

The WATCH response to GS Misc 1042



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Women in the episcopate: a new way forward

(1) Preliminary comments:

1. In light of the failure of the Measure before General Synod last November, WATCH appreciates the urgency with which the House of Bishops seeks to address the question of the ordination of women to the episcopate. We applaud the efforts being led by Archbishop Justin to seek a way forward and were pleased to participate in discussions to that end on 5/6 February.

2. We endorse strongly the analysis presented in para. 8 of GS Misc 1042, that 'the outcome of that day [20 November 2012] has left the Church of England in a profoundly unsatisfactory and unsustainable position.'

3. This document is the WATCH Committee's response to the invitation laid out in para. 53. Individual members will be submitting their own responses. Although there may be some diversity in our general constituency over the spectrum of possibilities sketched out in paragraphs 37-50, we have to report that those who have been in touch with us since November and those who were present at our AGM last month were absolutely unanimous in viewing 'simplest possible' legislation as the only acceptable way forward now.

4. For the sake of the gospel, and of our witness to the nation, we believe that it is now imperative that the Church of England should address its institutional discrimination against women, not only by consecrating women as bishops, but also by finding more creative and collaborative ways to deal with our internal differences than were found in 1992/3. As you will see from the detailed responses below, we believe that the 1992/3 provisions have sadly increased our divisions and perpetuated a culture of discrimination which has undermined both the priestly ministry of women and the overall integrity of the Church. We call on the Working Party and the House of Bishops to find ways forward that will bring us more fully into relationship with one another so that mutual trust and respect can grow.

(2) The four propositions:

53. Synod members and others are invited to help the working group in the next phase of its work by:

(a) Indicating whether they endorse the four propositions in paragraphs 17-29 which have emerged from the recent conversations;

1. We endorse the first two propositions (paras 18 and 20). A fresh set of proposals is required, but these must not call into question the jurisdiction and position of the

diocesan bishop. We are pleased to note para. 22's strong rejection of 'any notion of a two-tier episcopate.'

2. The third proposition (para. 24) gains our qualified assent: whilst we recognise the merits of clarity 'so far as possible', we believe that a process-based solution that is inherently relational may present the best way forward. A package which contained process-based elements (rather than a codified set of provisions) would, by its very nature, exclude the possibility of absolute clarity or finality. In this connection, we also wish to express our doubt that a package of 'provisions' would be likely to command the necessary majorities in the current General Synod: stronger provisions for those opposed, and the Clergy will reject it; weaker provisions, and – as we saw in November – the Laity will vote it down.

3. We endorse the first aspect of the fourth proposition (para. 29.5), namely that a 'shorter, simpler measure' is desirable. We would, however, be unable to support any Measure that, though short, contained elements that justified continuing discriminatory practice.

4. We have, however, grave concerns regarding the second half of the proposition (para. 29.6), both in terms of its substance and in what is implicit in its language.

(i) The language of 'security' is deeply problematic. The issue is not that one party needs 'security' (in the sense of protection) from the other, but that all parties need a sense of confidence: those unable to accept women's ministry need to be confident that they will have a continued place within the Church of England; ordained women need to be confident that they have the institutional support of the Church which has decided to ordain them. Moreover, wider society needs to be confident that the established Church treats her ordained women fairly and in line with current anti-discrimination/equality legislation.

(ii) We find the language of 'minority/ majority' unhelpful. It is true that the overwhelming numerical majority of the Church of England, as expressed in General and Diocesan Synod levels is supportive of the ordination of women to all three orders of ministry. Nevertheless, in terms of the numbers of those ordained, and particularly occupying stipendiary roles and senior Church positions, women form a substantial minority. The experiences of ordained women expressed in the Transformations feedback and articulated in WATCH's 'After November' document (a précis of which was circulated to the Working Group in February), indicates the extent to which the institution's cultural minority is in need of protection from discriminatory assumptions and the practices which flow from those assumptions.¹

(iii) This language of 'an accepted and valued place' also raises concerns, as we need to be able to distinguish people from the theological traditions they espouse. Whilst people, of course, are accepted and valued, not every opinion should be: we might accept that there should be a place for dissenting theological opinion, but would

¹ Appendices 1 and 2.

struggle to agree that the Church should *value* theologies and traditions which discriminate against women, undermine the decision of the Church to ordain women, and run counter to her order causing the very ecclesiological confusion which earlier propositions given in this consultation paper seek to avoid.

