

The work of a religious representative in a democratic legislature: A case study of the Lord Bishop of Sodor and Man in Tynwald, 1961-2001

by

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Abstract

The Isle of Man is a largely autonomous territory of the United Kingdom Crown, whose dominant constitutional body is the Tynwald. Tynwald, although meeting regularly as a single body, is for most purposes divided into two Branches – a directly elected House of Keys, and the Legislative Council. The latter includes among its members the Lord Bishop of Sodor and Man. This study draws upon the legislative debates of Tynwald between 1961 and 2001 to examine the nature of the Bishop's role. Analysis shows that the Bishop was expected to contribute to debate in two major areas – moral issues and technical issues concerning the Manx Church. Additionally, the Bishops operated within expectations as to their modes of contribution. The strongest of these was that the Bishop should not become entangled in party politics. There was also a strong expectation that the Bishop should represent the Manx Church and Christianity more generally, although this expectation does not seem to have been realised in relation to non-Christian religions. There is also evidence that the Bishop was also entitled to use both secular and religious modes of argumentation, and that he should not have expected to be the only religious voice in Tynwald, or even the uncontested voice of the Manx Church.

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Introduction

The Isle of Man is a largely autonomous territory of the United Kingdom Crown. It entered the territories of the Crown in the fourteenth century, but remained under the control of a vassal monarch, the Lord, until 1765. In that year the Crown ‘revested’ the regalities of the Lord into itself, and the British authorities exercised direct authority over the Island. From the mid-nineteenth century on, however, the Island regained an increasing level of autonomy, this time vested in the Tynwald – a body broadly analogous to the United Kingdom Parliament – rather than the Lord. Although the United Kingdom Parliament retains a legislative power, and the UK is responsible for Manx defence and international relations, the dominant constitutional body today is Tynwald. Executive authority is largely exercised by a government drawn from its members, and commanding its support, while it exercises a plenipotentiary legislative authority over the jurisdiction.

Tynwald, although meeting regularly as a single body, is for most purposes divided into two Branches – a directly elected House of Keys, and the Legislative Council. The Council originated in the Lord’s retinue of principal officials. Although the Council included ecclesiastical officers as early as 1614, it was not until after the Revestment of 1765 that this became established as the invariable practice. Throughout the nineteenth century the Council included the Lord Bishop of Sodor and Man, the Vicars-General, and the Archdeacon of the Diocese. In the early twentieth century the lesser ecclesiastical officers were removed, and the Council began to include a number of members elected by the Keys, as well as officials appointed by the Crown or the Governor. Throughout the twentieth century this element increased, until today the Council consists of nine members elected by the Keys, the Bishop, and the Attorney General who sits without a vote as a legal advisor. Although the Bishop’s seat and vote survived this major constitutional change, it was not uncontested. From 1958 on, reform of the Bishop’s role was suggested – often but not invariably as part of a broader constitutional change – by individual members of Tynwald, Commissions, and Committees. The changes of 1980 left the Bishop as the last unelected member of the Council with a vote, and subject to intense scrutiny – most notably in 1981-3, 1992-4, and 2000-1.

A study of the work of the Bishop in Tynwald between 1961 and 2001 shows that his vote has been decisive on 53 occasions. Although demonstrating to some extent the significance of the vote, this does not properly delineate the nature of the Bishop’s role, which requires detailed analysis of all debates concerning or involving the Bishop, rather than simply those where his vote proved to be decisive. Such an analysis shows that the Bishop was expected to contribute to debate in two major areas – moral issues and technical issues concerning the Manx Church. The voice of the Bishop in moral issues

can be seen in debates concerning gaming, sex between men, abortion, and Sunday trading. In relation to the Manx Church, the Bishop took a lead role in ecclesiastical legislation before Tynwald, but also had a role in debates over church property, legislative ceremony, the nature of oaths, and prison Chaplains. Although proposals were put forward to limit the role of the Bishop to moral issues in particular, Bishops were entitled to, and did, contribute on a range of other topics. It is in these particular topics, however, that the Bishops were seen as having a special role.

As well as expectations as to subject matter, the Bishops operated within expectations as to their modes of contribution. The strongest of these was that the Bishop should not become entangled in party politics. There was also a strong expectation that the Bishop should represent the Manx Church and Christianity more generally, although this expectation does not seem to have been realised in relation to non-Christian religions. There is some evidence that the Bishop was also entitled to use both secular and religious modes of argumentation, and that he should not have expected to be the only religious voice in Tynwald, or even the uncontested voice of the Manx Church.

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Methodology

In analysing the role of the Bishop, we drew only upon reports of Tynwald debates since March 1961. This date marks a significant change in the powers of the Council, with the loss of the absolute veto over legislation supported by the Keys (Isle of Man Constitution Act 1961 s.10). Due to time constraints, not all Tynwald debates within this period were analysed. We considered every debate where the Bishop was legally entitled to exercise a role. Thus, all debates of the Council and Tynwald Court were analysed. In relation to the other Branch of Tynwald, the Keys, once we had identified a measure involving explicit discussion of the Bishop's constitutional position relevant debates were analysed. We did not, however, examine debates on unrelated topics in the Keys in search of discussion of the Bishop's role. The use of Tynwald debates to understand the role of the Bishop may be subject to two fundamental criticisms - firstly, the political actors whose views are identified; secondly, the mode of expression which is drawn upon.

On the first point, our analysis is based upon the assumption that the views of members of Tynwald are especially significant. This significance can be found in the formal, and informal, power of these actors in relation to the exercise of the Bishop's legislative role. In formal terms, a coercive change to the role would require the agreement of sufficient members to proceed with an Act of Tynwald. More informally, members of Tynwald act as opinion formers, particularly on constitutional matters concerning the composition of Tynwald, making their expressions of opinion particularly significant. As well as this

national role, the views of those legislators involved in legislative debate with the Bishop - that is, fellow members of the Council or of Tynwald Court - are an immediate, and intimate, source of influence upon the Bishop in his constitutional functions. To take a hypothetical, if we found members of the Council repeatedly and consistently deferring to the Bishop on matters of religious education, but asserting that he had no role in broader matters of scientific and artistic education, this would be significant whether the Bishop acquiesced in this construction of his role or rejected the views of the other members of the Council. Similarly, if the Bishop indicated explicitly, or implicitly through a number of interventions, that he had a particular expertise or interest in a specific area, this could be significant.

