# THE EUROPEAN COMMUNITY AND THE CHURCH OF ENGLAND

THE REVD. CANON DR. JOHN NURSER Director, Christianity and the Future of Europe Westcott House, Cambridge

Although I have no legal expertise, I hope I may be able to pose some useful questions. In 1989, I and others founded a group called 'Christianity and the Future of Europe' in order to encourage Christians in Britain to reflect on the European Community. What difference will it make to the life of the British churches? What might the special historical experience of the British churches contribute to 'the construction of Europe'?

## THE IDENTITY OF EUROPEAN ANGLICANISM

Such reflexions require us to recognise who we are, and to do so in a perspective with which Anglicans, at least, are unfamiliar. I do not know whether e.g. Roman Catholic and United Reformed church leaders in Britain find themselves with any regularity in contexts where they have to articulate their denominational self-consciousness. However, for both these examples there can be no doubt that Rome and Geneva respectively have been their foci of identity for many generations. Both are in mainland Europe. Both require no help from nationality in establishing their title deeds as churches.

It is different with Anglicans (who in this discussion must to an extent include Methodists). Anyone wanting a straightforward introduction to the identity of the Church of England (and even more irritatingly, of Anglicanism generally), is most often offered a choice between tabloid simplistic and the high academic; both accounts appearing to have more to say about local political and intellectual life in the Kingdom of England nearly half a millennium ago than about the gospel. The audience moves from glazed eyes to ribaldry.

If we were a more serious-minded nation, the church would have had to address the issue. But as it is, disastrously, there has been a sharp reduction in the proportion of study time ordinands have had to give to church history; as a result our clergy have no map upon which to locate their position. Instead, they are conditioned to apologise for the evident fact that the life of their church is not, and has not been, always recognisable as 'New Testament Christianity', or possessing a 'systematic' theology.

In the context of the Single European Act and (if Maastricht ever comes into effect) the European Union, the leaders of the British churches will be living in only one room in the 'European house', and that fact will have more significance than their presiding over a world communion. The Anglicans will be peculiar if they keep to their 'single room', and the surrounding cousinages will perhaps have neither time or inclination to try to understand their special case.

The first question to ask is, will the development of the EC affect in any way that diocese of the Province of Canterbury known as 'Gibraltar in Europe'? Some kind of working party on this question appears inevitable.

One of the matters that is becoming ever more problematic is the definition of 'Europe' itself. No one can plausibly deny that Russia is a major nation of Europe, yet its core-republic runs from St. Petersburg to Vladivostok over the Urals without any hesitation. As the '1992' freedoms are fleshed out into habitual usage, the concept of other EC nations being 'abroad' must diminish, or gain a new dimension; they become much less 'abroad' than, say, Bulgaria. Already, the Council of Churches for Britain and Ireland treats EC matters as principally within the Community (viz. home) rather than the International basket.

One of the anomalies of world-communion Anglicanism as it runs alongside the Church of England is the explicitly self-denying stance of the English diocese of Europe as regards any hint of proselytism. After the Reformation, the convention became that, as the Church of England is the Catholic Church for English people, it has no kind of wish to bring nationals from elsewhere in Christendom into its pastoral care or jurisdiction. Where chaplaincies were established, they were English-speaking as much as Anglican. The reverse of this coin was the absence for 300 years of any rival hierarchy in England owing allegiance to the Pope. Large numbers of Irish immigrants changed that, although they were English-speaking. It is conceivable that, if only in self-defence at home, the Church of England will become much more clear cut and aggressive about its ecclesial identity, and that this in turn could make it an attractive competitor in that coming 'common market in religion' to which the Provost of Southwark devoted a whole chapter. There are signs that this possibility cannot come a day too soon for some Anglicans. The Bishop of Willesden, for instance, from the 'renewal movement' has very recently advanced such a future as a clear vocation.2

#### PROVISION OF PASTORAL CARE

There must surely be consequences for ecclesiastical lawyers in at least some foreseeable futures. I wonder, for instance, whether it would make a difference if there grew up a network of non-English speaking parishes? Would the Lusitanian church in Portugal be the only model? And what would be the consequences for pastoral care of large-scale British migration to other EC countries, and vice-versa? It is hard not to predict (at the simplest) a development of agreements between churches to look after each other's members. The Meissen agreement may be important for this. Will Methodist or Anglican churches be invited to serve as 'godparents' for communities of Germans and Scandinavians living and working in e.g. Kettering? How could the Church of England invite indigenous non-Anglican churches to look after small resident English-speaking communities?