(iv) We are concerned that ‘valuing’ theologies which discriminate against women contributes to a church culture which undermines both women (lay and ordained) as individuals and devalues their ministry. The College of Bishops and the Working Group have already received feedback to this effect (as referenced in 4 (ii) above), accounts corroborated by – for instance – Maggi Dawn’s *Like the wideness of the sea*.² In a week in which the media has reported a shocking decline in the number of women in senior positions and public life (<http://www.guardian.co.uk/politics/2013/feb/24/shocking-absence-women-uk-public-life>), the Church should seize the opportunity of prophetic witness to wider society about the value and potential of every human being before God. Such witness would assist in dismantling wider cultures which devalue and demean women, and would challenge the ‘attitudes accepting...gender inequality’ which the WHO cites as risk factors for both perpetrators and victims of violence against women. (<http://www.who.int/mediacentre/factsheets/fs239/en/>).

(v) We are unsure of what is implied by ‘any new element of compromise’. The 1992/3 settlement has never been fully debated. A settlement which was intended to be transitional has been exploited to create separation, as the material with which to build silos within the Church (cf Rosalind Rutherford, ‘Promises – kept, broken, or never made?’³). The enduring nature of that settlement underlies much of the discriminatory culture to which we have already referred. We therefore regard it as extremely unlikely that people will accept an extension of the 1992/3 settlement with the ‘compromises’ it entailed, let alone ‘any new element of compromise.’

5. In light of these grave concerns surrounding the second half of proposition /4/, we suggest seeking to reframe the second objective thus:

‘Construct an overall package that will (a) clearly endorse the ordination of women to all three orders of ministry, and (b) set out appropriate arrangements for those who cannot accept their ministry [ie arrangements which can provide alternative priestly and episcopal care in ways that fully comply with existing equality legislation].’

(3) The spectrum of possibilities:

53. Synod members and others are invited to help the working group in the next

² M. Dawn, *Like the Wideness of the Sea. Women Bishops and the Church of England* (DLT: 2013) forms a powerful and timely contribution to this debate. Members of the Working Group will receive a copy from WATCH, supporting our submission to this consultation, and we commend it most warmly to you.

³ Appendix 3.

phase of its work by:

(b) Offering any initial comments on the spectrum of possibilities sketched out in paragraphs 37-50 (see also Annex B);

1. We are concerned to note that the paper posits ‘the simplest possible legislative package’ as sitting at one end of the spectrum (para. 37). The desire for simple legislation is not an unreasonable or extreme position, and such a package would result in much greater theological and ecclesiological coherence than could any possible alternative.

2. Paras 38-40 imply that the ‘voluntary (and therefore unenforceable) basis’ of provision for those opposed to the ordination of women constitutes a weakness of a simple legislative package. We question this analysis: in a number of areas of church life there is variation in ministry patterns from diocese to diocese (in patterns of licensed lay ministry, ordained local ministry, episcopal policies regarding the recommendations of Bishops’ Advisory Panels *inter alia*); there appears to be no need for enforceable national assurances to be offered in these areas. Rather, we would hope that the House of Bishops could work together to seek creative solutions as required, and that – like the vows and oaths that underpin all the Church’s ordained ministries – these ‘aspirations’ would be treated as commitments given in good faith, reliant on ‘the help of God’ for their delivery.

