From England

THEOLOGICAL REFLECTION ON CONDUCT

by Francis Bridger

In recent years, the Church of England has begun to debate the place of ethical guidelines in shaping the ministry of its clergy. This is a welcome development despite the fact that to some the thought of a code or set of guidelines is both risible and offensive. In their eyes, it implies a lack of trust in ministerial integrity and an intrusion into sacred vocation. Even worse, it amounts to an unthinking acceptance of the cult of managerialism they fear has overtaken the ethos of the Church.

Consequently, the purpose of this reflection is twofold: (1) to address such concerns from a theological standpoint; and (2) to indicate the positive theological principles that underlie the guidelines contained in the present report. To be sure, there are sound pragmatic reasons why the Church must now face the question of a professional code for its clergy (and perhaps for its laity). But these form only one part of the argument. Alongside them must be set a number of theological justifications rooted in Scripture and moral theology.

Pragmatics, however, are important and it is worth rehearsing three reasons why this report has come into being:

- In the first place, it must be seen against the backdrop of General Synod's decision in 2000 to pass a new Clergy Discipline Measure. At the time of writing, that measure has still to be laid before Parliament; but once it has become law, it will be binding. Logically, discipline requires definition and this, in turn, points to the need for a code of practice or set of guidelines. The Convocations of Canterbury and York therefore established a working party to produce draft guidelines for consultation prior to further discussion at Synod. This report is the outcome.[1]
- Secondly, there is an urgent need for the Church to respond to current social pressures for greater regulation of professions – which has been achieved mainly by means of self-regulation. In the wake of a

series of high-profile scandals relating to the medical profession and to social services (most notoriously of late, those of Harold Shipman and Victoria Climbié), a great deal more public concern now exists about the integrity and trustworthiness of previously respected professions. No longer are people willing automatically to give professionals the benefit of the doubt. They are subject to scrutiny and criticism in a way that was not true a generation ago. This presents a sizeable challenge to the Church, for it is simply not credible that the Church should expect to remain immune from such scrutiny.

Nor should it. Both tabloid newspaper headlines and more serious academic studies bear witness to the dark side of the Church's life, which cannot be denied. On one hand, there are the perennial stories of vicars involved in sexual shenanigans with parishioners, while on the other, investigation of child abuse by clergy demonstrates that the Church must take its share of blame for a phenomenon that has been all too readily denied by society until recent years.[2] Other studies published in the United States also bear witness to the ever-present dangers of sexual misconduct that are a constant threat to godly ministry.[3] Consequently, no one should underestimate the risks inherent in ministerial – especially pastoral – practice. Compared to some other professions, clergy may still enjoy a high level of trust but this does not preclude the need for accountability and transparency.[4]

- Thirdly, there is the 'nightmare scenario' that all clergy dread: the parishioner who accuses his or her minister of misconduct – often sexual but sometimes taking the form of a different kind of abuse.[5] This is the situation that every pastor fears, irrespective of its veracity. The mere accusation by itself is enough to ruin a minister's credibility and standing. It does not have to be true in order to destroy: the slightest of rumours immediately undermines trust and exposes a clergyman or woman to the charge of hypocrisy. No matter that such rumours might be without foundation and maliciously intended.

In such circumstances, the Clergy Discipline Procedures and the guidelines contained in the recent report are designed to protect three parties: the accused, the accuser and the Church. It is important to mention the last of these because it can easily be forgotten that professional ethics are not simply a matter for individuals. While they undoubtedly exist to guide and protect individuals

they also serve to safeguard the profession. They are an expression of mutual accountability and responsibility. When one clergyman or woman acts unprofessionally, he or she threatens to bring the Church as a whole into disrepute – witness the ripple effect of scandals. As Eric Mount has commented: 'Moral responsibility includes being responsible people within institutions.'[6] or in Paul's words, 'we are members of one another' (Ephesians 4.25).[7]

The Clergy Discipline Measure provides a mechanism whereby justice can be done and can be seen to be done (not least for the accused); the guidelines produced by the Convocations Working Party supply a framework for behaviour that would make less likely the possibility of a nightmare scenario arising in the first place. For, in many instances, it is not intentional actions that arouse suspicion and give rise to accusations. Rather, it is simple naiveté, such as inappropriately affectionate touching or hugging that might be meant as gestures of affirmation but are interpreted as signs of sexual interest. The guidelines offer a framework for avoiding such situations.

