Church of England, which provide part of the legal framework of the Church, must say that this is possible. So it sits beside the Measure. It too has been subject to the same scrutiny as the Measure and will need to be approved in order for women to be made bishops.

# 7 THE QUESTION FOR SYNODS

At the heart of the discussions that will be had in Diocesan and Deanery Synods will be the question “are you happy with the draft Legislation”; in this booklet we have tried to offer both an explanation of the legislation, but also some of the issues that lie behind it.

In particular we have considered

- If women bishops are consonant with Scripture and its understanding of Ministry after the resurrection
- Whether there is a good theological for the ordination of women – where we have looked at the incarnation, baptism and ministry
- The nature of the Church of England - how Episcopal ministry works
- If the Church of England has the authority to make these decisions and questions of Sacramental Assurance and Reception
- The effect on Ecumenical relations and the ability of the Church of England to be prophetic
- We have looked at delegation and how this works and considered questions about Headship
- We have looked at the various “models” by which those opposed to women bishops might be cared for and touched on some of the debates about these
- In the light of the assumption that the Archbishops’ amendments to the legislation in July 2010 would solve the problems we have spent time examining this
- Then we have looked at the legislation itself and some of the practical issues that surround it

Naturally much has been written elsewhere on this subject and we would encourage those that want more detail to search out the many official reports and other material that has been published in this area. What we have sought to do is to raise key points and offer some brief reflections on them.

# CONCLUSION: “THE LETTER KILLS, BUT THE SPIRIT GIVES LIFE”

The debates about how to legislate for bishops and how to provide for those who are opposed demonstrate two views of law. One wants everything crystal clear, so that everyone knows their obligations. The other says that simple frameworks which trust individuals and encourage working together are better.

The legislation sent to the dioceses from General Synod is more of the second sort. It relies on our understanding of belonging one to another. In this belonging we have to let grace have a chance to triumph. The cataclysmic tearing apart of the Church of England predicted in 1993 did not happen, because people tried to work together in grace. Pray God this continues to be the case, whatever the outcome of these deliberations.

# ABOUT THE AUTHORS

## **Jane Steen**

Jane is Canon Chancellor of Southwark Cathedral and Director of Ministerial Education in the Diocese of Southwark.

## **Mark Steadman**

Mark is parish priest of St Philip with St Mark, Camberwell and Area Dean of Bermondsey in the Diocese of Southwark.

## **The Society of Catholic Priests (SCP)**

The Society of Catholic Priests is a growing society of men and women serving as Priests throughout the Anglican Communion. The society is seeking to promote priestly spirituality and Catholic Evangelism. It has a membership of over 600 priests, divided into international Provinces and Diocesan Chapters. In line with Catholic principles we are in full communion with our Diocesan Bishops. The Society has chapters in the UK and Europe, North America and Australia.

## **Affirming Catholicism**

Affirming Catholicism is a movement of inspiration and hope in the Anglican Communion, bringing together and strengthening lay and ordained people who recognise the positive, inclusive and joyful currents in the Catholic tradition of Christianity.

the  
Society of Catholic Priests   
Supporting men and women in their priestly service of God within the Anglican Communion

Affirming Catholicism  
Inspiration and hope  in the Anglican Communion

Affirming Catholicism  
Inspiration and hope  in the Anglican Communion

the  
Society of Catholic Priests 

St Mary's Parish Office  
Stoke Newington Church St  
London  
N16 9ES  
Tel 078 9185 1722

Design. Absence/Presence

[www.affirmingcatholicism.org.uk](http://www.affirmingcatholicism.org.uk)  
[www.scp.org.uk](http://www.scp.org.uk)