3. The explanation given in para. 41 for the failure of the previous Measure is clearly accurate. However, we wish in this connection to reiterate the argument advanced in 1.4(i) above: the language of ‘security’ is both problematic and hurtful, and we submit that no fruitful new way forward will be found so long as the discussion continues to be framed in such terms. As we suggest in 2.2 above, we are sceptical that any package which relies on sets of provisions would have a better chance of success, whether in the lifetime of this Synod, or beyond: ‘stronger’ provision for those opposed to women’s ordained ministry, and the Clergy will reject it; ‘weaker’ provision will be unlikely to command consensus in the Laity.

4. We are in broad agreement with the sentiments expressed in paras 44 -45: as noted, we are in favour of a simpler package, not least because of the pastoral and missional effects indicated in para. 45.

5. We concur with the opinion expressed in para. 46, that any package more complex and carrying stronger provisions than the previous draft Measure would be unlikely to command support in General Synod or in Westminster. The success of the adjournment debate in July 2012 asking for reconsideration of the first iteration of Clause 5(1)c indicates that this risk is serious and genuine.

6. Attractive though the option might appear, we have grave reservations about the possibility of a package which tried to take the 1992/3 settlement as a starting point and extend similar provisions to the settlement on women in the episcopate.

(i) We have already noted the damage which that settlement has done, both to the morale of women clergy and to the institution as a whole. Unity has not been maintained through the establishment of ghettos, and the slippery use of the doctrine of 'reception' has been deeply detrimental to ordained women: WATCH has consistently argued that the Church needs to remove the institutional question mark which hangs over women's orders, and which calls into question our corporate commitment to our historic formularies and to our canons. It would be theologically incoherent to extend and entrench a settlement which relies on the idea that the ordination of women is yet to be received by the Church, in order for that Church to ordain women to the episcopate.

(ii) We would also question the political wisdom of extending the 1992/3 settlement: the legislative landscape has altered substantially since 1992/3, with the passage of the Equality Act 2010. Indeed we understand that the 1992/3 settlement may itself contravene that Equality Act and therefore be open to challenge in the courts. Any such package is unlikely to be acceptable to the Ecclesiastical Committee in Parliament which as Judith Maltby has demonstrated⁴ has changed significantly since the passage of the 1992/3 settlement.

The debate in the House of Commons on 12th December 2012 indicated how much MPs are concerned about possible discrimination in any new legislation to allow women in the episcopate. The Second Church Estates Commissioner, Sir Tony Baldry, said in that debate: *'If we are going to have women bishops – everyone has agreed that we are going to have them – they have in every regard to be treated the same as, and have the same powers, rights, privileges and disciplines as their male counterparts.'*

WATCH is further bound to ask what sort of witness it gives for the established Church to seek to enact legislation that would be illegal in any other sphere.

(iii) The failure of the legislation has left the morale of ordained women at an all-time low, and the perpetuation of the 1992/3 settlement would likely constitute the last straw for many. Recent correspondence regarding the Vacancy-in-See in Blackburn and the suffragan see of Whitby indicates a wider rejection of that settlement in a church public now highly sensitized to the issue, and unwilling to tolerate continued institutional discrimination.

(iv) Rather than tweaking the 1992/3 settlement, therefore, we suggest it is time to effect with confidence the decision the Church made then, and to affirm our full commitment to the ordained ministry of women to all three orders. In acting on this commitment, the Church would, in effect, be acknowledging the end of the period of reception (as, in fact, General Synod's acknowledgement in 2006 that having women as bishops is 'consonant with the faith of the Church of England' implies). As Maggi Dawn argues (Dawn 2013, pp. 26-28), the time has come to bring to an end the

⁴ J. Maltby, Gender and Establishment: Parliament, 'Erastianism' and the Ordination of Women 1993 – 2010' in M. Chapman, J. Maltby and W. Whyte (eds), *The Established Church. Past, Present and Future* (T&T Clark: 2011), pp 98-123.

interim period of 'Reception': As suggested in 3.6(i) above, the Church of England as an institution can no longer say 'yes' and 'no' to the ordination of women. It is time to decide unequivocally and move forward with conviction. Only then will we move beyond the 'life-in-death' impasse we have reached.

