

## VI

### The Contemporary Kirk

#### Re-union in 1929

It would be reasonable to regard the contemporary Kirk as dating from 1929, for it was in October of that year that, after long and earnest preparation, the United Free Church of Scotland and the Church of Scotland joined to form what can properly be described as a new, or at least a renewed, Church of Scotland. The body which emerged at that time can be said to represent an almost complete re-union of all the shattered fragments into which in these chapters we have witnessed the Kirk of the Scottish Reformation being broken.

Unhappily there were those on the former United Free side who did not see their way to come in and who continued — and who continue to this day — as a separate denomination. The Wee Frees (those of the Free Church who had not united in 1900) and the Free Presbyterians, a group which left the Free Church in 1892 when liberty of opinion was permitted in relation to the Westminster Confession — these two denominations still offer their independent testimony and attract a considerable following, mainly in the West Highlands and in the Islands. The Cameronian tradition is faithfully kept alive in the Reformed Presbyterian Church which has a number of congregations in the Covenanted southwest. Various Auld Licht groups which had resisted unions of one sort or another finally came together to form the United Original Secession Church, and in 1954 this body, small but hardy, acceded to the Church of Scotland. It can be said then with some confidence that the Church of Scotland is today the national Church, and that not merely in a legal or constitutional sense but in the sense that it is the Kirk of the great majority of the people of Scotland, having on its rolls the names of about 25 per cent of the adult population and commanding the allegiance of a vast number more.

It would be a mistake to imagine that the Union of 1929 resulted in the immediate disappearance of differences or in a completely harmonious interlocking of systems. Changes and accommodations had to be made in the interest of unity and as always there were diehards — on both sides — who saw in these the certain prelude to disaster. There is a lovely tale of a dyed-in-the-wool Auld Kirk minister who had occasion to visit the offices of the united Church, these being the former United Free premises. There was a lift, temperamental in character, of the old-fashioned variety with a metal grille frame. As was to be expected, the lift chose the occasion of having our Auld Kirk friend as its guest to play one of its pranks and get stuck between floors. The rescuers were much diverted to find the exasperated occupant rattling the gates and demanding in a loud voice, 'Will somebody get me out of this damned UF contrivance!'

### **Congregational Readjustment**

Apart from the many difficulties at the personal and human level inevitably connected with a union on so vast a scale, there was one very challenging problem confronting the new body — that of readjusting its congregations. We have noted how the Secessions and the Disruption helped to meet the demand for religious ordinances stemming from the population explosion of earlier days. The result of this was that there were generally three Presbyterian congregations in every parish in the land. There was the former Parish Church, situated usually near the geographical centre of the parish and often quite remote from the main centre of population; there was the Free Church, almost certainly in the heart of the town or village; and there was the former UP cause whose geographical location depended upon a variety of interesting historical factors. By 1929 Scotland was facing rapid depopulation of its rural areas, and in most cases one church would have sufficed where there were three. People all agreed with this proposition so long as it related to some parish other than their own. But over the years personal jealousies and animosities have a way of creeping in and taking the place of doctrinal differences that have been outlived, and the readjusting of agencies which on paper can

appear so simple is discovered on the ground to be bitter, complicated, and near impossible to achieve.

### **The Kirkmabreck Case**

On the east shore of Wigtown Bay, looking across to the spot where the martyrs met their cruel fate, lies the Parish of Kirkmabreck, famous for the granite quarried at Carluith. In 1934 when the Presbytery tried to effect a union between the old Parish congregation of Kirkmabreck and the former United Free congregation of Creetown they were met with a spirit as thrwn as the Covenanters and as hard as the local stone. Negotiations there were a-plenty, but progress none. While all this talking was going on both congregations, naturally, had had progress in their vacancies sisted. In 1936 a group of elders in the former Parish Church raised an action against the Presbytery, claiming that the right to elect a minister was a civil right conferred upon them by statute, in the Act of 1874 (the one that finally abolished patronage) and that they were being wrongfully prevented from the exercise of that right.

