

WOMEN AND THE EPISCOPATE- A BACKGROUND NOTE

Deacons and priests

1. Bishop Archibald Tait, then Bishop of London, founded the Deaconess Community of St Andrew as long ago as 1861. Those who subsequently served the Church as deaconesses held office in the Church but until the 1980s the law permitted only men to be admitted to holy orders in the Church of England.
2. The possible admission of women to each of the orders of deacon, priest and bishop was explored in a Church Assembly report of 1966. Following consultation with the dioceses the General Synod subsequently resolved in 1975 that '*there are no fundamental objections to the ordination of women to the priesthood*'. In the light of the diocesan consultation it decided at that stage, however, not to proceed with the necessary legislation.
3. Subsequently, separate pieces of legislation were introduced into the General Synod to enable women to become deacons and priests. The Synod gave Final Approval to a Measure to enable women to become deacons in 1985, and in 1992 to a Measure opening the priesthood to women.
4. The first women were ordained as deacons in 1987 and as priests in March 1994. By 2009 women comprised 29% of all serving clergy (around 20% of stipendiary clergy) and 47% of those recommended that year for ordination training (38% of those recommended with a view to stipendiary ministry). In mid 2010 there were also 14 female archdeacons (13%) and 4 female cathedral deans (9%).
5. In removing the legal obstacles to women becoming priests the General Synod provided formal arrangements designed to make provision for those in the Church who could not accept this as a legitimate development. These arrangements comprised:
 - The legislative provision, agreed by the Synod in 1992 and subsequently endorsed by Parliament, for parishes to pass resolution A, precluding a woman from presiding at Holy Communion and pronouncing absolution, and/or Resolution B, precluding the appointment of a female incumbent, priest in charge or team vicar¹; and
 - an Act of Synod agreed in 1993 which provided, additionally, that parishes could in addition petition their diocesan bishop for extended episcopal ministry, which would then be provided by a Provincial Episcopal Visitor or by another bishop from within the diocese or the region².

¹ Provisions of the Priests (Ordination of Women) Measure 1993

² Provisions of the Episcopal Ministry Act of Synod 1993.

6. In the course of Parliamentary consideration of the legislation in 1993 Synod representatives explained that the Synod had removed time limits in earlier drafts so that *'protection for incumbents and in particular parishes, should remain in perpetuity for as long as anyone wanted it.'*³ In relation to the proposed Act of Synod the then Archbishop of Canterbury said *'it is our intention for this to be permanent and we are not thinking of rescinding it.'*⁴
7. According to the latest available figures there are 802 parishes (6.4%) where Resolution A is in force; 966 where (7.7%) Resolution B is in force; and 362 (2.9%) where a petition under the Act of Synod is in force⁵.
8. A House of Bishops' paper, *Bonds of Peace*⁶, was issued in 1993 to explain the proposal of the House that the special arrangements already agreed in the legislation should be supplemented by those in the proposed Act of Synod. It stated that *'those who for a variety of reasons cannot conscientiously accept that women may be ordained as priests will continue to hold a legitimate and recognised place within the Church of England'*.
9. In addition it noted that:

*"...giving space to one another, and remaining in the highest possible degree of communion in spite of difference are crucial, as we strive to be open to the insights of the wider Christian community. Though some of the means by which communion is expressed may be strained or broken, the need for courtesy, tolerance, mutual respect, prayer for one another, and a continuing desire to know one another and to be with one another, remain binding on us as Christians, no less within our own Church as in our ecumenical relations. The danger to be avoided is that, where ecclesial communion is impaired, communities may begin to define themselves against each other and develop in isolation from each other..."*⁷
10. It also noted that the Church of England's decision on ordination of women to the priesthood was part of a 'much broader and longer process of discernment within the whole Church': a process sometimes referred to as 'reception'⁸. The Roman Catholic and Orthodox Churches maintain the view that only men may be admitted to the priesthood (and episcopate); many Protestant Churches have admitted women to all areas of ministry.