Pragmatic reasons in themselves, though, are not enough. They are a necessary but not sufficient justification for the cultural change required within the Church if it is to be prepared for the kind of scrutiny presupposed by contemporary society. It is here that a *theology of professional responsibility* becomes central. And it is to this that we must now turn.

The starting point for any discussion of professionalism must be the principle of vocation. It is axiomatic that ordained ministry is first and foremost a calling that originates within the purposes of God. The sense that they are engaged in a vocation rather than a career is fundamental to the clergy's identity and self-understanding. Yet this is sometimes used as a kind of knock-down argument against the introduction of guidelines or a professional code of practice on the grounds that 'to 'professionalize' pastoral ministry is to reduce it to tasks and to ignore its spiritual, transcendent dimension'.[8] Against this, as a number of writers note, it needs to be remembered that:

(a) *historically, the notion of profession has its roots in a religious connection between profession and vocation;*[9]

(b) *the idea of professio (from which the term profession derives) carries with it the meaning of 'standing for something' or 'value laden';*

(c) *the identification of professionalism with technocratic expertise is a modern development which has served unduly and untheologically to narrow the concept; and*

(d) *by means of a theology of vocation, it becomes possible to reinvest the idea of profession with a transcendent, moral dimension, thereby drawing the sting of the critic in one respect at least.*

In Richard Gula's words, 'Aligning 'having a vocation' with 'being a professional' . . . affirms all that we do in ministry is a response to the presence of God in and through the community calling us to act on its behalf as signs and agents of God's love.'[10]

In the light of this, the criticism that a code of practice amounts to a concession to managerialism must be seen as misplaced. The establishment of guidelines that indicate what it means to act in a manner consistent with a calling to ministry can be seen as an attempt to work out in concrete terms the practice of vocation in a contemporary setting. 'Profession', in a clergy context, must therefore be seen as possessing a dual meaning: on one hand to describe the sociological reality of a group of people who operate according to conventions and practices developed by the group for functional purposes; and on the other, as an indication that this group stands for – professes – a set of transcendent values and principles which derive from a theology of vocation. Both senses of the term 'profession' must be kept in mind.

From the principle of vocation follows the question: a vocation to what? The most obvious answer is 'to serve'. But to serve whom? Theologically, service is firstly towards God and only secondly towards human beings. Moreover, such service is only possible through relationship. This, in turn, requires the teasing out of a cluster of concepts that shape the notions of relationship and relationality. And at the centre of this cluster lies the idea of covenant.

Covenant

It is arguable that the doctrine of covenant represents the wellspring from which a theology of professional responsibility flows. Its significance can be demonstrated by contrasting it with the concept which governs secular models of professional relationship, namely that of contract. As Richard Gula has pointed out, the two are close cousins but there are crucial differences. Contracts define the specific nature of the relationship and the precise rights and duties that follow from it. Neither party can expect the other to go beyond the specified contractual duties and each has the liberty to refuse requests to do so. Indeed, the expectation is that such requests will not be made or granted except in extremis. 'The contract model acknowledges human limitations of the contracting parties since it clearly distinguishes rights and duties. It

circumscribes the kind and amount of service being sought and offered.'[11] By contrast, the biblical model of covenant – exemplified most powerfully by the covenant relationship between God and his people – is based upon grace. The covenant partners are bound together not by a set of legal requirements but by the relational nexus of gracious initiative followed by thankful response. Covenant goes further than the carefully defined obligations contained within a contract to the need for further actions that might be required by love. 'When we act according to a covenant, we look beyond the minimum . . . Partners in a covenant are willing to go the extra mile to make things work out.'[12] It is this graciousness – the readiness 'to make room for the gratuitous, not just the gratuities'[13] – that distinguishes covenant from contract and gives ministry its distinctive quality. Rooted in the covenant love of God, the covenantal ministry of clergy mirrors that of Christ himself who gave himself freely for the sake of the world and 'who, though he was in the form of God, did not regard equality with God as something to be exploited but emptied himself, taking the form of a slave' (Philippians 2.6-7). The covenant model is, in the end, Christological or it is nothing.