The case went to the Second Division of the Court of Session which by a majority of two to one found in favour of the Presbytery. For the Kirk this is a crucial judgment. The issue that was before the court was quite simply that of interpreting the Articles Declaratory. If the provisions of the 1921 Act were as comprehensive as they appeared then the matter of calling a minister was a spiritual matter and lay wholly within the jurisdiction of the Church courts. As the Lord Justice Clerk, Craigie Aitchison, put it in his leading opinion:

The question must therefore be, Is the particular matter complained of . . . a matter which, on a reasonable construction, falls within the Declaratory Articles? If so the matter is at an end, and neither the statute, nor the common law, nor previous judicial decision, whether upon statute or upon common law, can avail to bring the matter within the jurisdiction of the civil authority.

He had no difficulty in finding on a reasonable construction that the right to call was a matter falling within the scope of the Articles Declaratory and consequently falling outwith the jurisdiction of his court.<sup>1</sup>

It is very important to note that both sides agreed that it lay within the province of the Court of Session to determine whether the matter fell within its domain — that is to say, the Kirk conceded that Caesar should be judge of what belongs to Caesar and what belongs to God — a position vastly different from that adopted by the Popular Party prior to 1843.

With, then, this concession on the part of the Kirk — if one may see it in that light — the position has now been judicially established that in all matters which in view of the civil courts are spiritual matters the Kirk herself is to be sole judge. It is perhaps unfortunate that the case was not taken farther, for, as I indicated, it was a majority decision of two to one and Lord Mackay's minority opinion is a forceful and cogent one. But there it stands and the Kirk can rest content to leave it so.

### **Revolt in the Ranks**

During the time the readjustment negotiations were making heavy weather at Kirkmabreck one might have overheard on the streets of Creetown someone declaring, 'We're no' goin' to be dictated to by the Presbytery!' At Kirkmabreck in fact once the case had gone against the elders negotiations were resumed and in due course a union was effected. It has not always been so, however, for there is within the Kirk a fairly widespread spirit of congregationalism. However much lip-service is paid to conciliar government the congregation is seen as entitled in the last resort to make up its own mind on its own future. From time to time since 1929, and invariably over some question of readjustment, we have seen a congregation seceding from the Kirk. In every instance, so far as I know, the seceders have been accepted into some other denomination, generally the Congregational Union, though on occasion the United Free Church. In such a case a vital question arises as to the ownership of buildings. Generally nowadays all property is vested in the General Trustees or is held for behoof of the Church of Scotland and therefore cannot be alienated by a seceding congregation. But there have been cases where the congregation was formerly UP and was in a position to take its property with it.

It is one thing for a group of congregations to detach

themselves from the mainstream of the Kirk's life and create a new denomination, but one solitary congregation obviously cannot do this. The consequence is that the seceding congregation becomes a congregational church, and whether or not it allies itself with the Congregational Union is a quite separate question. An intriguing situation was created south of the border in 1972 when the Presbyterian Church of England united with the Congregational Union of England and Wales to form the United Reformed Church of England and Wales. A large body of congregations from the latter Church stayed out of the union, and since they were independent units no problem arose for them in doing this. A number of congregations on the Presbyterian side were unhappy at the prospect of the union, but what could such a congregation do? It seemed that the only way in which it could express its antipathy to the idea of congregationalism was by itself becoming a congregational church. Scarcely the happiest solution! Which probably explains why, with the single exception of Wallace Green in Berwick-on-Tweed — which was a quite exceptional case and successfully petitioned for admission to the Church of Scotland — all the others entered the union.

### **Decision-Making**

The claim not to be dictated to by the Presbytery is a perhaps regrettable symptom of a growing spirit of independence that can be detected among our congregations. This is a natural enough reaction to the contemporary trend to remove decision-making in more and more departments of congregational life from the local level to some faraway place about which the congregation knows little but fears the worst.

Let us take stipend as an example, and let us consider the case of a former UP congregation, descendants of the folk who battled their ferocious way through Burgher and New Licht controversies. Until comparatively recent times — say, the last 40 years — the amount to be paid each year as stipend was fixed by the congregation at their annual meeting (at which, incidentally, the minister was not present) and was paid to him direct by the Treasurer, three months in advance, be it said. In this way, the UPs maintained, they were able to recognise and reward diligence and success, and also —