While the significance of these constitutional actors may be relatively unproblematic, by taking legislative debates as our source for their opinions, we limited the range of our data. Although we supplemented our analysis with interviews with current and former constitutional actors, and with extra-legislative sources, we could not, given our period, have done so exhaustively. Instead, we took the contributions to the debates of Tynwald as our central resource. This decision had three advantages for our study. Firstly, given that the study sought to explore developments since 1961, use of these sources allowed us to accommodate constitutional actors who were deceased, and discussion of legislative patterns that may, in an interview narrative, be overlaid by more recent developments. Secondly, our interest was less in the bare opinion of these constitutional actors than in the influence they may have exercised upon the collective expectations of the legislature. It may be interesting to learn that a particular legislator, for instance, privately opposed the involvement of any professional clerics in the legislative process. If this opinion was never expressed in the public forum of the legislature, however, that in itself may indicate that it fell outside the collective expectations of the legislature as to acceptable differences of opinion. Thus, we took the individual contributions to compose a multifaceted, sometimes conflicted, collective view of the role of the Bishop. Finally, by focusing on Tynwald debates, we dealt with a source that our constitutional actors will have known was a matter of public record. As well as avoiding ethical issues arising from the use of other forms of data, by using a source where our actors were speaking for the record we expected to find a degree of development of their ideas, and a level of gravitas which might be absent from less formal fora.

There are, nonetheless, three important restrictions inherent in basing this study on the use of Tynwald debates, which may be usefully summarised here.

Firstly, individual personalities are of considerable significance, particularly in a legislature such as Tynwald, which consisted of less than forty members. As will become apparent in the discussion that follows, particular personalities played an important role in the debates. So, for instance, it is possible to trace consistent approaches by Eddie

Lowey and by Sir Charles Kerruish. The personality of individual Bishops is also of considerable significance. As mentioned above, however, we seek to draw out that part of Tynwald's civic philosophy that deals with the Bishop. Although this must emerge from the contributions of individual members, the views of the individuals are of secondary importance. Nonetheless, it can become seriously misleading to refer to "the Bishop" or "members of Tynwald". This concern is partly addressed by our consideration of each Bishop in a section near the end of the paper. Nonetheless, our conclusions must be tentative, as we seek to draw broader generalisations from particular social interactions between particular legislators.

Secondly, there are developments and changes over time. To some extent we have approached the period 1961-2001 as a single entity, looking for patterns across the available data. Not only do the individual personalities change as the composition of Tynwald fluctuates, however, but broader social and political changes in the Isle of Man since 1961 must have had some impact. Where we find common themes, for instance the involvement of a number of Bishops over a number of decades with Sunday trading laws, their significance is strengthened by this proviso. It may also be, however, that particular generalisations we make about the role of the Bishop were not evidenced for the entire period by a number of instances, but only for the period in which those instances occur. This is particularly the case where debates do not show a consistent approach towards the role - rather than seeing evidence of different views of "the" approach by different legislators, we may actually be seeing views of different, because chronologically distinct, approaches.

Thirdly, the coverage of issues and topics emerged as a result of pressures upon the legislative agenda. In the discussion that follows, we suggest that some Bishops have played a particularly prominent role in some subject areas. Although the Bishop had the power to introduce topics to Tynwald, this would not necessarily be used simply because he had an interest in that topic. Rather, an active involvement by the Bishop would seem to require a coincidence between a topic before Tynwald because of the pressure of events, or as part of a broader legislative programme, and the willingness of the Bishop to participate. A Bishop may choose not to make an intervention not only because he considered it would be inappropriate, but also because he felt that the points he considered important had already been made. This is an important limitation on our data, and to some extent justifies our decision to look for patterns across the entire period, rather than engage in a chronologically sensitive study of the debates.

Within the confines of our sources, as discussed above, we began our evaluation by a comprehensive analysis of the voting record of Tynwald to determine motions where the vote of the Bishop was decisive. As discussed below, this would never have given an accurate view of the interactions in Tynwald. It provided a relatively small number of

debates for us to develop working practices with before exploring all debates. Each debate was summarised, and tabulated for key word, date, and speaker searches. Analysis was by a quasi-judicial method, with recursive sorting of the data to identify common themes across multiple episcopacies.

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The decisive votes

A survey of the voting records of Tynwald Court and of the Council during our period makes it possible to identify instances when the vote of the Bishop was decisive. As we will see from the discussion of the debates that follows, the business of Tynwald was not narrowly legislative, particularly before the development of the Council of Ministers as the central executive body of the Island. Much of this non-legislative business was resolved in Tynwald Court, which included members of both Branches of Tynwald. In the legislative role, the Bishop's most important function was as a member, with full voting rights, of the smaller Council. Given the Manx legislative process, which allowed the Keys to dispense with the consent of the Council to legislation, but not vice versa, it is arguable that the vote of the Bishop, and indeed the rest of the Council, has never been decisive – if the Keys were insistent on passing a Bill then, in most cases, they could do so. Nonetheless, the extra effort needed to do so, and the failure of every Bill rejected by the Council to become law regardless, suggests that it is appropriate to view the Bishop's contribution to a majority of one in the Council, or to a tie requiring a casting vote, as decisive.

Table: Decisive votes of the Bishop, 1961-2001.

	Decisions in Council.	In Tynwald (with Keys).	In Tynwald (against Keys).
Pollard	-	3	1
Gordon	-	4	1
Nicholls	5	10	-
Attwell	3	4	-
Jones	4	11	7

These decisive votes are summarised numerically above. It would be possible to expand the discussion of these decisive votes, but even this would be of limited value. The primary importance of this data is to show that the vote of the Bishop in the legislature had an identifiable impact upon particular items of business before Tynwald. It may be possible to argue the relative importance of these items in the agenda as a whole, with Sir Miles Walker for instance arguing in 2001 that in his twenty four years in the legislature the Bishop's vote had never decided an important issue (*Constitution Bill*, HK 23.1.01), but it is clear that some motions were passed only because of the Bishop's vote, while others failed for the same reason. This gives at least an indication of the practical importance of the Bishop's role, which was necessary for his vote, in the legislature.

