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ARTICLE

Synodality in Anglicanism: episcopacy, clergy, laity

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Abstract

Articles in this issue of the *Journal* have considered the various levels of church government at the universal, the regional, the local (diocesan), and the parochial levels. The mechanical operations of each synodical body has been considered, with notions of subsidiarity, authority and participation key. This article takes a step back and looks at the classes of individuals concerned in ecclesial life: bishops, (other) clergy, and laity, and considers how they participate in synodical ecclesial life by virtue of either purely their ecclesial life (as a bishop, a priest or deacon, or as a member of the laity), or through the role they exercise/office they hold as a member of that ecclesial class.

Keywords: Anglican Communion; synodical government

Introduction

This article will examine each of the ecclesial classes (bishops, other clergy, and laity) and consider how they participate in each of the synodical bodies of Anglicanism, specifically the national (the General Synod or equivalent), the diocesan synodical bodies, and the parochial (such as Parochial Church Councils).

For each ecclesial class, the following isues will be considered:

i. *Membership*: of which synodical bodies are they members?
ii. *Qualifications*: what qualifications are needed for such membership?
iii. *Appointment*: what are the means for their appointment/election to such synodical bodies?
iv. *Domination*: do they dominate any of the bodies?
v. *Removal*: how is their membership terminated?

This article will focus mainly on the Church of England, with comparative material from other churches of the Anglican Communion.

The Principles of Canon Law Common to the Churches of the Anglican Communion

Before examining each ecclesial class, it is worth considering how the *Principles of Canon Law Common to the Churches of the Anglican Communion* (hereafter '*the Principles*')

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refer to the way each of the ecclesial classes participate in the various levels of synodical government across Anglicanism.

The standard is set by Principle 18(1) which states that, 'Representative government is fundamental to church polity, and in matters which touch all, all should have a voice'. It is clear from this that it is a principle of Anglicanism that all in ecclesial life: bishops, other clergy and laity have a voice in the government of the church.

This representation is then seen in Principle 18 (2) which states: 'The central assembly of a church, and the assembly of a province or diocese, consist of bishops, clergy and laity'. Principle 18(3) then sets out how such representation is organised: 'Central, provincial and diocesan assemblies consist of houses, orders or other cameral systems which represent their episcopal, clerical and lay Character'.

Such representative assemblies or synods have the power to legislate: Principle 19(1) states, 'The power to legislate is vested in the representative assemblies of a church'.

What is clear from this is that it can be accepted that it is a common principle or shared canonical norms that individuals from all ecclesial classes participate in representative government in the churches of the Anglican Communion, and that all they all have the power to legislate.

It is worth emphasising Principle 22 (Lay participation in government). This principle emphasises that it is a canonical norm within Anglicanism that 'Laypersons are entitled to participate in the governance of the church' and that 'Duly qualified laypersons may be chosen as representatives of laity for assemblies of government at all levels of a church in the manner prescribed by law'.

As will be seen, it is the case across Anglicanism that bishops, other clergy and laity are able to participate fully in the synodical life and governance of the churches to the extent provided by law.

The episcopacy

In Anglicanism the Bishop is the 'chief pastor of all that is within his diocese, as well laity as clergy, and their father in God'.[1] This of course relates to diocesan bishops; a distinction needs to be made with episcopal assistants, sometimes called bishops suffragan. In the Church of England, 'every bishop suffragan shall endeavour himself faithfully to execute such things pertaining to the episcopal office as shall be delegated to him by the bishop of the diocese…', and across the Anglican Communion, 'A diocesan bishop may have an assistant bishop, who is subject to the ordinary jurisdiction of the diocesan bishop'.[2] This distinction is important when analysing the relation between episcopacy and synodality in Anglicanism.

[1] Canons of the Church of England (here after 'Canon') C 18(1). See also Principle 37(1).

[2] Canon C20 and PCLCCA 38.

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The national level

In the Church of England, at a national level, bishops form part of the General Synod by virtue of being in the House of Bishops.

However, in the Church of England not all those who hold episcopal office are automatically a member of the House of Bishops; rather the House of Bishops consists of the archbishops of Canterbury and York, all diocesan bishops, the Bishop of Dover, other persons in episcopal orders residing in either province who are members of the Archbishops' council, and nine representatives elected by and from among the suffragan bishops of each province.[3] This notion is found across Anglicanism, for example in the Church in Wales 'the Order of Bishops consists of the archbishop and all diocesan bishops, whereas all other bishops "residing and assisting" are members of the Order of Clergy'.[4]

The point here is that episcopal orders do not in themselves grant membership of national synods in Anglicanism; rather diocesan bishops have *ex officio* membership whereas assistant bishops may have no right to membership, or may be elected or hold some *ex officio* membership because of another role (such as, in the Church of England, being a member of the Archbishop's Council).

