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CROWN APPOINTMENTS

By David Phillips

In July the Government published a Green Paper on constitutional changes including the role of the Prime Minister in ecclesiastical appointments. It coincided with a General Synod report on senior appointments called "Talent and Calling" and known as The Pilling Report.

The Crown appoints Diocesan and Suffragan bishops, a majority of cathedral deans, a few canons and various other posts. The Crown and Lord Chancellor are also patrons. All these responsibilities are conducted through the Prime Minister and his staff. The Government are proposing to cut out the Prime Minister's involvement, thereby also cutting his staff, but not to remove the role of the Crown. The Archbishops' Council has produced some proposals as to how the new arrangements might work and submissions have been made in respect of this.

The Pilling Report also proposed two particular changes to the responsibilities of the Crown. When a See is vacant all the Bishop's patronage passes to the Crown and it is proposed that another Bishop, usually a Suffragan, should be designated to act as patron instead. Additionally, when an incumbent is appointed to be a Diocesan Bishop patronage of the former living passed to the Crown for the next appointment. Whilst this is rare it is proposed that the customary patrons should retain their role.

Motives

Why are the government proposing this change? The consultation document and Green Paper are keen to stress that it is not about disestablishment, but it is really. The Government can no longer see why the Prime Minister should be involved in ecclesiastical appointments and it is hard to disagree with that view, but part of the motive is the assumption that religion is not the business of government which is the secular assumption. Severing this link, whether it is right or wrong, is a step in the process of disestablishment.

Checks and Balances

It is said that you should never take a fence down until you know why it was put up. One of the pressures on an episcopal church is that power tends to gradually transfer towards episcopacy. There is ample evidence for this from the present struggles in the episcopal churches of North America, from some of the churches of the Anglican Continuum (e.g. the Free Church of England) and of course from the Roman Catholic Church which not only shifted power but then sought to produce doctrines that justified that. The Church of England since the mid 17th century has managed to resist this pressure because of various checks and balances.

Lay patronage has been one feature preserving this balance, though legislative changes in the 20th century made it more difficult to transfer patronage and has led to an increasing proportion of patronage resting with Bishops (now nearly half according to the consultation document).

The role of parliament has also ensured that ultimate decision-making power rested not with the Bishops and Clergy but with the elected representatives of the people of England. This may seem slightly absurd today but the experiment with synodical government has hardly been encouraging as an alternative and the Synod is too dominated by those in positions of power to provide effective checks and balances.

When it comes to senior appointments, the Prime Minister is involved as an elected layman. It may

look a peculiar arrangement but in principle it means that the people of England, who the Church of England is supposed to minister to, are involved through their elected leader in senior appointments. I am not arguing that our present system is ideal, or even desirable, but it has been an effective block against the danger of centralising episcopal power. This is part of the reason the fence was put up, if we are going to take it down we need to ensure we do not lose more than we bargained for. Whatever replaces the present system must be as good in this respect.

It is intended that the Crown should continue to be involved in the process of appointments but the details have yet to be worked out and it is not clear how this will work. At present the Prime Minister acts in the name of the Queen because that is how our democracy works. Take the Prime Minister out of the equation and it has to be asked whether the monarch is going to be content simply to rubber stamp whatever a Bishop or Church committee tells her to do. It would be perfectly reasonable for the crown to be more actively involved, and presumably to even refuse to accept recommendations, but if that were the case we will be worse off because the Prime Minister at least is elected by the people.

Diocesan Bishops

Little change is being proposed in the overall principles of appointing Diocesan bishops except that the Crown Nominations Committee will be asked to choose two names but only one will be sent to the Queen. If the person nominated declines then the other name will be put. What is not clear, as indicated above, is whether the Queen might refuse the name.

The more substantial change is in who will do the administration. At present it is done by the Prime Minister's Appointments Secretary working alongside the Archbishops' Appointments Secretary. There have been concerns over the years about the rather too directive role the former has taken but this role will have to be done by someone and with that goes the question of who pays for it and to whom are they accountable?

The consultation document draws attention to one role played by the Prime Minister which is not mentioned in the Green Paper. When a new Archbishop of Canterbury is appointed it is the Prime Minister who appoints the Chairman of the Crown Nominations Committee. If I remember aright for the appointment of the Archbishop of York the Archbishop of Canterbury appoints a co-chairman after consulting the Synod Appointments Committee.

Suffragan Bishops

A Diocesan bishop is required by the Suffragan Bishops Act 1534 to submit two names to the Crown whenever a Suffragan bishop is to be appointed. They are required to consult with the Archbishop but not necessarily with anyone else. It is proposed to remove the requirement for two names. This gives the Diocesan Bishop more power in the appointment although again presumably the monarch could say no.

Cathedrals

The variety of cathedrals makes this aspect of the proposals more complicated. There are 42 cathedral deans and 145 residentiary canons. The changes will not directly affect the Diocese of Europe or of Sodor and Man.

Seventeen residentiary canons are appointed purely by the crown. It is proposed instead that in the future Diocesan Bishops should appoint these canons just as they appoint almost all the others. A few canons also have university teaching posts and will have to continue to be treated differently.

Twenty seven deaneries are crown appointments and a new arrangement is proposed for these. It is often assumed that the Diocesan Bishop has a power of veto over the appointment of a Dean but

whilst it is hard to imagine an appointment going ahead without the Bishops approval it is possible. It is proposed for these appointments to create a panel of five people, two of whom are lay people elected by the Cathedral of Chapter, one appointed by the Archbishop and one elected by the Bishops' Council and the Bishop as Chairman. A majority vote will be required but this must include the Diocesan Bishop. This gives the Bishop a power of veto he does not have at present, though it does introduce the formal involvement of people from the cathedral and Diocese.

There are 12 cathedrals which are also parish churches and the Patronage Measure 1986 applies to these so that the Diocesan Bishop appoints but the parish representatives have the power of veto. It is proposed that these 12 should voluntarily adopt the same panel but that the two cathedral reps must agree to the majority decision.

Oxford is a crown deanery but the Dean is also head of Christ Church and is therefore a special case. Sheffield and Bradford have private patrons (Simeon's jointly for the first and solely for the second) although the Pilling report argued that this should be changed.

The Archbishops' Appointments Secretary would be an advisor for the panel and would have an active role in the initial stages. Formal competitive interviews are envisaged.

Other appointments also need to be dealt with such as the Dean of the Arches, some Church Commissioners etc. Nothing has been proposed in relation to these as yet.

Crown livings

The Crown is patron of 200 livings and a further 450 less prestigious crown livings now rest with the Lord Chancellor. All these are administered by a full-time official in Downing Street working with secretarial support. Under the Green Paper someone else will have to take over the work though the Crown will remain patron. There was talk of transferring the Lord Chancellors patronage a few years ago and Church Society proposed that parishes should decide who it should be transferred to but nothing ever happened.

At present the 1986 Pastoral Measure does not apply to these livings but the Pilling report proposed that it should. The Crown does also not share patronage so that whenever it is joint it is by turns.

Gains and losses

It can be seen that there are still a lot of unanswered questions but that in many instances the Diocesan bishop will end up with a far greater role compared to the present. Whilst there is some increase in lay involvement, in particular for crown deaneries, in general it appears that there is going to be less clear accountability in the proposed structure because they do not end, as at present, with an elected official. If the present system is to be changed then the present proposals whilst having some merit are not really good enough.

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