One supporter of the Bishop's vote has argued that the legislative records suggest their support for the directly elected Keys (*Second Report of Select Committee on Representation of the People and Constitution (Legislative Council) Bills*, HK 25.1.83, Quinney). The decisive votes of the Bishops in Tynwald Court would seem to provide some support for this, particularly for Bishops Nicholls and Attwell. Ultimately, however, consideration of the decisive votes provides us with little guidance on more profound issues. This is because of two problems that arise from a focus on the voting, rather than the proceedings, of Tynwald.

Firstly, the Bishop could never bring about a decisive vote by himself. If other members of the relevant body choose to vote with him in sufficient numbers, then his vote would not be decisive; and similarly for the situation where the Bishop was in a clear minority. A focus on decisive votes limits us to closely contested votes, which are unlikely to be a representative sample of debates as a whole.

Secondly, an emphasis on his vote may distract from the Bishop's voice in the legislature. A substantial number of legislators had seriously considered removing the Bishop's vote while allowing him to retain his seat in the Council and Tynwald Court. This suggests that, to these legislators at least, his impact and role could go beyond his vote. The work of Tynwald follows a form common to deliberative bodies, where individuals are invited to debate the point to be decided before moving to a vote. In mechanistic terms, a persuasive (or even alienating) Bishop could have converted what would otherwise be a close vote to a clear one – removing it from the category of votes we have considered so far. More significantly, it is in this interplay, in this debate within a deliberative body, that we are most likely to find evidence of what the role of the Bishop was, and was seen to be. In this emphasis on the deliberative process as requiring detailed analysis we depart from the primarily quantitative approach of Brown, who in his useful study of the Lords Spiritual agrees that “‘influence’ cannot be assessed simply on the broad quantitative basis” of decisive votes (Brown, 1994 at 110).

Accordingly, having briefly shown that the Bishop's vote had in some instances been decisive, in the next sections we move to consider in detail the debates of the Council, and of Tynwald Court, in order to explore more fully his role. There is a useful distinction between substance and style – that is between the subjects where Bishops had been particularly active contributors to debate, and their modes of argumentation.

Subjects discussed by the Bishops

The matters upon which an individual Bishop makes a contribution to debates should not be regarded as, on an individual basis, indicative of the appropriate field of operation of the Bishop. It would be misleading to see the Bishop simply as a specialist member of the legislature – Bishops, like other members of Tynwald, contributed across a wide range of topics from public toilets (*Public Lavatories (Turnstiles) Bill*, LC 3.3.64), to civil aviation (*Airports Board Estimates*, TC 25.3.69). Nonetheless, it is possible to identify a number of topics where the contribution of the Bishops was very substantial, called for by other members, or a recurring theme across a number of episcopacies.

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Constitutional reforms involving the role of the Bishop

Some of the most explicit discussion of the role of the Bishop has emerged from debates on constitutional reform. These proposals generally formed part of a broader project of constitutional reform so that, even when individual members of Tynwald thought reforms to the Bishop's role would be premature, it is not unusual to find a reference to the position of the Bishop even when no change is being considered. In particular, we see this in relation to the change in composition of the Council.

In 1963, Tynwald discussed a proposal to remove the Second Deemster – a judicial figure - from the Council (*Isle of Man Constitution Bill*, HK 26.3.63, Simcocks). During discussion in the Council Nivison briefly touched on the role of the Bishop recalling, incorrectly, that one recommendation of an earlier report had been for the Bishop to vote only on moral issues (*Isle of Man Constitution Bill*, LC 19.6.63, Nivison). During the subsequent debates, a number of members linked reform of the Council with the removal of the Bishop (*Motion for Keys Finance and Consultative Committee*, HK 25.6.63; *Isle of Man Constitution Amendment Bill*, HK 29.10.63; *Isle of Man Constitution Amendment (no.2) Bill*, HK 29.10.63; *Isle of Man Constitution Amendment Bill*, HK 30.6.64; *Isle of Man Constitution Amendment Bill*, LC 3.11.64, LC 1.12.64, LC 29.3.65; *Isle of Man Constitution Amendment Bill*, TC 13.4.65). Callister in particular saw the position of the Bishop as part of the “feudalistic and archaic set-up which we call the Council”, with him

sitting merely because his office had “been a baron in some dark and distant past” (*Isle of Man Constitution Amendment Bill*, HK 30.6.64, Callister). In 1969, the Keys adopted a report by the Constitutional Development Committee on the Council. Although the position of Bishop Gordon was not to be affected, a number of MHKs indicated that the removal of the Bishop should come in time (*Resolution to adopt recommendations of Constitutional Development Committee*, HK 28.1.69, Kelly; *Isle of Man Constitution Bill*, HK 25.2.69, McLeod). In particular, Irving saw them as part of a process of eliminating officials from the Council, including the Bishop (*Isle of Man Constitution Bill*, HK 25.2.69, Irving). In 1970, with the introduction of a Bill to remove the right of the Attorney General to vote in Tynwald, Irving anticipated the eventual removal of the Bishop and the First Deemster too (*Isle of Man Constitution Bill*, HK 14.4.70, Irving).

In 1974 the removal of the First Deemster from the Council was proposed in the Keys (*Isle of Man Constitution Amendment Bill*, HK 26.2.74). At the Second Reading, the reform of the Council, including the role of the Bishop, was again identified by Crellin as unfinished business (*Isle of Man Constitution Amendment Bill*, HK 5.3.74, Crellin). Cowin disagreed, seeing rather the need to conserve traditions. In particular, if the role of the Bishop was reduced, there was a danger that Manx affairs would then fall to the Archbishop of York, and so to the United Kingdom (*Isle of Man Constitution Amendment Bill*, HK 5.3.74, Cowin). Thornton-Duesbury suggested that removal of the Bishop could well lead to the end of the ancient diocese as a separate entity, although others stressed to her that this was not something currently before the Keys (*Isle of Man Constitution Amendment Bill*, HK 12.3.74; *Isle of Man Constitution Amendment Bill*, LC 19.11.74; *Isle of Man Constitution Amendment Bill*, HK 22.10.74, HK 29.10.74; *Isle of Man Constitution Amendment Bill*, LC 7.1.75, LC 4.2.75). In 1977, during passage through the Keys of a Bill to alter the term of office for members of the Council, Kermeen was eager to stress that it would not affect Bishop Nicholls, although controversy continued over whether he should sit in Tynwald, as the Island had little say in nominating to a vacancy in the See (*Constitution (Amendment) Bill*, HK 14.6.77). Delaney took the opportunity to advocate removal of the Bishop’s right to vote, although allowing him to sit as representative of the Established Church. Delaney was particularly concerned that the Bishop could vote as soon as he took up office, although he would not have Island interests at heart, or sufficient experience of the Island. In the same year, Kermeen noted that he was not in favour of the removal of Bishop Gordon, but considered whether he should be in the same position as the Attorney-General, able to speak but not vote (*Constitution (Amendment) Bill, Report of Committee*, HK 28.6.77).