³ 203rd and 204th Reports of the Ecclesiastical Committee, p66

⁴ Ibid, p134

⁵The figures need interpreting with some care because some parishes that have not had a vacancy for many years may not have considered whether to pass a resolution and it seems clear that many parishes where a serving diocesan bishop does not himself ordain women as priests have not felt it necessary to avail themselves of their petitioning rights under the Act of Synod.

⁶ See *Ordination of Women to the Priesthood: Pastoral Arrangements-Report by the House of Bishops* [GS 1074], June 1993.

⁷ *Bonds of Peace*, para 3.

⁸ The concept of reception is further explored in the Rochester Report, paras 3.6.1-37 – see below.

The Anglican Communion

11. Within the Anglican Communion, the admission of women to the diaconate and priesthood was considered by both the 1968 and 1978 Lambeth Conferences and in other bodies of the Communion. It was recognised that decisions were for each province to take, having ‘sought and carefully considered’ advice from the instruments of Communion. The Lambeth Conference of 1988 extended this approach to the admission of women to the episcopate, resolving that each Province was free to decide for itself, while ‘*maintaining the highest possible degree of communion with Provinces which differ*’⁹.
12. In 1989 the Episcopal Church in the USA became the first Church within the Communion to admit a woman to the episcopate¹⁰. There are now also women bishops in Australia, Canada, and New Zealand, and in the extra-provincial Episcopal Church of Cuba (there are also 11 other Churches, including Scotland and Ireland, where there is no legal bar to such consecrations). 11 women bishops attended the Lambeth Conferences in 1998 and 18 in 2008.
13. The 1998 Lambeth Conference passed a resolution calling on all Provinces to
 - ‘*uphold the principle of ‘Open Reception’ as it relates to the ordination of women to the priesthood...*’
 - ‘*affirm that those who dissent from, as well as those who assent to, the ordination of women to the priesthood and episcopate are both loyal Anglicans*’; and
 - ‘*to make provision, including appropriate episcopal ministry, as will enable them to live in the highest possible degree of communion possible...*’¹¹.

The Rochester Report

14. In July 2000 General Synod passed a private member’s motion from Archdeacon Judith Rose requesting ‘*that this Synod ask the House of Bishops to initiate further theological study on the episcopate, focussing on the issues that need to be addressed in preparation for the debate on women in the episcopate*’.
15. In response to this mandate a working party was formed under the chairmanship of Bishop Michael Nazir-Ali, then Bishop of Rochester. Its comprehensive report – *Women Bishops in the Church of England?*¹²

⁹ 1988 Lambeth Conference resolution 1.1. This motion also set up what became known as the Eames Commission (1989-93), the reports of which are available in *Women in the Anglican Episcopate: Theology, Guidelines and Practice*, Anglican Book Centre 1998.

¹⁰ Barbara Harris was consecrated Bishop Suffragan of the Dioceses of Massachusetts on 11 February 1989.

¹¹ 1998 Lambeth Conference Resolution III.2.

¹² *Women Bishops in the Church of England?* GS 1557 (available on the web at <http://www.cofe.anglican.org/info/papers/womenbishops.pdf>). Related study material for groups is also available at <http://www.cofe.anglican.org/info/papers/womenbishops/wb.doc>

(commonly referred to as the Rochester Report) – was published in November 2004.

16. This 287 page document remains an indispensable source of reference. It did not set out recommendations as to how to proceed but set out relevant arguments focusing on four questions

- (1) *What is the nature of the episcopate as the Church of England understands it?*
- (2) *Can it be right in principle for a woman to be a bishop?*
- (3) *Would this be an appropriate time for the Church of England to move towards appointing women as bishops?*
- (4) *If it were the appropriate time to appoint women as bishops in the Church of England, how should it go about implementing this change and what provision, if any, should be made for those who would be unable to accept women bishops?*

17. The arguments against the ordination of women to the episcopate were carefully rehearsed in the Rochester Report as follows.