For bishops in Anglicanism, appointment to a national synod tends to be *ex officio* or by election from among the body of assistant/suffragan bishops.

Bishops cannot be said to be dominant in national synods in Anglicanism: there are generally three houses (the house of bishops, the house of clergy, and the house of laity) although some churches are bicameral such as in the Episcopal Church of the USA which has a House or Bishops and a House of Deputies (comprising clergy and laity).[5]

Finally, removal by bishops from a national synod would tend only to happen upon resignation or retirement; only rarely do formal laws empower the synod to remove members, for example in the Church in Wales the Governing Body is empowered to make rules enabling it 'to remove any member of the Governing Body … for sufficient reason'.[6] However, those bishops that are elected into the House of Bishops (such as suffragan bishops in the Church of England) will cease to be members when their term of office ends.

The diocesan level

In Anglicanism the institutional organisation of dioceses follows the same general pattern as that of the national synod, with government being vested in a diocesan assembly (synod, convention, council or conference). In terms of Episcopacy, in the Church of England, there is therefore a house of bishops within the diocese which consists of the diocesan bishop, each bishop suffragan in the diocese and 'such other persons in episcopal orders who work in the diocese as the bishop of the diocese may nominate with the agreement of the archbishop of the province'.[7]

[3] See Canon H3, and M Hill, *Ecclesiastical Law*, 4th edn (Oxford, 2018), 27.
[4] Constitution of the Church in Wales II.2 and II.4.
[5] Canon 1.9 of the Episcopal Church of the USA.
[6] Constitution of the Church in Wales II.56.
[7] Church of England Church Representation Rules (hereafter 'CRR') r 30.

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For bishops, therefore the qualifications for membership and process of appointment to the diocesan synod is either *ex officio* or by appointment by the diocesan bishop. Whilst the bishops do not dominate the diocesan synod, it should be noted that across the churches of the Anglican Communion the president of the diocesan synod is always the diocesan bishop.[8] Removal of bishops from diocesan synods would be by resignation or retirement.

The local or parochial level

In Anglicanism, bishops as a matter of course do not tend to involve themselves in governance at a parochial level. As will be seen, church councils, such as Parochial Church Councils, are made up of other clergy and laity. However, bishops do have powers of visitation to parishes and in the Church of England such visitations tend to be carried out by the archdeacon exercising their own ordinary jurisdiction.[9] Furthermore, if there is a dispute at a local/parochial level the law often provides for this to be referred for determination by the bishop. For example in the Church of Southern Africa 'Where differences of opinion may hinder the work of the [Parish] Council the matter may be referred by the Incumbent, the Churchwardens, or by any three members to the Bishop'.[10]

The other clergy

In Anglicanism the term 'clergy' tends to refer to priests and deacons, i.e. those clergy who are not ordained to the episcopate. Whilst bishops are of course clergy, in this section reference to clergy are references to those who are ordained only to the order of deacon or priest. As will be seen, in Anglicanism, such clergy can participate in synodical government at a national, diocesan and parochial level. However, sometimes their means of achieving participation can be on an elected, appointed or *ex officio* basis.

The national level

On a national level, in Anglicanism the house of clergy is composed of priests and deacons elected by the clerical members of the diocesan assembly in accordance either with national or provincial law, or with diocesan law. So in the Church of England's General Synod, proctors of the clergy are those diocesan clergy that are elected from amongst the clergy of each diocese according to provisions set out in law, with the Canons being clear as to how many clergy are eligible to be elected from each diocese.[11] For example, in the Anglican Church of Papua New Guinea there is one clerical member from each diocese; in the Church of South East Asia there are

[8] See Constitution of the Church in Wales IV.3. and the Anglican Church of Japan Canon X Article 103.
[9] Canon C22.
[10] Church of Southern Africa Canon 28.5
[11] See Canon H2.

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three clergy elected by each diocese.[12] In terms of qualifications, any member of clergy who holds ecclesiastical office in a diocese or cathedral or who has permission to officiate can stand in an election to the House of Clergy for their diocese.