In 1982, during the second reading of a Bill to reform the Council, Kneale argued that the Council needed to be elected, if Manx claims to be a democracy were to be vindicated (*Constitution (Legislative Council) Bill*, HK 4.5.82). Although he thought the Bishop

should not have a vote on an otherwise directly elected Council, he did not support the removal of the Bishop, as this would encourage those within the Church of England who had been seeking the abolition of the Diocese “for generations”. Anderson disagreed, in part because he valued the contribution of appointed and ex officio members who did not have to worry about the reaction of an electorate to their decisions. Also in 1982, the Speaker, Sir Charles Kerruish, tabled a question on whether a Bill would be introduced to replace the Bishop with an additional House of Keys nominee (*Question to the Executive Council*, TC 14.12.82). Sir Charles argued that the Bishop had, until the statutory reform of the Council in 1919, sat in the Council as a Baron. His continued contribution to the legislative process was incompatible with democratic principles. Radcliffe stressed the value of the Bishop’s contributions to debates “on matters where the Christian churches’ voice should be heard”, and noted that in the previous 5 years, the Bishop had voted with the majority of the Keys 92% of the time. He feared that removal of the Bishop could lead to the abolition of the Diocese, on financial grounds, and thought that those committed to greater Manx independence would not wish this. Delaney thought that freedom from electoral control was as true of dictatorships, and that the Bishop should act as a guide on matters of conscience and religion.

In early 1983 a report on constitutional reform led to an important debate in the Keys, over proposed changes in the role of the Bishop (*Resolution to adopt Second Report of Select Committee on Representation of the People (Redistribution of Seats) and Constitution (Legislative Council) Bill*, HK 25.1.83). Mann was unconvinced by arguments for a directly elected Council, and spoke in support of the Bishop’s role. He favoured retaining the Bishop, not only for his ancient rights, but also as a representative of all denominations as “a leader of the Christian community”. Cain also spoke in support. He saw a problem in trying to reconcile a democratic Tynwald with a hierarchical Church. He felt that, because the Isle of Man was a Christian nation, the Church must be represented in the supreme legislature. As the Established Church, the Manx Church needed to be represented, which because of its hierarchical structures meant the Bishop should sit. If this were no longer considered appropriate, an alternative would be to allow churches on the Island to appoint a non-voting representative in rotation. To some extent, he saw this representation as a quid pro quo for the exclusion of some clergy from elected places in Tynwald. Delaney spoke as “a not very good Christian”, and argued that the role of the clergy was to comment on what was proper, decent, and Christian; not to vote on it. If the Bishop entered the political arena, he would be dealt with accordingly - his place was “on a heavenly plane so he can give us his views on the Christian aspects of legislation and not vote”. Removal of the vote would not effect the unique, Established, position of the Manx Church. Quirk saw the Bishop as the only independent member of the Council, who therefore would approach issues without bias. Callin argued that the Bishop should retain his place, and feared that the publicity

also arising from the proposals might have endangered the continued existence of the Diocese. Delaney considered that: “to be elected by someone else outside of the Isle of Man and then have 1/33 of the power over the Island is something that went out with the druids” (*Constitution (Legislative Council) Bill*, HK 5.2.85).

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In 1994, reform of the Council was debated in Tynwald Court (*Report on Reform of the Legislative Council*, TC 13.7.94). As part of a proposal to reduce the power of the Council, it was suggested that the Bishop should lose his right to move motions, and to vote in Tynwald - although he would retain his vote in the Council itself. Lowey criticized the proposals for neutering the Bishop politically - he was the Bishop of everyone on the Island, regardless of their faith. He also feared that the change would endanger the future of the Diocese. Bishop Jones himself made the most important speech. The Bishop distinguished his role from that of the Attorney General, who was a non-voting member. The Attorney General acted in an advisory capacity; the Bishop in a representative one. The Bishop was not representative of the Church of England, nor appointed by it. Instead, the Lord of Mann appointed the Bishop to serve her people in that part of the Church that is in the Isle of Man, and to represent that Church to the Church of England in, for instance, General Synod. Given that the concept of a Christian voice had been accepted, why should it be weakened by removing the vote? He met and ministered to a considerable cross-section of society, and so was able to portray their concerns through his voting. Unlike other members, he had no constituents expecting him to contribute on every subject, and so he could avoid adding to the debate repetitively. The Bishop, in his own view, showed what a democratic parliamentary system stood for - he had mind open to debate, no whip, and no axe to grind. He had now been on the Island for long enough to know its people well. Finally, he saw the proposal as an unnecessary unravelling of the Church/State relationship, which would benefit neither, especially when the public were concerned over the erosion of Christian principles. Gilbey noted that the Bishop represented all Christian denominations. Delaney welcomed the Bishop's speech, but reiterated that Tynwald should be a parliament of elected persons. This was also the principall concern of Corkill. Although Corkill welcomed the Bishop's moral guidance, for instance in the abortion debate, the vote was unacceptable in an elected legislature. The implications to the Manx position within the Church of England were something that he felt should be accepted in the interests of democracy.