From a catholic Anglican perspective they included:

- *not wedding mission to the spirit of the age;*
- *arguments from Scripture and Tradition;*
- *the givenness of human sexual differentiation;*
- *the maleness of Christ;*
- *breaking with understandings hitherto held in common with the Roman Catholic and the Orthodox Churches;*
- *the problem of sacramental assurance; and*
- *the need for bishops to be a focus of unity.*

From a Conservative Evangelical perspective the Rochester Report cited:

- *the argument that not all was decided at the ordination of women to the priesthood;*
- *'functional sub-ordination' (i.e. headship);*
- *Galatians 3.28 not being a general statement about equality;*
- *a woman could not be an icon of God the Father;*
- *the inappropriateness of a woman exercising Episcopal authority;*
- *lack of consensus;*
- *ordaining women bishops being contrary to the principle of reception; and*
- *the danger of the 'feminisation' of the church.*

18. The Rochester Report then went to lay out carefully the arguments adduced for introducing women bishops in to the Church of England¹³. It summarised these under the following headings:

- *new ways of looking at biblical material (with fresh perspectives on headship and alternative interpretations of 1 Corinthians and 1 Timothy);*
- *the overall trajectory of scripture;*
- *the evidence for women's ministry in the Early Church;*

¹³ See Chapter 5 of GS 1557 from which the bullet points in paras 17 & 18 are based.

- *a dynamic view of tradition;*
- *the need for both men and women to represent Christ;*
- *the Church of England's right to develop its own orders;*
- *the significance of the 1992 decision to ordain women priests; and*
- *the missiological need for women bishops.*

19. The General Synod took note of the Rochester Report in February 2005 and in July 2005 voted to '*set in train the process for removing the legal obstacles to the ordination of women to the episcopate*'.

The Guildford Group & the Guildford/Gloucester Report

20. Following the publication of the Rochester report the House of Bishops set up a working group consisting of the Bishops of Guildford, Blackburn, Lincoln and Willesden, with the Ven Joy Tetley (then Archdeacon of Worcester), to look further at the options for achieving the ordination of women to the episcopate.
21. This group – known as the Guildford Group – reported in January 2006¹⁴. It looked at three main options: a 'single clause' Measure; a Third Province – both of which had been widely trailed by respective constituencies; and a new option known as 'transferred episcopal arrangements' (or TEA). Under TEA parishes could opt to receive the ministry of a male Provincial Regional Bishop who would exercise pastoral and sacramental functions transferred (via the Archbishop) from the diocesan (in whose diocese the parish would remain).
22. The General Synod agreed in February 2006 that '*an approach along the lines of Transferred Episcopal Arrangements, expressed in a Measure with an associated Code of Practice, merits further exploration as a basis for proceeding*'. The House asked the Bishops of Guildford and Gloucester to undertake some further work.
23. Their further report¹⁵ sought to clarify aspects of TEA, about which some had expressed significant ecclesiological and practical reservations. It also put forward for discussion a further possible model – Special Episcopal Oversight (SEO) – which, significantly, proposed that functions be delegated, rather than be transferred, to the male SEO bishop.
24. This report was submitted to the College of Bishops in June 2006. The College also heard from Cardinal Walter Kasper (then President of the Pontifical Council for the Promotion of Christian Unity). He set out the fundamental opposition of the Roman Catholic Church to the ordination of women as

¹⁴ See *House of Bishops' Women Bishops Group: Report to the General Synod from a working group chaired by the Bishop of Guildford* [GS 1605], Jan 2006.

¹⁵ See *Women in the Episcopate: Report to the House of Bishops from the Bishops of Guildford and Gloucester* [GS Misc 826], May 2006.

bishops, and the possible implications of such a step for future Anglican-Roman Catholic relations¹⁶.