though they might not say so much about this — they were able to determine the income of the minister in the light not of his needs or his deserts, but on the condition of the congregational finances — ‘the minister should really have been getting a rise but we’ve been faced with a big bill for repairs to the roof.’ The peace of this long-established system was rudely disturbed by the appearance in the wake of the Union of 1929 of the Vacancy Schedule, a document setting forth the stipend which was to be paid and the amount of aid that was to be given to, or to be received from, the Minimum Stipend Fund. This Schedule had to be completed by the Managers in conference with representatives of the Presbytery and had to receive the imprimatur of the Presbytery and of the Assembly Committee on the Maintenance of the Ministry before a new minister could be inducted. The decision-making had been moved from the congregation to the Managers in conference with the Presbytery. Then in 1952 under the guidance of the late Karl Greenlaw the idea of the Appropriate Stipend made its appearance. The operative principle here was that a list was drawn up showing what in all the circumstances of each congregation was a stipend appropriate to be paid by that body. This list, prepared by the Presbytery, had to be approved by the Edinburgh Committee, but not, be it noted, by the congregations concerned. So the decision-making had now passed out of the hands of the local members altogether. The Treasurer, however, had still the satisfaction of handing over to the minister his monthly cheque. Or so it was until 1975 since when each stipend is paid direct into the bank account of the minister concerned by the Office in Edinburgh. All that is left for the erstwhile decision-makers is to collect and forward the money. Let us be fair and admit that in today’s world of Pay-As-You-Earn, National Insurance, Pension Fund contributions and all the rest there is a great deal to be said in defence of the new system, and certainly it would be admitted on all hands that it works admirably. But the price that has to be paid is the removal of all initiative and decision-making from the local people who put up the money, with all the weakening of interest and the creation of discontent to which that must necessarily lead.

It is basically the same story with regard to giving to the

Schemes of the Church. I can clearly remember a day when the needs of the Schemes were met by 'retiring collections' — and I can remember the howl of laughter that greeted John White's sally in the Assembly that they were often 'very retiring'! On the other side it has to be said that in those days congregations had their pet schemes to which they contributed, often until it hurt. Then in 1961 the Co-ordinated Appeal came along and congregations found themselves assessed for a lump sum which would be divided up in ways over which they had no control. A system of free-will giving replaced with a system of taxation, the decision being reached by people devoid of faces — or so at least it was easy for the cynics to complain.

It is the system that creates the cynics and their numbers are inclining to increase, so that one can envisage a day when there might be congregational revolt over financial matters. This may not lead readily to secession, perhaps just to withholding the monthly remittance! But one thing has a way of leading to another, and once the spirit of revolt is in the air there is no saying where it may end.

### **Democracy in the Kirk**

All of this leads inevitably to the question of just how democratic is our system of Church government at congregational level. And the short answer is that there is only one thing in the life of a congregation that is completely democratic, and that is the choosing of a minister to fill a vacancy. Bearing in mind the anguish that had to be endured by many generations ere this right of choice was won, it is not surprising that it should be treasured. In its actual operation the business of choosing is a bit messy, but then democracy is always a bit messy — while tyranny can be counted on to be neat and tidy. And it works as well as any other kind of electing. Considering how little freedom of choice the congregation is going to enjoy once the minister is inducted it is understandable that they should have a bit of a ball while he is still being chosen!

This business of free unrestricted choice is deeply worrying. It means a lot to congregations, but how long can it be continued in this modern day and how soon may we need to have recourse to some form of direction? We are living in an

age of change — never were the words of the ancient philosopher more apposite, *panta rhei*, all things flow. Time was when there was some degree of stability about our social structures and it was a reasonable thing to anchor a man in a parish *ad vitam aut culpam*, but that day is passing, if it has not already gone. In Glasgow, for example, we have seen instances where a busy, bustling, thriving parish was converted into a sea of red blaes within a matter of, say, ten years. What in these circumstances does the security of tenure represented by *ad vitam aut culpam* mean to a minister? It is becoming more and more apparent that the courts of the Church must be given power to take men out of certain situations and it must be evident that that power to move a man out will avail little unless accompanied by a corresponding power to move a man in. If for a moment I may assume the mantle of the prophet I should say the day is coming, and may not be far distant, when we shall have to devise a much more fluid and moveable pattern of ministry, and just how this is to be done while at the same time preserving the democratic right of the congregation to choose should provide an engrossing study for tomorrow's Churchmen.