In 1999 the House of Keys endorsed the principle of direct election to the Council, and the removal of the vote of the Bishop (*Report of Select Committee on the Legislative Council*, HK 26.10.99). At the first reading of the resulting Constitution Bill, Lowey noted that it retained the independent status of the Attorney General and the historic role

and position of the Bishop (*Constitution Bill*, LC 16.11.9). At the second reading in the Council, he stressed that the Bishop was detached from political motives, and helped the Council to address social and spiritual matters. The Bishop said that, since the matter had been raised in 1998, he had received more positive comments than criticisms on his role. Those he spoke to predominantly saw him as acting as a Christian representative of the people of the Island. He stressed that he did not act simply as a Church representative, and that his interdenominational view was an important element in “what is, after all, a Christian council; and until we lose that element I think we would do well to say that there is a place for that here”. In 2000, during the continued progress of the proposals to reform the Council, direct reference was made to the proposals for reform of the House of Lords in the United Kingdom (*Motion to Council of Ministers*, TC 21.3.00). Karran observed that Parliament had much greater democratic problems than Tynwald; while the Bishop indicated that the UK proposals recognized the value of the Lords Spiritual. The second reading of the Bill to replace Tynwald with a wholly elected body began with Cannell relying upon the need to remove votes of unelected persons from a democratic body to justify change (*Constitution Bill*, HK 27.6.00). Singer thought the position of the Bishop was important. He was not analogous to the Attorney General, as he was not an adviser to the government; nor was he intended to act as a spiritual leader. Instead, he was appointed on behalf of the people, by a democratic process, to speak for all Christian denominations on the Island and to give the wider Church view. A Bishop, when appointed, understood he was to exercise a role in Tynwald, particularly on matters of conscience. He consulted with other denominations before he did so. Weakening the position of the Bishop could endanger the future of the Diocese, which would be contrary to broader developments in Manx autonomy.

This drive for reform came to an end in an important debate in 2001 (*Constitution Bill*, HK 23.1.01). Cannell moved the clause dealing with the position of Bishop, noting that there was no intention to deprive the Island of the other functions performed by the Bishop, and he would continue to take part in legislative debates; more broadly, the importance of the spiritual work of the Bishop and the Established Church was clear. But this did not mean that the Bishop should have an automatic right to vote in a democratic government. The Bishop’s appointment had little to do with any genuine Manx electorate. There was no more reason for the Bishop to vote than the leader of any other religious faction, and the notion that other churches were content to abide by the Bishop’s leadership was wide of the mark. Cannell thought that removal of the Bishop’s vote might have no impact on the future of the Diocese, and that removal of the vote would increase Manx autonomy in any case. Quine recognized the value of an advocate of a broadly Christian viewpoint in Tynwald, but could not accept the compromise of democratic principles involved in accompanying this with voting powers, and doubted whether removal of the vote would affect the survival of the Diocese. Singer spoke in

opposition to Cannell - he thought that most denominations of the Island wanted the Bishop to speak for them, especially in relation to moral issues. Singer thought it impractical to limit the Bishop's power to vote to moral issues and ones directly affecting the Church, since only the Bishop could make that judgment at the time of the debate. He also referred to an "authoritative source" who had indicated that removal of the vote would lead to a reduction in the influence of the Bishop, and endanger the survival of the Diocese. An amalgamation with an English Diocese would remove the Manx ability to influence the appointment. He also saw the removal as an example of a broader trend of secularisation, which would ultimately damage Manx culture. Sir Miles Walker thought that removal of the Bishop's vote would lead to the end of the Diocese; and that in 24 years the Bishop's vote had not decided an important issue. Hannan disagreed with Sir Miles Walker that the Bishop had never had a decisive impact on voting. She also saw the Bishop as a force for conservatism, and criticized his failure to give a lead on the abolition of hanging and birching. As a closing contribution to the debate, Cannell remained unconvinced that the Bishop was not analogous to the Attorney General. He also thought that the Christian congregations of the Island no longer represented the majority of the Manx people; and that legislators had not been morally swayed by the Bishop in debates. He noted that Christianity was not the exclusive preserve of the Lord Bishop, and that members were just as Christian in their approach, albeit without a "purple frock and dog collar".

The debates on constitutional reform concerning the Bishop provide important evidence on how the Bishops, and their fellow legislators, construct the role of the Bishop. A number of points may usefully be stressed here, as they recur throughout the discussion that follows. Firstly, the variety of explanations given for his presence – ranging from the remnant of a largely defunct feudal system; to technical expertise on matters religious and spiritual; and, predominantly, as a representative of a Church, a faith community, or religion generally. Secondly, the perceived interconnectedness between his legislative and ecclesiastical role, with repeated suggestions that abolition of the legislative role could endanger the very future of the diocese. Thirdly, the continuation of concerns over how the Bishop was appointed, particularly by those members who sought to remodel Tynwald into an exclusively directly elected body on the basis that this is more truly democratic. Fourthly the recognition, even by some members otherwise committed to the removal of official members of the Council, that there was something distinctive about the Bishop which may justify his retention, perhaps as non-voting member.

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Church legislation

Debates on church legislation are significant both because of the way in which this legislation is seen as belonging primarily to the Bishop, and for the broader reflections on Church/State relations which emerge from the aversion of many members of Tynwald for such legislative business.

In 1968, Bishop Gordon introduced debate on a Church Bill by explaining its clauses (*Church Bill*, LC 2.7.68). Bolton thought that for himself, and for many others, “the internal government of the Church of England has nothing whatever to do with us people who belong to other Churches”. Accordingly, if the representatives of the Church were themselves happy with the measure, time should not be spent debating its details in the Council. The Attorney-General agreed, pointing out that the measure had been very well drafted and querying “who am I to say what the Church should or shouldn’t do. It’s really almost like the rules of a club”. Bishop Gordon, who had been sworn in at the end of 1966, sought the guidance of the Lieutenant-Governor: “I had acted on the assumption that the Council would want to be treated as thoughtful and responsible people who would have this thing explained to them before passing it. Am I wrong in assuming that Church legislation is dealt with in this manner? Is it customary for a committee to deal with it and then for us to be rubberstamps at this point”? Bolton explained that this was peculiar to the Church of England. Similar questions affecting the Methodist Church would be of no concern to the Council. The Lieutenant-Governor suggested, jocularly, that as a good Methodist Bolton had a duty to ensure that the Church of England did not get away with anything. After the second reading and clauses of the measure had been passed, the Lieutenant-Governor suggested suspension of Standing Orders so that “we can get on with this and never see it again”. Bishop Gordon was not, however, alone in seeing a role for the Council. Nivison thought it was very necessary to have proper Church law. The Church had always taken a prominent part in the life of the community, so that it was important to have courts whereby they may discipline themselves. It was quite wrong for the Council to say that they were satisfied simply because the committee was satisfied - rather, “we should pass it because we think it is good law”.