(4) Further comments:

53. Synod members and others are invited to help the working group in the next phase of its work by:

(c) Offering any other comments that they would want the Working Group and the House of Bishops to take into account as they carry this work forward.

1. Throughout the whole of the previous legislative process, there was a deep imbalance in the debate: all provision was discussed in terms of meeting the needs of those opposed to women's ministry. However, WATCH is deeply concerned about the needs of those in favour of women's ministry (and thus in line with the majority of the Church of England and her stated doctrine) who belong to dioceses wherein none of the bishops ordains women. The damage this does to the ordained women whose orders are not recognised by their bishops, and to an increasingly disenfranchised and marginalised laity in these dioceses, is substantial. We therefore regard it as essential that any new package of proposals includes a commitment to ensuring that in every diocese there is a serving bishop who ordains women as deacons and priests. It is of the greatest urgency that the Church of England lives out its decision to ordain women by ensuring that there are not geographical exceptions: if it is accepted that there should be extra-diocesan provision for those who cannot accept the ministry of the bishops in their diocese because of their views regarding the ordination of women, it follows that that provision should be reciprocal.

2. In similar vein, we have to question whether it is right that those opposed to the ordination of women should continue to be appointed as diocesan bishops. There must be no doubt regarding the validity of women's orders, and we are unclear as to how those who dissent from the Church's teaching regarding ordination can simultaneously be guardians of it and foci of unity. Continuing to appoint as diocesan bishops those who do not accept the ordination of women embodies the 'two integrities' thinking which has been identified as detrimental to ordained women, and harmful to the institution. The extra-diocesan provision requested in 4.1 above would, therefore, be required only as an interim arrangement.

3. WATCH requests most strongly that there be a reframing of the debate surrounding whatever proposals ensue. Events in November changed the context, and it is now urgent that the Church of England recognises – at an institutional level – the needs of ordained women, the ordained men who support them, and the majority of lay people. Paramount among these needs is the end of the discriminatory culture arising from the 1992/3 settlement, and the wearying

institutional uncertainty over women's orders. In order to have any hope of commanding consensus, any new package of proposals must address the needs of those in favour of women's ministry, as well as those opposed, in order to inspire confidence that each party occupies an accepted and valued place within a Church of England that ordains women as bishops.

4. To this end, we regard the simplest possible legislative package not as an extreme at one of the spectrum, but as the most coherent way for the Church of England to effect its conviction that women can be ordained to all three orders of ministry. Any legislative provision is *de facto* discriminatory, and therefore problematic: for the morale of women clergy, from the Parliamentary perspective, and for our proclamation of the gospel in our generation. Clergywomen need the assurance that the Church which ordained them fully endorses their ministry; of the possibilities sketched in this paper, only the simplest possible legislation can achieve that. The consultations earlier this month highlighted the essential gospel truth that our common life is relational, members of a body bound not by law but by the grace we receive in our common baptism. We suggest, therefore, that confidence may best be inspired not by 'enforceable provisions' but by commitment to a guaranteed process of facilitation of the transition towards having women in our episcopate.

5. We therefore urge that the 'new way forward' sought by this paper is one in which the barriers erected by the 1992/3 settlement are dismantled, through growth together in grace and trust. Tweaking the boundaries will not achieve this; only simple legislation will now do.

The Revd Rachel Weir, Chair
The Revd Anne Stevens, Vice-Chair
The Revd Charles Read, Vice-Chair, GS Norwich 171
The Revd Hugh Lee, GS Oxford 181
Ms Gill Gould, Secretary
The Revd Dr Hannah Cleugh

For and on behalf of the WATCH National Committee
28th February 2013

Appendices:

1. Transformations feedback
2. 'After November'
3. R. Rutherford 'Promises – kept, broken, or never made?'
4. WATCH submission to Blackburn Report
5. M. Dawn, *Like the Wideness of the Sea. Women Bishops and the Church of England* (DLT: 2013). Separately, with covering letter.