### **Courts versus Committees**

Still on the subject of democratic rights, a very interesting question is raised by the tension that sometimes appears between courts and committees — meaning, of course, Standing Committees of the General Assembly. From time to time a Presbytery and an Edinburgh Committee find themselves at loggerheads and harsh things tend to be said — always about the Committee. To understand properly the position it is helpful to know something of the history of our Committee structure.

The first thing to realise is that when Presbyterianism was initially established the work of the Kirk in Scotland was confined within the parishes of Scotland, and Kirk Sessions, Presbyteries, Synods, and General Assemblies were adequate to cope with all its activities. It was a parish-centred system and the superior courts functioned mainly as courts of appeal. It was when the Kirk began to see herself as having obligations in the world beyond her parishes, beyond Scotland's shore, that the system could not cope and something had to

be done. When, for example, the passion for overseas mission laid hold upon the Kirk, somebody had to be appointed to take charge of a business which, apart from being financially supported by them, had no connection whatever with the parishes. So the Assembly appointed a Committee of their own number to do the job. Naturally, as the wider work of the Kirk developed the number of these Committees increased. Inevitably too as the system expanded the power and influence of the Committee grew. They are answerable only to the General Assembly, and as there is a long time between one Assembly and the next the Committee must be accorded a considerable freedom to act on its own authority, even if at the end of the day it has to receive Assembly endorsement of what has been done. Always, though, when the Assembly has given a remit to a Committee it has had in mind the powers of the courts and has written in provisions to protect their position. The result is a system of balances and counter-balances, and the fact that there can be this occasional confrontation between court and committee is a sign of health rather than of weakness. It is just not true to say — as is sometimes done — that the Kirk is becoming a bureaucracy run by a small group of people at 121 George Street whose main characteristic is a delusion of grandeur.

It is a pity this kind of thing should be said, much more that it should be believed. Church government is, as it has always been, the preserve of the courts, the business of the Committees being strictly executive and administrative. Obviously these two aspects are not always clear-cut or easy to differentiate. The same kind of tension is to be seen at the national level when on occasion a Ministry arrogates to itself an authority properly belonging to Parliament alone. That these Ministries are keen not to be thought to be trespassing in this way is evidenced by the speed with which the threat of a question on the floor of the House will bring to heel even the most arrogant Ministry. In like fashion the Committees of the Kirk have always shown a distinct disinclination to join issue with a court at the bar of the Assembly. Correctly operated the Committee system offers no threat to the power of Presbyteries as courts of the Kirk. Bureaucracy can only supplement, it can never supplant Presbyterianism.

The real worry about the growth of the Edinburgh Com-

mittee system is the way in which it discourages initiative at the grass roots. We have already commented upon how this has occurred in the sphere of finance. Not so apparent, but far more serious, is its development at the spiritual level. The original conception of Presbyterianism provided for initiative being taken at the perimeter — in the parishes that is — and moving towards the centre one passed through a series of courts of appeal whose business it was to keep track of what was going forward and to ensure that no-one got too far out of line. It is a totally modern idea that the Assembly from its Committees through the Presbyteries should send down directives to ministers, kirk sessions, and congregations. Looking up for directives — what might be called the civil service mentality — is a phenomenon of modern times and is utterly foreign to true Presbyterianism and sadly to the loss of the Kirk. It used to be that a Kirk Session went ahead and did something, confident that the superior courts would pull it up if it transgressed; today it does nothing till the Assembly sends it instructions. I have had a minister come to discuss with me some bright idea he has had for the improvement of the work in his parish and I have said to him, 'That's a splendid idea; off you go and get on with it.' He has looked horrified and explained that all he was doing was making a suggestion which he thought some Assembly Committee might care to take up. The unused limb becomes atrophied. If we in the lower courts refuse to avail ourselves of the enormous power that Presbyterianism puts in our hand because we want the protection and shelter of a chit from the office upstairs then we cannot wonder, and have no right to complain, if we see a massive bureaucracy building up on top of a Presbyterianism that is quite unsuited to carry it.