In later debates, however, the view represented by Bolton came to predominate in Tynwald (*Church (Synod Government) Bill and Church (Miscellaneous Provisions) Bill*, HK 14.4.70; *Church (Miscellaneous Provisions) Bill*, HK 5.5.70; *Church (Synod Government) Bill*, LC 10.11.70; *Church (Miscellaneous Provisions) Bill*, LC 10.11.70; *Church (Miscellaneous Provisions) Bill*, LC 1.12.70).

A number of members, however, saw review of ecclesiastical legislation as tied with Establishment. Simcocks, however, saw the role of Tynwald in Church measures as

flowing from a broader Church/State relationship: “So long as the Sovereign is Defender of the Faith and that faith is that of the Established Church of England, she is bound to take the advice of Tynwald on how that church conducts its affairs.” (*Church (Synod Government) Bill*, HK 5.5.70). McFee, on the other hand, believed the Keys had taken the right approach: “[s]o long as the Church is a State Church it has got to conform to the unpleasant as well as the pleasant side” (*Church (Miscellaneous Provisions) Bill*, LC 2.6.70). Bishop Gordon also reflected on the broader relationship between the Church and State, including his legislative role. Society and the Church were not as similar in membership as in the past. Many leaders of the Roman Catholic and Free Churches saw the established position of the Church of England as a national recognition of religion rather than of one particular denomination. In particular, “[f]rom my contacts with other church leaders, when the Bishop speaks in Tynwald he is thought of as speaking for Christians as a whole rather than for Anglicans” (*Church (Miscellaneous Provisions) Bill*, LC 9.2.71).

As a result of the concerns of most members that legislative time should not be spent on internal matters of the Manx Church, in 1976, Tynwald Court approved a report reducing the role of Tynwald in much ecclesiastical legislation (*Church (General Synod Measures) Bill*, TC 19.10.76; *Church (General Synod Measures) Bill*, TC 19.10.77; *Church (Application of General Synod Measures) Bill*, HK 13.3.79). Concerns continued to be expressed that Tynwald should not debate any ecclesiastical legislation (*Church Bill*, HK 28.11.78; *Church Bill*, TC 5.12.78; *Glebe Lands Amendment Bill*, LC 3.7.79; *Church (Suspension of Presentation) Bill*, HK 29.4.80, HK 6.5.80; *Cathedral Church Bill*, LC 6.5.80; *Cathedral Church Bill*, HK 4.3.80; *Church Bill*, HK 26.10.82). Further reform to the procedure for ecclesiastical legislation was carried out without much substantive debate in 1992 (see *Church Legislation Procedure Bill*, LC 24.11.92).

A number of interesting themes emerge from the debates over Church legislation. Firstly, and most importantly, is the construction of the Bishop as the specialist on Church legislation who would be in a position to guide, or perhaps even direct, an ignorant legislature. Secondly, we again see the concern over Manx autonomy, this time presented primarily as Church autonomy impacting on national autonomy, rather than vice versa. Thirdly, we see the importance of “Establishment”, as a cohesive relationship with both burdens and privileges, to some members of the legislature.

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State ceremonials

In 1967 Tynwald Court accepted a report by the Standing Committee on Tynwald Day, the annual, formal gathering of Tynwald at Tynwald Hill (*Recommendations of Standing Committee on Tynwald Day Arrangements*, TC 19.4.67). Bishop Gordon generally approved of the Report. He saw every reason to keep a good relationship between the Church and State, and saw any disagreements as best resolved by friendship, consideration and courtesy, rather than argument over rights, privileges and traditions. Given his view of Tynwald Day as an occasion for both the Church and the State, he found an emphasis on Tynwald Day as essentially a State occasion as unhelpful - rather, it was a national occasion when all taking part in the life of the Island were naturally invited. Callister had a radically different view. He saw the ceremony as “a pantomime and a farcical show”, reflecting a historical position where Tynwald Court was the Lord’s executive, in which the Church had great power, and looked forward to the demise of the official members of Tynwald, including the Bishop. Later, Tynwald Court officially described Tynwald Day as a national occasion, rather than a state or legislative occasion (*Resolution to approve report of Tynwald (Ceremony) Arrangements Committee*, TC 18.5.76).

Tynwald Day was also the subject of discussion in 2000. Tynwald Court was debating a proposal to invite the Chairmen of the Village Commissioners to be invited to sit on Tynwald Hill during the ceremony (*Resolution calling for Chairment of the Village Commissioners to be invited to sit on the Hill on Tynwald Day*, TC 16.2.00). Gilbey noted that he could not see why members of the clergy from the parishes, along with the Bishop and the Archdeacon, should attend when the Church of England represented only a small proportion of the population. Parish representatives truly represented the people of their area. Bishop Jones felt he had to respond to this “misrepresentation”, and insisted that the clergy were there as members of the national Church. There was an ancient tradition that they be called because, as educated people, they could then return to their parishes to disseminate the law.

The discussion of state ceremonials again stresses the position of the Manx Church as having a unique relationship with the Manx State, the different meanings that “representative” can bear in a legislative or constitutional context, and the implications of identifying the Bishop’s place in Tynwald as primarily a function of ancient structures of governance.