Yet that might be good sense, rather than trying to set up EC-wide Anglican pastoral cover. Young people are one thing, or workers attached for a longish period to a non-English speaking posting, but it will be another matter if we experience an even larger-scale migration of the retired to swell the population of the 'costas geriatricas'. *De facto* retirement in many occupations is now reached at age 50 (which, not unimportantly, is the age group from which the regular congregations of many churches – and therefore their quota – is recruited). The experience of North America is that the better-off move to Florida or Southern California when they are free to do so.

<sup>1.</sup> David Edwards, Christians in a New Europe (1990).

<sup>2.</sup> Graham Dow, Christian Renewal in Europe (1992), p. 24.

There is a debate yet to be prepared on what are the theological and pastoral implications of providing English-language church life for those who are living abroad. This category includes a growing number of men and women whose partners are from another linguistic and denominational formation. Many children are already growing up whose parents attend an English-medium church, but whose school-life and peer-group are of the host-nation. From one point of view it is surely right that the English worship with the church of the country; the church of Pentecost seems to require that. But from another, it is an undermining of identity, and thus of values (perhaps even of conscience) not to provide a routine of church life that is 'home'. Echoes of the *raj* maybe, but it is a need that is deeply felt,<sup>3</sup> and a need that will be particularly vociferous among communities of the retired.

## CONSTITUTIONAL CONTEXTS

Another question that must come into focus sooner or later is tantalisingly radical. The founding document of the Church of England is an Act of Parliament, far removed (apparently) from nailing theological theses to church doors. The Church of England is the principal fruit of Henry VIII's assertion that this England 'is an empire'. There is a harking back to medieval controversies between papalists and imperialists. If one thing is clear about the Maastricht Treaty, it is that the UK can no longer be deemed an 'empire'; at least not on its own. Does that have implications for the establishment of the Church of England? The Crown became wholly responsible for that aspect of the English nation called 'church': ensuring territorial pastoral ministry, setting the boundaries of the church's liturgy, caring for its general well being and, through particular systems of law, for its discipline.

In many states of the EC there is a ministry within government that has cognate responsibilities (and rather more authority). In a sense, the Archbishop of Canterbury became Henry VIII's Secretary of State for Religion. The Crown replaced the Pope as the source of the Archbishop's status as *legatus a latere*. And of course, similarly, the Crown's position with regard to the appointment of bishops, the extra-diocesan liberties of universities, etc.

The Queen of England, in also becoming a 'citizen' of Europe, is not going to find that whole structure unravelling overnight. But it would be foolish not to suppose that the new circumambient climate will begin to have its effect, and not only on such direct questions as the freedom of the heir to the throne to marry a Catholic, or be divorced.

Some years ago, in 1984, the Council of Europe produced a document called a 'European Declaration on Cultural Objectives'. I was in Strasbourg at that time and noticed that 'culture' was defined as including 'religion'. I rather

See Peter Colyer, 'Shall I sing the Lord's song in a foreign language' CAFE News 7 (March/April 1993).

<sup>4.</sup> The 'considerations' of the preamble include the assertion that 'the various European cultures are strongly rooted in a humanitarian and religious tradition, which is the source of their dedication to freedom and human rights'.

enjoyed writing to the then Minister responsible for the Arts (the UK government 'Minister responsible for cultural affairs') to enquire how he was proposing to put into effect the responsibilities that he had accepted in signing the Declaration in Berlin. I was not surprised to get an unsatisfactory reply. It is the case that in our life within the Community we will find ourselves working with other governments for whom religion, as for culture generally, has a recognised departmental in-tray that we do not have (though of course we do have the Prime Minister's Appointments Secretary and a good deal of business with the Department for Education). Finally, are there ways in which the experience of the British churches can be commended to the states of mainland Europe with which we are now linked in so recently unimpeded a way? I imagine most of these fall more directly within the scope of other branches of law than ecclesiastical.