The implication of this is that those who are called to ordained ministry must act out of a covenantal rather than a contractual motivation and mindset. They must be 'willing to go the extra mile' which means that they must be prepared to allow their ministry to be shaped by the needs of others rather than their own preconceptions of autonomy. But how might this be worked out? This leads us to two further principles: agape and virtue.

Agape

In a recent discussion of agape and pastoral care, Simon Robinson notes that agape and covenant are intimately connected in a number of ways: firstly, both are based upon gift, for just as covenant is gracious so agape is a matter of gift-love. In pastoral terms, agape 'is not based upon any contractual terms' but is 'a way of knowing the other, the ground of care for the other'.[14] Pastoral relationships are thus governed by agape. Secondly, agape involves faithfulness and constancy. The minister remains true to the other person whatever he or she has done, since 'agape promises to be there whatever the response from the other.'[15] Thirdly, agape allows for a measure of relational open-endedness rather than placing rigid limitations on the growth of a pastoral relationship. This is not to deny the importance of boundaries; yet, at the same time, it 'nourishes rather than limits relationships' and 'is always searching for the good of the other . . . is always open to the possibilities of the other'.[16] From

this it can be seen that agapeic love is not conditioned by the attraction or achievement of the other but 'loves the other simply because they are the other'. It is 'a love which does not base itself on the action of the other, a disinterested love which is not based in a partial way on the other'.[17]

How might this theology be applied? Secular pastoral counselling (building on work in bioethics) has developed five operational principles as the basis for its professional codes. If we invest them with the theological concept of agape, it becomes possible to construe them as a principled framework for ethical practice in ordained ministry:

1. the promotion of autonomy for the counselee;
2. the duty of the counsellor to act for the positive good of the counselee (the principle of beneficence);
3. the responsibility of the counsellor to do no harm (the principle of non-maleficence);
4. the obligation to act justly in the counselee's best interests (the principle of justice);
5. the counsellor's commitment to trustworthiness (the principle of fidelity).

While the term 'agape' does not appear, from a theological perspective it can be discerned as the theological meta-principle lying behind all five. And if we were to substitute the terms 'parishioner' for 'counselee' and 'minister' for 'counsellor', the transference to a set of principles for Christian ministry becomes clear.

What is equally clear, however, is that while one purpose of this framework is to protect the counsellor/minister, its fundamental emphasis is on the needs of the client/parishioner. In Robinson's language, the principles are directed towards the well-being of the other. The rights of the helper are secondary to the good of the one who seeks help. This in turn means that those of us who are called upon to offer ministerial care must be prepared to allow our independence to be qualified as we test our ministry against the demands of professional guidelines informed by agape. The remainder of this report gives substance to this.

Nowhere is the importance of agapeic principles more clearly seen than in the issue of power. Within the relationship between clergy and parishioners,

it is crucial to appreciate that power is used asymmetrically. That is to say, the clergyman or woman is more powerful than the person seeking help. Although self-evident upon reflection, this is a fact that is all too easily overlooked. At its worst, the wielding of asymmetrical power leads to abuse, sexual and otherwise. The vicar who uses her power to coerce, manipulate or bully an individual into agreement is every bit as abusive – albeit in a different way – as the vicar who uses his status to satisfy his sexual desires. Both are exercising power to achieve their own ends in contravention of the principles above.

Rollo May has developed a typology of power that enables us to identify what kind of power is being used at any given time.[18] According to May, power can be discerned under five headings:

- *exploitative* power that dominates by force and coercion;
- *manipulative* power that controls by more subtle and covert psychological means;
- *competitive* power that is ambiguous since it can be used constructively where parties are relatively equal but is destructive where they are unequal (as in most pastoral relationships);
- *nutritive* power that sustains and empowers;
- *integrative* power that takes the freedom of others seriously and seeks to harness the other person's (potential) strengths.