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Church property

On a number of occasions, important interventions have arisen in debates on Church property, most notably on the traditional official residence of the Bishop, Bishops court. In 1963, a Bill to allocate part of the income of the See to the maintenance of Bishops court was uncontentious (*Church Bill*, LC 28.5.63, Nivison). A more substantial, and sustained, discussion of Bishops court began in 1974. In that year, Bishop Nicholls had been appointed as successor to Bishop Gordon. Before he had taken up office, the Isle of Man Church Commissioners reported on retention and maintenance of Bishops court. The Speaker stressed that the occupation of Bishops court raised strong feelings, that the new Bishop knew he would be expected to live at Bishops court, and that if he did not wish to do so “he can back when he came” (*Resolution*, TC 18.6.74). By July 1975 Deemster Easton described the Bishops court controversy as becoming critical (*Resolution*, TC 8.7.75). In the ensuing debate, Bishop Nicholls discussed his own experience at some length, concluding that even if Tynwald were prepared to provide financial support for him to live in Bishops court, he would be concerned that the Bishop would have to come to Tynwald every year for financial support, and would be “as I see it, for ever under the control of Tynwald”. Accordingly, he could not accept government money to live at Bishops court, as it would tie him and successors to an impossible site. MacDonald stressed that he was a Methodist rather than an Anglican, but was horrified that Bishop Nicholls had been treated with such discourtesy, and was concerned that Tynwald appeared to be heading towards a State/Church clash. He supported the view of the Bishop that financial support from the government contingent upon his living at Bishops court could damage the relationship between Church and State, and that if Tynwald wished to support the upkeep of Bishops court as part of the Manx heritage, it should do so whether or not the Bishop choose to live there.

Alternative uses for Bishops court were then considered (*Question by Speaker to Chairman of Local Government Board*, TC 16.3.76), and in 1976 Tynwald Court was asked to approve the sale of Bishops court to the Board of Social Security for £70,000 (*Resolution*, TC 6.7.76). On his retirement, Bishop Nicholls recalled sitting outside Tynwald Court during the debate, having withdrawn from the chamber (*Tribute to Bishop Nicholls on retirement*, LC 26.4.83). Anderson stressed that the Bishop should not be burdened with Bishops court, and that given the undesirable mixing of Church and State, it was for Tynwald to decide what should be done with it. Quayle saw the Bishops court, with its Pro-Cathedral, as an important focus for Manx spiritual life, and thought it important that the Bishop had a suitable residence. This was so not only for Anglicans, but also for Christians generally: “People think of our Bishop as the Bishop of the whole Isle of Man, not just the Anglican Church. Nicholls especially has disregarded ecumenical

barriers, and embraced the whole Christian spectrum in his ministry”. Cringle, speaking as a Methodist, also saw Bishops court as connected to people by its connection with the Church. MacDonald, on the other hand, thought that the State should not get deeply involved with religion, and if this section of Christianity were to be supported all others would be equally entitled. Following the debate, Bishops court was purchased, and a committee established to decide how to develop it in the interests of the Manx nation, although eventually it was simply sold (*Resolution to authorize expenditure on Phase 1 of Bishops court Remedial Works*, TC 21.6.77; *Resolution to authorize Government Property Trustees to place Bishops court on the open market*, TC 22.2.78, Bolton; *Resolution to approve Government Property Trustees sale of Bishops court*, TC 10.4.79; *Resolution to adopt Final Report of the Select Committee on Rushen Abbey*, TC 17.2.98).

These discussions of church property have a number of interesting features. Firstly, we can see that where the Bishop’s non-legislative interests are too directly affected by legislative business, it may be considered appropriate for the Bishop to avoid contributing. Secondly, we again see members asserting the significance of the Bishop to the Manx community as a whole, not simply to members of the Manx Church. Finally, we see some members concerns at excessive entanglement between the State and a Church, even when that Church has a special, “established” status in the jurisdiction.

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Gaming

One of the subjects which has consistently engaged the attentions of the Bishops is that of gaming. It may be that this concern has arisen partly from the concern of the Bishops to deal with matters of concern to deal with Manx Christians generally, including the historically very significant Methodist community. The most significant feature of the gaming debates, however, arises from the construction of gaming as a moral question.

In 1962, during discussion of a Bill to establish a casino in the Island, a number of members of the Council indicated the role of a religious input into the process (*Casino (Isle of Man) Bill*, LC 6.3.1962). Nicholls argued that there was considerable popular opposition to the casino, citing Bishop Pollard as saying that the “majority of people of churches here have with one voice condemned the project”. Farrant, although he did not consider gambling sinful by those who could afford it, defended the right of any spiritual leader to express a view on something he considered inimical to the welfare of the people, whether political or not, and condemned the hustings comments of Kelly, a member of the Keys. Moore deplored the suggestion by Kelly that the Church should not enter into politics. He saw all the reforms over the past century as having coming from the influence of the churches. He took the Christian view and, as a Christian, aimed as high as he

could: “[a]nyone who professes to be a Christian can bring his religion into politics or business or anything else”. A heated exchange then followed between Moore and Nivison as to the relevance of his Christianity to the debate. Bishop Pollard did not condemn gambling as intrinsically sinful, but said that the casino was “a moral issue and we have the right quite definitely to enter into and deal with any form of moral issue that is before the public of the country and particularly in a place where we are chosen as leaders to serve that country”.

His successor, Bishop Gordon, was also involved in controversy in relation to gambling. During a resolution concerning betting-shop legislation (*Resolution for betting-shop legislation*, TC 21.2.67), the Bishop thought the present Bill should be rejected. He thought that moral and social issues could not be avoided, and that it was the duty of a legislative body to concern itself with moral issues. At a certain point individual moral decisions concerned the whole social health of the community. McLeod responded that he had never heard such rubbish in the Council, and quoted a Scots poem condemning a “holier-than-thou” approach. Bishop Gordon continued to oppose betting measures (see *Betting Bill*, LC 4.3.69), and in 1972 this again led to the Bishop enunciating the role of the Church, and being criticised for his stance. During a debate on betting office hours, Bishop Gordon argued that people varied in the strength and quality of their conscience, and that legislation could help the general populace to be their best (*Call for extension of betting office hours*, TC 21.2.72). Afternoon opening would increase the adverse impact of betting shops, and the independence of the Isle of Man gave them a chance to create and maintain a society more wholesome than in the United Kingdom. He stressed that this was a point of conscience, and a moral point of considerable importance. Irving, replying for the Tourist Board, indicated that the Board was not a missionary society, nor organising Sunday School picnics, and needed to respond to visitor’s wishes.