25. In particular he argued that consecrating women as bishops would challenge the Church of England's own ecclesiology by rendering impossible the communion between all bishops that was central to a catholic understanding of the unity of the Church. The College also heard from a group of senior female clergy and laity at the same meeting who were supportive of proceeding with the consecration of women. They had substantial reservations, however, over the acceptability in principle, or workability in practice, of TEA.
26. The House of Bishops, meeting immediately after the College, did not feel able to endorse a particular option for admitting women to the episcopate. The majority of the House, however, wished to affirm their support for the principle and to find a way of advancing the legislative process. Accordingly the House agreed to submit two motions to the Synod.
27. In July 2006 the Synod resolved

'That this Synod 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.'

The voting was as follows:

	AYES	NOES
Bishops	31	9
Clergy	134	42
Laity	123	68

28. At the same group of sessions, the General Synod passed a further motion, on the recommendation of the House of Bishops, setting up a Legislative Drafting Group with a brief which embraced both preparing the draft Measure and amending Canon necessary to remove the legal obstacles to the consecration of women to the office of bishop and also preparing *'a draft of possible additional legal provision consistent with Canon A4¹⁷ to establish arrangements that would seek to maintain the highest possible degree of*

¹⁶ See *Resources for Reflection* [GS Misc 827], June 2006 & *Women in the Episcopate: An Anglican-Roman Catholic Dialogue* [GS Misc 885], 2008. Ecumenical Responses to the Rochester Report - including contributions from the Methodist and United Reformed Churches - can be found in GS Misc 807 (October 2005).

¹⁷ The reference to Canon A4 was intended to reflect the view that nothing be done to qualify the legal recognition of all those admitted to Holy Orders in the Church of England. A full analysis of the phrase 'consistent with Canon A4' can be found in paras 128-144 of the *Report of the Women Bishops Legislative Drafting Group* (GS 1685).

communion with those conscientiously unable to receive the ministry of women bishops’.

The Manchester Group

29. The Bishop of Manchester was asked to chair this group, which started its work in January 2007. In its report of April 2008¹⁸ it helpfully encapsulated (in paragraph 12) the heart of the difficulty with which the Synod had been wrestling in previous debates and indeed with which it has continued to wrestle subsequently. What it said was that the challenge was to find a way of proceeding that “(a) had ecclesiological integrity; (b) left space within the Church of England for those who in conscience could not accept the priestly or Episcopal ministry of women; and (c) avoided any flavour of discrimination or half-heartedness on the part of the Church of England towards women priests and bishops.”
30. The report went on to set out and analyse three possible broad approaches (with variations within them):
 - (1) the simplest possible statutory approach with no binding national arrangements;
 - (2) legislation that would provide some basis for special arrangements for those unable to receive the ministry of women bishops (within the structure of the existing Church of England dioceses); and
 - (3) legislation that would create new structures within the Church of England for those unable to receive the ministry of women bishops.
31. A majority of the House of Bishops, at its meeting in May 2008, supported the second of these three approaches. It accordingly recommended that course to the General Synod, on the basis that there should be a national Code of Practice to which all concerned should have regard, with arrangements that would entail the delegation (not transfer) of functions from the diocesan to a ‘complementary’ male bishop.
32. The motion brought by the House was passed by the Synod in July 2008 without major amendment. In its final form it read:

‘That this Synod:

 - (a) *affirm that the wish of its majority is for women to be admitted to the episcopate;*
 - (b) *affirm its view that special arrangements be available, within the existing structures of the Church of England, for those who as a matter of theological conviction will not be able to receive the ministry of women as bishops or priests;*

¹⁸ See *Report of the Women Bishops Legislative Drafting Group* (GS 1685, April 2008).

- (c) *affirm that these should be contained in a statutory national code of practice to which all concerned would be required to have regard; and*
- (d) *instruct the legislative drafting group, in consultation with the House of Bishops, to complete its work accordingly, including preparing the first draft of a code of practice, so that the Business Committee can include first consideration of the draft legislation in the agenda for the February 2009 group of sessions.’*

The voting was as follows:

	IN FAVOUR	AGAINST	RECORDED ABSTENTIONS
Bishops	28	12	1
Clergy	124	44	4
Laity	111	68	2

33. The Manchester Group duly completed its task in time for the February 2009 group of sessions¹⁹.

The draft legislation

34. In February 2009 the Synod gave First Consideration to the draft Measure and Amending Canon and agreed that they should be committed to the Revision Committee. The Synod also had before it an illustrative draft code of practice prepared by the drafting group.