This typology offers a grid by which particular ministerial exercises of power can be assessed. The first two types clearly fall outside a covenantal/agapeic understanding of ministry since they are not concerned with the needs or good of the other person at all. The third is questionable, though capable of constructive use in some situations. The fourth and fifth accord well with a theology of covenant and agape because they arise out of a desire to further the best interests of the other. From a ministerial perspective, therefore, 'the moral challenge is to see that in our interaction with others, the right use of power moves away from dominating others through exploitation and manipulation, and that it moves toward liberating others through nutrient and integrative acts of power'.[19] When seeking to achieve our objectives – whether with a group of people or in a one-to-one relationship – we must ask ourselves what kind of power we are seeking to exercise and for whose benefit. If the answer to either of these questions is ourselves, we need to return to the five agapeic principles.

In summary, therefore, it can be seen that if ministry is to be based on a concept of covenantal responsibility from which agapeic practice flows, this will require a more substantive set of professional criteria than a simple appeal to the beatitudes or any other general idea. As the example of power shows, a more complex approach is needed if we are to grasp both the theological nature of ministerial relationships and the implications for practice that must follow.

Virtue

Ethical behaviour, however, is not just a matter of adherence to rules or principles. The revival of 'virtue ethics' among moral philosophers and theologians in recent years reminds us that the character of the professional is as important as the code to which he or she adheres.[20] The ethics of conduct must be shaped by the ethics of character and the ethics of integrity.

What does this mean? According to William Willimon, character can be defined as the 'basic moral orientation that gives unity, definition and direction to our lives by forming our habits into meaningful and predictable patterns that have been determined by our dominant convictions'.[21] What we do is governed by who we are. As Stanley Hauerwas notes, each of us makes moral choices arising out of 'the dispositions, experience, traditions, heritage and virtues that he or she has cultivated'.[22]

From this, two points stand out: firstly, the Christian minister must *deliberately* cultivate Christian character and virtues and not leave them to chance. In Pauline language, he or she must seek the fruits of the Spirit: love, joy, peace, patience, kindness, generosity, faithfulness, gentleness, self-control (Galatians 5.22-23). When we ask what this might entail in terms of professional ethics, Karen Lebacqz argues for two central virtues: trustworthiness and prudence. The former is a matter of integrity or honour so that the minister is recognized as a 'trustworthy trustee'. The latter has to do with wise judgement or discernment. The combination of both is necessary for the minister to develop an instinct for doing the right.

Secondly, we are brought back to the idea of 'habits of the heart' suggested (inter alia) by Willimon. Because these arise out of the kind of people we are, our theological convictions and spiritual practices are crucial to professional life. We are formed by the beliefs we hold and ways in which we relate to God. Doctrine, ethics and spirituality go hand in hand 'to the point of behaving ethically most of the time as though by instinct.'[23] The report's discussion of

the Ordinal below recognizes this and reminds us that the sustenance of virtue cannot be left to chance. The spiritual life of the minister is crucial.

But it has to be remembered that behind all Christian versions of virtue ethics stands grace. The power to be and do right flows from the free self-giving of God in Christ. It is through the indwelling Holy Spirit that we are enabled to grow in character and virtue. We become trustworthy trustees and are sustained in ministry by the activity of God in us. Ministerial codes or guidelines may set the boundaries but only by grace can we live them out. In Richard Gula's words, 'If we are to minister in the spirit of Jesus and continue in our own time his mission of proclaiming the reign of God, then we must be free enough in ourselves to accept God's offer of love and so be free for others to enable them to let go of whatever keeps them from accepting divine love as well.'[24]

Conclusion

This has necessarily been but a brief sketch of the central issues underlying the present report: a mapping of the terrain rather than an exhaustive journey through it. We have seen how the Church can no longer stand back from addressing the issue of what it means to act professionally in today's social climate. Moreover, we have noted that to develop a culture of professional ethics will require not just a set of guidelines for practice but the cultivation of virtuous character based on theology, morality and spirituality. Above all, we are reminded that the foundational value for all Christian ethics is the uniquely Christian gift of agape. Without this we are but clanging cymbals, professional or otherwise.