To sum up on this aspect of things: looked at theoretically, there could appear to be a threat to Presbyterian Church government posed by the relentless growth of the Committee system; but looked at as a practical proposition I do not believe the danger to be very great — and that for two reasons. First — and it is easy to overlook this — the personnel of the courts and the committees is identical. It may appear that some peculiar miasma descends upon a man as he crosses the portals of '121', but not, I think, sufficient to render him unaware of his responsibilities towards the

court which in most cases he is supposed to be representing. And second that so long as there are still those in our pulpits and, even more important, in our pews in whose veins there still courses the blood of Covenanter, Anti-Burgher and Non-Intrusionist we may rest confident the Assembly will be constantly alerted to keep a tight rein on Committees which, after all, are her own creatures.

### **Ecumenical Bodies**

Not from within is Presbyterianism threatened, but from without. So by way of conclusion I turn to a quite different subject, to a consideration of how the Kirk's claim to be mistress in her own household is affected by what is one of the most significant features of the Church's life in this generation, the growth of ecumenism. In earlier chapters we saw how the passion for conscience and separation shattered the unity of the Kirk in the 18th century. 'Shattered the unity of the Kirk' — not 'shattered the Kirk'; for there has probably never been a time when the Kirk has had a stronger hold upon the allegiance of the people of the land than in the days of the Auld Lights an' a' that. In this latter half of the 20th century we have moved to the opposite extreme, and the period since the 1930s has been marked by endless discussion about Church unity, and about Church union. Almost invariably these have tended to be equated though this I believe to be quite misleading. In these islands during the period in question there has been very little actual union achieved, but there has been talk, conference, debate and, more important, there has been a readiness to work together, and even to worship together. The period has been characterised too by the growth of what for want of a better term I call ecumenical bodies.

Let us examine three of these, in reverse order of seniority. There is the World Council of Churches, an institution founded as recently as 1948 by the fusion of the Commissions on Faith and Order and on Life and Work, an organisation that has positively mushroomed in recent years with now over two hundred member churches. It defines itself as 'a fellowship of Christians who confess the Lord Jesus Christ as God and Saviour and therefore seek to fulfil their common calling to the glory of God, Father, Son, and Holy Spirit.'

To me this has always seemed a strange charter. Why the 'therefore' — no obvious train of logical thought is disclosed but only an assertion made. And what of 'their common calling'? Is that not a begging of the question? Should not the charter spell out for us precisely what that common calling is? Secondly there is the British Council of Churches, dating from 1942 and involving 16 denominations within these shores. And finally the World Alliance of Reformed Churches, dating from as early as 1875 when 21 Reformed and Presbyterian denominations sent delegates to London where they agreed to form what was then called 'The Alliance of Reformed Churches Throughout the World Holding the Presbyterian System.' There are others but these are sufficient for my purpose.

These bodies, especially the two Councils, have developed into organisations of considerable size, employing fairly large staffs that include many ordained personnel, and having budgets running into very large figures. They are not Churches, for they do not minister to a single soul, but they concern themselves deeply in public questions of various kinds, such as race relations, industrial disputes, the third world, women's rights — all in addition to advancing the cause of ecumenism. On these and other like issues they make public pronouncements, they publish books, they send personnel to work in affected areas. In order that a Church should become a member of one of these organisations all that is required, so far as I know, is that it should satisfy the Council that it is a genuine Christian Church and that it is prepared to pay a kind of membership fee scaled according to its size — though even this may sometimes be waived. It then acquires a right to be represented on the Council and its representatives may in due course be chosen to act on some of the many departmental committees, commissions, and so on.

The question which immediately presents itself to my mind is, how far does membership of, say, the World Council commit an independent denomination to the policies and to the pronouncements of the World Council? I think that the answer must emphatically be: Not at all. Yet it is very difficult for the individual Church, however much it may wish to do so, to dissociate itself from the acts and utterances of a body of which it is known to be a constituent part. The

problem arose very sharply a number of years ago when the World Council in its campaign to combat racism resolved to make grants to political groups in emergent countries which were openly committed to a policy of violence. Originally it was proposed to give money held in a building reserve, and this would almost certainly have been a misuse of trust funds. In the event a special fund was set up to receive specific contributions and to make grants. If a body like the World Council cares to act as intermediary in conveying to those involved at the receiving end the contributions of those member Churches who wish to be associated in an effort of this controversial kind, it is fulfilling a proper function; but if without specific authorisation monies which the Church of Scotland gave for the general work of the Council are used then the Church is being committed to the support of a cause to which it may well be, and indeed was proved to be, utterly hostile. If we put the Council in a position where it can do that kind of thing then we are to that extent surrendering our sovereignty — we are no longer sole judge.