#### THE ENGLISH DOWRY

The striking fact about ecclesiastical Britain, as compared to other European countries, is that we are much more a spectrum of churches than a polarity. This has allowed us to develop ways of relating to the public domain that appear potentially more harmony-promoting models than the continental 'pier'-system, where faith-stance loyalty is expressed in TV-stations, papers, schools, trades-unions, hospitals, insurance schemes – even holiday firms. We in Britain have regarded faculties of theology as elements in public university provision, without any denominational handles or restrictions. We have set up, in the Central Religious Advisory Council, a non-denominational forum for the churches and public radio and TV. We have, out of denominational jockeying for position, produced a national school system that, with many defects in practice, provides for the teaching of religion as a 'basic' discipline in the education of a citizen; and we have defined the syllabus of this enterprise as critical and therefore open to multi-faith participation. These are enviable achievements, more likely to be defensible at home if commended abroad.

In the context of a growing together with the countries of mainland Europe, there are two rather surprising areas of Church of England life which might also have a contribution to make. Our ancestors produced a Glorious Revolution and an Incomparable Liturgy; and our generation has given birth to a General Synod. Our balancing of bishops, clergy and laity, of folk-church and committed, and of at least three theological stances – whatever its defects – is a rather remarkable achievement.

Secondly, the presence in the House of Lords of a quantum of senior bishops is a precious toe-hold. It is obviously unjust that the other established church – of Scotland – enjoys no equivalent rights. The case is a strong one for the bishops to be joined by representatives of the other major denominations (including the so-called 'black-led' churches) and other faiths. But at the moment, the Church of England is the only religious body in the EC whose ministerial leadership enjoys membership of its national legislature by right. It is proper to point out that the Roman Catholic church, through the device of the Holy See, has a seat among the nations in the Council of Europe and to a lesser extent the EC. If in turn we cared to do so, we might use our bishops' membership in the House of Lords to far more effect in EC matters than we presently do, and (if they so wished) on behalf of Christians generally.<sup>5</sup>

<sup>5.</sup> Following a conversation with Lord Home on the occasion of a talk he gave at Lincoln Theological College, I established with the Government Chief Whip in June 1981 (after he had taken careful all-party soundings) that bishops would be welcomed as members of the Lords' European Communities Committee (or its Sub-Committees). The problem (which at that time proved insoluble) was to find even one bishop in the Lords who felt able to commit time to such work.

There are two experiences that virtually every community in Europe shares, and which, perhaps, together offer the best practical definition of 'Europe'. Each of its languages took shape under the professional care of a Christian clerisy, and each community sent children to the USA, where they discovered 'modern life' (and learned English). A principal element of American life is the 'wall of separation' between church and state.

One has, in doing so, admittedly, to define 'church' loosely, but it is arguable that Europe, to be true to itself, needs to hold fast to that in its life against which America rebelled. A 'patrie' brings in its train specific traditions of religious belonging; and it is not easy to imagine a Europe growing together in an organic and free way that is not, in de Gaulle's phrase, a 'Europe des patries'.

## **FACULTY JURISDICTION OF** THE CHURCH OF ENGLAND

#### The late Chancellor G.H. Newsom Q.C. and George L. Newsom

"I recommend this book to all concerned.... so that our churches receive responsible and expert care and remain an inspiration for generations to come" The Archbishop of Canterbury in the Foreword

#### THE DEFINITIVE TEXT

authoritative and detailed account of the law and practice of faculty jurisdiction. Subjects covered include:

- The Consistory Court, its Judges, Officers and Advisers
- Procedure in Faculty Proceedings · Fabric and Contents of the Church
- Churchyards
- Unconsecrated Buildings and Land
- Enforcement, Costs and Fees

Faculty Jurisdiction of the Church of England is an The new edition incorporates recent judicial decisions, the new Faculty Jurisdiction Rules 1992 and the Faculty Jurisdiction (Injunction and Restoration Orders) Rules 1992 made under the Care of Churches and Ecclesiastical Jurisdiction Measure 1991. Three appendices reproduce the most important of the Measures and Rules, with prescribed forms, and discuss Ecclesiastical exemption from listed building control and ancient monument legislation.

"Perhaps proof of possession should be required as a condition precedent for joining of all aspirants for Membership of the (Ecclesiastical Law) Society" Ecclesiastical Law Journal

June 1993 0 421 43960 2 Hardback £50.00

ORDERS BY PHONE (0264) 342730 ORDERS BY FAX (0264) 342723



Sweet & Maxwell

ORDERS BY POST Maxwell Ltd, FREEPOST,