35. The Revision Committee first met in May 2009 and reported in May 2010²⁰. As required by the General Synod’s Standing Orders, its task was to ‘consider the Measure committed to them, together with any proposals for amendment, Clause by Clause’²¹. It received 297 submissions, of which 114 were from individual Synod members or groups including Synod members and others.

36. These made a wide range of detailed suggestions. In addition, many argued for an alternative underlying approach to the legislation – a ‘single clause’ Measure (i.e. the simplest possible form of legislation); ‘statutory transfer’; a ‘society solution’; or additional dioceses.

¹⁹ See *Women in the Episcopate: Further Report from the Legislative Drafting Group* [GS 1707], Dec 2008.

²⁰ See GS 1708-09Y

²¹ As set out in S.O.53(e)

37. After discussion the Revision Committee rejected these alternative approaches. It concluded that arrangements for those who are unable on theological grounds to receive priestly and episcopal ministry from women should, as in the draft Measure committed to it, be based on delegation from the diocesan bishop and a statutory, national code of practice. The Committee did, however, make a number of significant changes to the draft Measure and Amending Canon (full details in GS 1708-09Y).
38. Clause 1 of the Measure (which the Revision Committee did not amend):
- Permits the consecration of women as bishops and the continued ordination of women to the priesthood;
 - Repeals the Priests (Ordination of Women) Measure 1993;
 - Makes transitional provisions regarding Resolutions A and B under the 1993 Measure.
39. Most of the remaining clauses set out provisions for those conscientiously opposed. As revised, the Measure:
- Imposes an obligation on every diocesan bishop (irrespective of gender) to make a scheme, following consultation with the diocesan synod, containing arrangements for delegating the exercise of episcopal ministry relating to the celebration of the sacraments and pastoral care to a male bishop;
 - Entitles a parish to issue a 'Letter of Request' to the diocesan bishop seeking the ministry of a male bishop under such arrangements;
 - Entitles a parish to issue a 'Letter of Request during a Vacancy', asking the diocesan bishop that only a male priest be appointed as incumbent or priest in charge; and
 - Requires the House of Bishops to draw up a Code of Practice, which requires the approval of the General Synod and is to give guidance on various matters arising under the Measure and to which anyone exercising functions in the Church of England must 'have regard'.
40. At the General Synod in July 2010 amendments which would have created additional dioceses or involved transfers of jurisdiction were defeated by a wide margin.
41. The effect of amendments proposed by Archbishops would have been that male bishops ministering to parishes that had issued a letter of request would have exercised 'co-ordinate jurisdiction' with the diocesan bishop, that is jurisdiction conferred directly by the Measure rather than by way of delegation from the diocesan bishop. Guidance on the arrangements for co-ordinating the exercise of episcopal ministry would have been included in the code of practice.
42. The Archbishops' main amendment was defeated on a vote by Houses in the House of Clergy (Bishops 25-15 in favour, Clergy 90-85 against with 5 abstentions, Laity 106-86 in favour with 4 abstentions).

43. The legislation went on to complete its Revision Stage with only minor amendments being made to the draft Measure as agreed by the revision Committee (the most significant being a requirement that any repeal of the Measure or Canon would require a two-thirds majority in each House, as opposed to simple majorities). Amendments that had been tabled to remove the elements summarised in paragraph 39 above or limit their statutory life to forty years were withdrawn.

 44. The draft Measure and Amending Canon accordingly now stand referred to dioceses in the form agreed by the General Synod. Annexed to this note are some answers to possible questions of information and clarification which may arise in the course of consideration within dioceses.
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