Greatly daring, I should say that the World Council suffers from two fundamental weaknesses. The first of these is that it is too far removed from the man in the pew. It has come to forget that he exists, or at least to imagine that he is not its concern — not at least until the time comes for the balancing of the finances. It is tragically easy for this to happen. For one thing the Council is not itself a Church and has no pews for men to occupy; for another, the delegates who constitute its membership are predominantly people who in their own denominations occupy administrative and other similar posts far removed from the rank and file of the Church membership; and for yet another, many of the themes that occupy the Council are beyond the normal range of interest of the man in the pew. Discussion and debate take place in a rarefied atmosphere. The fact that so much surprise was engendered by the storm of protest that greeted the proposal to give aid to violent minorities was clear evidence of this chasm of separation. Admitted we have need of leaders, and a leader has to be out in front, but it is a conviction of mine that when a leader has got so far in front as to have lost contact with the troops he is no longer a leader, he has become a deserter.

And the second weakness affecting a body like the World Council is the temptation to see itself as a kind of super-Church when, in fact, as noted above, it is not a Church at all. I remember after a visit to the offices in Geneva saying I felt I had seen something between the United Nations and the Vatican — if on a slightly smaller scale. Hence the temptation to make pronouncements, particularly at the international level. Now, as I see it, it is not for the Council to speak *for* the Churches, its job is to speak *to* the Churches. It has no mandate to pass judgments in the name of the Churches — we in the Kirk have never handed over our right to reach our own conclusions on these issues and to take such steps thereanent as may to us seem proper. What the Council can do — what it is outstandingly well qualified to do — is to examine some burning issue, tease it out, marshal all the facts, indicate the implications, go on if it will to say what action it thinks is called for by Christian Churches in such a situation, and then leave it to the Churches to react in the way which to them seems right and proper. Anything more than this is an interference with our autonomy — and our fathers at least had a way of dealing with that kind of thing.

If the Kirk is to retain her position as sole judge in all matters pertaining to her polity then, as I see it, some quite serious thought needs to be given to the role of the ecumenical bodies with which we are associated and with the nature and extent of that association.

### **The Ecumenical Movement**

So much for the ecumenical bodies: what of the ecumenical movement generally? The enthusiasts for ecumenism keep reminding us of the Seventh Declaratory Article where the Kirk 'recognises the obligation to seek and promote union with other Churches'. What is not so often quoted is the reservation that these are to be Churches in which the Kirk is satisfied that 'the Word is being purely preached, the Sacraments administered according to Christ's ordinance, and discipline rightly exercised.' The discipline here referred to is not the kind of moral supervision of the conduct of parishioners so assiduously exercised by Kirk Sessions of yesteryear, but is simply Church government in general. And the

crucial question is whether or not we of the Presbyterian tradition can, while remaining true to that tradition and retaining our identity, agree that an Episcopal Church measures up to this requirement. I very much doubt it.

Should we be so minded I am sure we have the power ourselves to become an Episcopal Church. What to me is equally clear is that we are not free at one and the same time to adopt Episcopacy and retain our contract with the State represented by the Act of 1921, nor indeed to claim the protection of the Act of Security — would it not be a droll situation were we to require of the sovereign an oath to defend inviolate in Scotland a Presbyterianism from which we ourselves had deliberately departed?

It is true, that Article I — the unalterable Article — speaks only about what the Kirk believes and says nothing about how she is to be governed. Article II, however, affirms bluntly enough that the government of the Church is Presbyterian and is exercised through Kirk Sessions, Presbyteries, Provincial Synods and General Assemblies, and while it makes provision for this to be 'interpreted or modified by Acts of Assembly or by consuetude' it makes no provision whatever for it to be abandoned altogether — by Act of Assembly or by any other method. When, a few years ago, the suggestion was made that the Synod had outlived its usefulness as a court of the Church there were those who strongly contended that Article II made it impossible for the Synod to be scrapped. The issue was never put to the test, and for my own part I should support the view that the Synod could go out without loss of our Presbyterian identity. I am not at all satisfied that a Bishop could come in without loss of our Presbyterian identity.