These clergy form the majority of the House of Clergy in General Synod; however, there are provisions to co-opt a certain number of clergy, to elect clergy from other bodies (such as a certain number of deans from the cathedral churches, members of religious communities) and some are *ex officio* such as either the Dean of Jersey or the Dean of Guernsey, and figures occupying certain offices such as the Dean of Arches and Auditor and the Third Church Estates Commissioner (if these offices are held by people in holy orders).

The House of Clergy form one of three houses of the General Synod so they are not dominant, as is the case across the Anglican Communion and even though they are one of the larger houses voting can often take place in houses meaning an overall majority is not applicable.

In terms of removal, those clergy that are elected are elected for the duration of the life of the Synod in the Church of England, so ordinarily a five-year term. They will cease to be a member if they cease to be a member of the clergy within the diocese which elected them during the term of the synod.

The diocesan level

Across the Anglican Communion, membership of synods at diocesan level is such that the house of clergy consists of priests and deacons elected in accordance either with rules found in national, regional or provincial law, or in diocesan legislation. In the Church of England's terms of appointment, under the CRR, there are certain *ex officio* members including, *inter alia*, the Dean of the Cathedral Church, each archdeacon in the diocese, proctorial members of the house of clergy of general synod residing in the diocese, and those that hold certain offices if they are in holy orders such as the chancellor of the diocese, and the chairs of the diocesan board of finance, the diocesan board of education, and the chair of the diocesan advisory committee. Furthermore, the diocesan bishop has the power to nominate members, and members may be co-opted.[13]

However, the majority of the members of the House of Clergy are elected. In terms of eligibility for election, any clerk in holy orders is eligible for election if they are a member of a deanery synod within the diocese. There are various provisions as to the timing of elections, and the number of clergy eligible to be elected per deanery. The house of clergy is just one of three houses, so the clergy are not dominant and do not hold a majority. Elections take place every three years so, unless a member is nominated or *ex officio*, membership will cease at the duration of the term. All members of the house of clergy will cease being members if they cease to hold the office which gives them *ex officio* membership or if they cease to be a member of the relevant deanery synod.

[12] Constitution of the Church of Papua New Guinea Article 6:1; the Constitution of the Church of South East Asia Article VII(b)(iii).

[13] CRR r 31.

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The local or parochial level

At a local or parish level, clergy play a critical role in governance. At a parish level clergy are invariably *ex officio* on the relevant body such as the minister in charge and other clergy ministering or resident in the unit. So in the Church in Wales the 'incumbent and the curates' are *ex officio* members[14] and in the Church of England the following clergy are *ex officio* members: every clerk in holy orders who is beneficed or licensed to the parish, clergy from other churches within a team if there is a team ministry in place. Clergy are therefore not appointed nor elected to PCCs; however, they are not eligible for membership if, by virtue of them becoming a member, the number of clerical members would equal or exceed the number of lay members.[15] This thus provides that the clergy are not the dominant group on a PCC; however, the minister of the parish is the chair of the PCC.[16]

The laity

As already noted, the laity (that is all those who are baptised and are communicant members of the church but are not clergy) are eligible, subject to various qualifications, to play a prominent, representative, role in all aspects of synodical governance within the Church of England.

The national level

At a national level, the third house is the House of Laity which is composed of adult communicant members of the church elected, under national, provincial or diocesan law, by the lay members of the diocesan assembly. So in the Church of England, the House of Laity is made up of diocesan representatives in accordance with the Church Representation Rules, which set out various qualifications including being 18 or over, being a communicant, being confirmed or desirous of confirmation, and being on the roll of a parish or similar on the relevant day.[17] In terms of appointment, the vast majority of members of the House of Laity are elected. The number to be elected is to be no more than 195, with an apportionment on a 70/30 basis between the provinces of Canterbury and York and the number per diocese depending on its size, with the electors made up of the lay members of the deanery synods in the relevant diocese.[18] There are also provisions for *ex officio* members of the House of Laity, such as, *inter alia*, the members of the Archbishops' Council, the Dean of the Arches and Auditor, the Church Estates Commissioners, the Vicars General of each province, and the Chair of the Dioceses Commission. There are also provisions for the co-option of members.[19]

[14] Church in Wales Constitution VI 24(1).
[15] CRR r M15.
[16] CRR r M19.
[17] CRR r 50.
[18] CRR rr 51 and 54.
[19] CRR rr 47 and 48.