Notes

1. For examples of codes from other denominations, see Joe E. Trull and James E. Carter, *Ministerial Ethics*, Broadman and Holman, 1993, pp.220–56. Richard M. Gula in his *Ethics in Pastoral Ministry* (New York: Paulist Press, 1996, pp. 142–153) sets out a proposed code, which is valuable for its theological rationale as well as its specific proposals.
2. See Steve Gillhooley, *The Pyjama Parade*, Edinburgh: Lomond Publishers, 2000.
3. See, for example, Karen Lebacqz and Ronald G. Barton, *Sex in the Parish*, Louisville: Westminster/John Knox Press, 1991; Marie Fortune, *Is Nothing Sacred? When Sex Invades the Pastoral Relationship*, San Francisco: Harper and Row, 1989.
4. On the debate as to how far the clergy should be understood as professionals and therefore to what extent the models employed by 'the professions' are relevant, see Karen Lebacqz and Joseph D. Driskill, *Ethics and Spiritual Care*, Nashville: Abingdon Press 2000, ch. 2. Also, Eric Mount Jr, *Professional Ethics in Context*, Louisville: Westminster/John Knox Press, 1990, chs 2 and 3.

5. A recent term that has entered discussion is 'spiritual abuse'. On its meaning and validity see Lebacqz and Driskill, *Ethics and Spiritual Care*, ch. 6.
6. Eric Mount Jr, Professional *Ethics in Context: Institutions, Images and Empathy*, Louisville: Westminster/John Knox Press, 1990, p. 45.
7. Significantly, Paul uses the language of mutual interdependence as justification for the code of community ethics he goes on to outline in this passage (verses 26f.).
8. Gula, *Ethics in Pastoral Ministry*, p. 11.
9. Thus Darrell Reeck notes that, 'Judaeo-Christian culture from Biblical times through the Reformation imbued the concept of profession with the moral concept of service grounded in a religious vision of God working together with people for the improvement of all creation. The doctrine of the vocation or calling became the religious and moral theme that most illuminated the meaning of the professions and professional work.' Reeck, *Ethics for the Professions: A Christian Perspective*, Minneapolis: Augsburg, 1982, p. 33 quoted in Trull and Carter, *Ministerial Ethics*, p. 25.
10. Gula, *Ethics in Pastoral Ministry*, p. 14.
11. Gula, *Ethics in Pastoral Ministry*, p. 15.
12. Gula, *Ethics in Pastoral Ministry*, p. 15.
13. Gula, *Ethics in Pastoral Ministry*, p. 15.
14. Simon J. Robinson, *Agape, Moral Meaning and Pastoral Counselling*, Cardiff: Aureus Publishing, 2001, pp. 44, 43. For a recent discussion of agape as the basis for a comprehensive Christian ethic, see Stanley J. Grenz, *The Moral Quest: Foundations of Christian Ethics*, Leicester: Apollos, 1997, ch. 8.
15. Robinson, *Agape*, p. 45.
16. Robinson, *Agape*, p. 45.
17. Robinson, *Agape*, p. 44.
18. Rollo May, *Power and Innocence*, New York: W. W. Norton and Co., 1972, ch. 5. See also, Karen Lebacqz, *Professional Ethics: Power and Paradox*, Nashville: Abingdon Press, 1985.
19. Gula, *Ethics in Pastoral Ministry*, p. 86.
20. On the importance of virtue ethics, see Joseph J. Kotva, *The Christian Case for Virtue Ethics*, Washington DC: Georgetown University Press, 1996.
21. Quoted in Trull and Carter, *Ministerial Ethics*, p. 47.
22. Trull and Carter, *Ministerial Ethics*, p. 47.
23. Walter E. Wiest and Elwyn A. Smith, *Ethics in Ministry: A Guide for the Professional*, Minneapolis: Fortress Press, 1990, p. 182.
24. Gula, *Ethics in Pastoral Ministry*, p. 29.

Francis Bridger is the Principal at Trinity College, Bristol