Let us for a moment allow our imagination to make a real flight of fancy. Let us suppose that we had reached the stage of being prepared to accept Episcopacy and were committed to an incorporating union with the Church of England which involved our accepting bishops, what would happen within the field wherein our present interest lies — how far would such a Church be sole judge? If our experience with our southern neighbour in other walks of life is anything to go by the resulting body would in all likelihood be still the Church of England with us as the 'Northern See'. And in that case

possibly the Church-State relationship presently obtaining in England would continue — for what it is worth. If, however, the union resulted in what was genuinely a new creation, a Church of Great Britain, then I imagine a new agreement would have to be worked out with the State, and my guess is that opportunity would be taken to effect a complete disestablishment, to put the Church on a footing similar to that of any other voluntary association. After all — and we could not deny this — our two national Churches were accorded the status they respectively enjoy in a day when they in each case represented what might be called the nation at prayer. The very same people made up the nation as made up the Church. Today that position is completely altered. The Church of Scotland can claim one out of every four of the adult population as enrolled in its membership; the Church of England only a fraction of that. One can hear the politicians argue that the Church should not be continued in a position of privilege which, however relevant three centuries ago, is meaningless today. No doubt also the Roman Catholic Church would be in on the act with a claim for equal status — at least.

### **Bishop in Presbytery**

All of which is very much in the field of conjecture — wild conjecture if you like. But there is no element of speculation about the booklet, *God's Reign and Our Unity: the Report of the Anglican-Reformed Commission 1984*. The Commission responsible for this publication is a body set up by the Anglican Consultative Council and the World Alliance of Reformed Churches, and the Report represents the result of four years of joint study. The Kirk as such was not represented on the conferring body, but members of the Kirk did, I understand, take part in their capacity as delegates from the World Alliance. The book finds that there is a high degree of unity between Anglican and Reformed communions on many subjects, including baptism and the eucharist. On what it admits to be 'the more divisive question' of the nature of the ministry it agrees that the New Testament does not prescribe any specific structure as normative for all time, but it pleads that the threefold ministry of bishop, priest, and deacon, since it was the pattern which eventually prevailed, since it

was generally accepted by the Church, and since it has been maintained by the large majority of Churches to the present day, should be adopted in some form. I quote from the Report:

If our two communions are to become one, Reformed Churches will have to face the question of bishops, Anglican Churches will have to reconsider the question of the diaconate and take into account Reformed experience of the eldership, and both communions will have to take more seriously the role of the whole membership in the governance of the Church.<sup>2</sup>

To digress for a moment, it might be illuminating to comment upon this promise that Anglicans 'will take into account the Reformed experience of the eldership', for the words have a familiar ring. They take us back to the Bishops Report of 1957 which said that 'lay persons would be solemnly "set apart" for some measure of pastoral responsibility towards their fellow-Christians in an office akin to the Presbyterian eldership.' The interesting thing is that in both cases, having thus filed away the Anglican contribution for future reference the Report goes on to pursue with no little diligence the incorporation of Bishops into the Kirk.

In view of the fact that all the possibility amounts to, at best, is that of 'setting apart' as opposed to ordaining, and envisages 'a measure of pastoral responsibility' within the congregation as opposed to the position of rule in every court of the Kirk which is of the essence of the office of elder — considering these reservations even the fulfilment of the promise would do nothing to preserve the essential character of the eldership. And that is every bit as much a feature of Presbyterianism as the historic episcopate is of Anglicanism. The new Church may at some time in the future acquire persons bearing a faint resemblance to elders; but before the new Church gets off the ground it has to get itself equipped with full-blooded Bishops in the Apostolic Succession.

It may seem that I am pursuing a venomous vendetta here. I apologise if that be so, for all I wish is to show how the proposals are bound to lead to the dismemberment of the Presbyterian system, to whose defence we all of us stand committed.

The Bishops Report of 1957 propounded the idea of the Bishop-in-Presbytery. I quote:

Bishops chosen by each Presbytery, from its own membership or otherwise, would initially be consecrated by prayer with the laying on of hands by bishops from one or more of the Episcopal Churches and by the Presbytery acting through appointed representatives. Thus consecrated each Bishop would be within the Apostolic Succession as acknowledged by Anglicans on the one hand and as required by Presbyterians on the other. He would be the President of the Presbytery and would act as its principal minister in every ordination and in consecration of other Bishops.