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The House of Laity form one of three houses of the General Synod so they are not dominant, as is the case across the Anglican Communion and even though they are one of the larger houses voting can often take place in houses meaning an overall majority is not applicable. Across the wider Anglican Communion some laws provide for equal numbers of clerical and lay representatives (such as the Anglican Church of the West Indies which provides for two clergy and two laity to be elected from each diocese[20]) and others for greater lay representation (such as the Anglican Church of New Zealand which provides for each diocese being represented by three clergy and four laity[21]).

In terms of removal, those laity that are elected are elected for the duration of the life of the Synod in the Church of England, so ordinarily a five-year term. They will cease to be a member if they cease to be a member of an electoral roll within the diocese which elected them during the term of the synod.

The diocesan level

Across the Anglican Communion, membership of synods at diocesan level is such that the House of Laity consists of representatives of the laity elected in accordance either with rules found in national, regional or provincial law, or in diocesan legislation. In the Church of England's terms of appointment, under the Church Representation Rules, there are certain *ex officio* members including, *inter alia*, members of the House of Laity of General Synod, the chancellor, the chair of the Diocesan Board of Finance, the Chair of the Diocesan Board of Education, the Chair of the Diocesan Advisory Committee (all if they are not in Holy Orders – see above). Furthermore, the diocesan bishop has the power to nominate members, and members may be co-opted. [22]

However, the majority of the members of the House of Laity are elected. In terms of eligibility for election, any member of the laity who is over the age of 16 and a communicant is eligible for election providing they are on the electoral roll or similar of a parish church within the deanery that elects them.[23] There are various provisions as to the timing of elections, and the number of members of the laity eligible to be elected per deanery. The House of Laity is just one of three houses, so the laity are not dominant and do not hold a majority. Elections take place every three years so, unless a member is nominated or *ex officio*, membership will cease at the duration of the term. All members of the house of laity will cease being members if they cease to hold the office or if they cease to be a member of the relevant electoral roll of the parish church within the relevant deanery.

The local or parochial level

At a local or parish level, laity play a critical role in governance. In the Church of England, membership of the Parochial Church Council is governed by the

[20] Constitution of the Church of the West Indies Article 3:2.
[21] Constitution of the Church of New Zealand C.4.
[22] CRR rr 32 and 33.
[23] CRR rr 35 and 36.

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Church Representation Rules.[24] Some members of the laity are *ex officio* such as the churchwardens, the members of the Deanery Synod and deaconesses and licensed lay workers. The majority are elected to the PCC, ordinarily at the annual meeting each year with the overall number being determined by the size of the relevant church's electoral roll. There is also the provision for co-opted members.[25] Eligibility for membership includes being over 16, being an actual communicant and having been on the electoral roll of the parish for six months; members of the laity can be disqualified for standing if they do not satisfy the requirements to be a charity trustee as set by the Charity Commission. In some churches in the Anglican Communion you also need to contribute financially to the church to be a member of the parish governance unit; for example, in the Diocese of Western New York, 'members must be at least 21, baptized, regular attendants at worship and contributors to the parish's expenses'.[26]

The laity are by far the dominant group on the PCC in the Church of England, and whilst as already noted the minister is the chair, there is provision for a lay vice chair, and a lay treasurer, secretary and other officers. The norm now is for elected lay representatives to be elected for a three-year term, with one-third retiring each year. *Ex officio* members are on different electoral cycles such as churchwardens who are elected annually. PCC members can be removed if they become disqualified to act as a charity trustee.

Conclusion

As can be seen, bishops, other clergy and laity all form part of representative government throughout the Anglican Communion. However, it is also the case that synodality is only part of the story in ecclesial life in Anglicanism. Rights and responsibilities around decision making are made by individuals as provided by law and custom. As the strengths and weaknesses of synodical life are considered, it should be noted that areas of ecclesial life are determined by individuals acting alone by virtue of their ecclesial class and the office they hold. For example, in the Church of England, the minister has the authority to determine who may officiate in their church, subject to provisions around the visiting minister being in good standing.[27] The point here is that, under the principles of subsidiarity, it is the minister's decision, not the bishop's, but on the other hand it is not the PCC's decision not least as it is provided in law that the minister is merely obliged to consult with the PCC on matters that are important to the life of the parish.[28] Bishops also have similar authority around the licensing of ministers to a benefice,[29] and the determination of disputes.

[24] CRR r M15.
[25] CRR r M15.
[26] Diocese of Western New York Canon 13.
[27] Canon C8.
[28] Canon C24.
[29] Canon C12.

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