The new Report is rather less forceful and the element of the Apostolic Succession is played down. These are to be 'low-key Bishops' — that is to say, we are here dealing with only the thin end of the wedge. What we are to have is just a permanent Moderator of Presbytery. What harm can there be in that? There is nothing revolutionary there. It is precisely here that I want to join issue, for I believe the change to be absolutely revolutionary. I see it as meaning that we abandon our identity and that in consequence it imperils our unique position as sole judge in all our own affairs. Let us look at the proposals in greater detail.

First, the new-style Moderator is to hold office 'for a substantial period' — only so can he become known as representative of the Church in the particular area. Now the whole point of our Presbyterian system is that the Moderator does not stand in any such relation to the charges within the bounds. His relationship is confined, and strictly confined, to the Presbytery at whose meetings he takes the chair and at which he rules on all matters of order. His power is assumed when the meeting is constituted and discarded when the benediction is pronounced — and to keep him mindful of the limited nature of his rule we appoint him for only a year — until the late 1940s it was for only six months.

Second, the new-style Moderator will have to be relieved of other duties in order to fulfil this role. What is envisaged, then, is not a Moderator of Presbytery who will undertake additional duties but a person consecrated for the performance of other duties who will act as President of the

Presbytery. I am glad they call him President, for Moderator he is not.

This point is brought out even more clearly in the third paragraph which says that 'his role would be more than that of presiding at meetings' — he would be 'called to leadership in the whole life of the Church in his area.' Already the great Presbyterian concept of the equality of the ministry is out of the window. Not only so, serious questions are now arising as to the position of the Presbytery itself, a body which had been fondly imagining it enjoyed an overall responsibility for all things spiritual within its bounds.

It is in the fourth paragraph that we come around to the idea of the College of Bishops, though the exact form that this will take is still to be discussed. When you reach this stage it is the authority of the General Assembly that is in jeopardy. It seems to me most unfortunate — at the kindest estimate — that this crucial matter could not have been discussed and firm proposals framed in course of the four years of talking that have already taken place. This is no optional extra which does not matter very much either way; this lies at the very heart of the matter. When, for example, the moment comes for issuing final judgment on some doctrinal issue, who is to occupy the bench — is it to be the General Assembly or is it to be the College of Bishops? We are entitled to know.

I imagine it would be possible to defend the proposition that in moving from a constantly changing Moderator to a permanent one we are merely 'interpreting or modifying' our Presbyterian form of Church government, though my own opinion is that it would require a fair amount of ingenuity to frame a convincing case. I cannot, however, conceive that the introduction into our system of the Bishop-in-Presbytery depicted in *God's Reign and Our Unity* is anything less than a complete departure from the position to which we committed ourselves in 1921 when we put our name to the Declaratory Articles.

Let it be that the Kirk got around to accepting the proposals of the Report and entered into some kind of incorporating union on the basis of the degree of Episcopacy which is envisaged here. It seems to me certain beyond a peradventure that a minority would protest and separate — if

once he gets sufficiently roused, the Scot of today can be as dour as his Auld Licht forebears and (though this never seems to be recognised) there are those with conscientious objections to Apostolic Succession every whit as deeply held as is the conscientious acceptance of the doctrine by others. This remanent body of protesters would undoubtedly sue for the property which is vested in trustees for behoof of a Church whose government is Presbyterian. How easily we could have another Free Kirk case, and how tragic and pathetic and purposeless it would all be. If only those who are so keen to lead us along these paths of ecumenical dalliance would pause and think of the possible consequences. The most complete success in their labours would bring us little real advance in the business of winning Scotland for Christ; it could at the same time bring unspeakable tragedy to the religious life of the Scottish people.

Our studies in the chapters above have shown us, surely, that the position of the Kirk as sole judge in matters spiritual is a prize that has been won by years of struggle, that it is a thing of enormous worth not to be put at needless risk. It could well be said to be one of the brightest ornaments in the Kirk's crown. Let my last word on this last page be a word of warning — in my experience ornaments are delicate things, you just cannot be too careful how you handle them.

#### References

- 1 Ballantyne v The Presbytery of Wigtown (1936) SC 625.
- 2 The Report of the Anglican-Reformed International Commission (1984). *God's Reign and Our Unity*. SPCK/The Saint Andrew Press, London, p72.