Afternoon opening for betting shops was discussed during the episcopate of Bishop Nicholls (*Resolution to approve Licensed Betting Offices (Hours of Opening) Order*, TC 22.3.78). Kermeen argued that Tynwald could not legislate for morals and ethics, nor correct individual faults, but only control them through legislation. Bishop Nicholls disagreed. He feared that the Church had been criticized for speaking out “against” society, but it could equally be criticized for failing in its responsibility to speak. Tynwald had to give moral judgment and leadership to the people of the Island.

Bishop Attwell, too, engaged with gambling and betting. In 1983 he made explicit an approach towards gambling that was in sharp contrast to, most notably, Bishop Gordon. During discussion of the Manx casino (*Resolution for legislation to make casino laws permanent*, TC 16.11.83), Bishop Attwell noted that he saw excesses of gambling as causing harm, but that he followed mainstream theology in finding that gambling itself was not wrong. He was more concerned with ensuring that the young were protected, and

the casino's neighbours were not subjected to a nuisance. Radcliffe, who saw a strong difference between finding something morally wrong and an appropriate subject for prohibition, congratulated the Bishop on his approach. Payne, too, congratulated the Bishop for his "very enlightened remarks". Later, however, Bishop Attwell supported, "on moral grounds", an amendment to a casino bill, ensuring only a single casino would operate on the Island (*Casino Bill*, LC 23.4.85).

The moral role of legislators was raised in relation to the national Manx lottery, established to celebrate the Millennium of Tynwald (*Resolution noting success of Millenium Lottery and calling for legislation permitting lotteries for purposes approved by Tynwald*, TC 20.11.79). Bishop Nicholls was glad that money had been raised for the old and infirm, but was distressed that it had been raised through gambling. He feared that children had been given a "lust" for gambling, that the poor were spending more than they could afford, and that voluntary giving had fallen as a result of the lottery. He noted that the Isle of Man Council of Churches had passed a resolution against lotteries, and feared that old standards were being abandoned. Moore suggested that the Bishop needed to recognize a fact of life - that people needed incentives to give money; while Kermeen made a more direct attack on the Bishops mode of argumentation. While he agreed that Tynwald should not become involved in running lotteries, he argued that their role was as legislators rather than moralists - civilized states tolerated socially undesirable activities. In 1981, during discussion in the Council of a Bill to allow a regular government lottery (*Public Lotteries Bill*, LC 12.5.81), Bishop Nicholls again opposed gaming. The Bishop stressed that members of the Council had the right to express their own moral views and moral beliefs. In particular "some of us come here with Christian viewpoints, we have moral viewpoints, and I am not prepared to accept we have got to sacrifice these". Bishop Nicholls' successor, Bishop Attwell, indicated that he was not keen to support the lottery, and would prefer charitable aid to come from direct donations, but was prepared to accept it (*Resolution to approve Public Lottery Regulations 1984*, TC 11.12.84).

In the gaming debate, we see a number of Bishops developing a consistent opposition to the extension of gaming, while at the same time defending their right to speak on moral issues, even to provide moral leadership. This role has not been uncontested, nor has it been seen as limited only to the Bishops.

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Sunday trading

During the gaming debates, a number of Bishops raised particular concerns over Sunday opening for betting shops. Sunday trading more broadly has been an ongoing concern, one with both moral and specifically Christian aspects.

During discussion of Sunday trading in 1970, Bishop Gordon argued that the proposed Bill would further secularise Sunday, and that society as a whole could not afford to have it more secularised than it was already (*Shop Hours Bill*, LC 10.2.70). The Church did not want to be an awkward body preventing enjoyment by others who did not observe Sunday in the Church's way, but the quietness of Sunday benefited the whole community, and provided protection for family life. In a later debate on the measure, he recognised that Sunday trading affected churchgoing "but this is not my concern, and I think I am here with the rest of us to conserve the good of society as a whole" (*Shop Hours Bill*, LC 10.3.70). He stressed again that the measure would deprive the whole Island of the peace of Sunday, simply for "filthy lucre, as the Bible calls it".

Sunday trading also posed concerns for Bishop Atwell. During the passage of a Shops Bill through the Council in 1985 (*Shops Bill*, LC 25.6.85), he noted that, although he would not oppose the Bill, he was worried that it was the thin end of the wedge. He thought the Sabbath commandment was very wise, but there were sociological as well as religious reasons not to make Sunday just another day. In 1987, during consideration of an order to extend Sunday opening (*Resolution to approve Shops Act (Exempt Classes) Order*, TC 20.5.87), he argued that, in a nominally Christian country, Sunday was special. Allowing Sunday opening would make it more difficult for Christians to meet their religious obligations through Sunday worship. He supported these, predominantly religious, arguments with broader arguments based on the importance to family life of a time for families to get together; the need for a day of rest and repose; and the place in British tradition of Sunday meals. He also referred to a day of rest as not being a Christian peculiarity, referring to "Jewish, Muslim, indeed all other cultures". Other members of Tynwald Court contributed to this debate. Kermode suggested that the Bishop's arguments were quite emotive, and, jokingly, that he had an interest. He then moved on to argue that although the Bishop would like to see people in church, Jesus had preached on hillsides and streets, and that it was not necessary to go to church to believe in God. Kermode concluded that it was inappropriate to impose their will on those who chose to worship God in other ways. Karran, on the other hand, applauded the Bishop's speech as an example of his voicing the fears of the Christian community of which he was a leader.

Bishop Jones, too, was involved in a number of debates over Sunday trading. His initial contribution to the debate in 1992 took a novel approach to the claims of the Churches to

a Christian Sabbath. During a debate on a Shops Act Order (*Shops Act (Temporary Exemption) Order*, TC 15.4.92), he argued that Tynwald helped almost all other market-traders on the Island, but never the churches, which were in the marketplace for people. Attracting people to go elsewhere on Sunday mornings took away possible income from the churches, which were already experiencing a drain of young people due to sporting activities and the like. Duggan responded that it was entirely appropriate for the Bishop to worry about the churches, but that Tynwald needed to consider shopkeepers. It was left to Gilbey to raise the more traditional argument, based on social need, for a day of rest. In early 1993, Bishop Jones returned to Sunday trading in terms that, although less radical, continued to emphasize non-spiritual arguments (*Shops Act (Temporary Exemption) Order*, TC 16.3.93). He noted that there was something to be said for members rereading old arguments in Hansard each year instead of getting up to speak, but he had further arguments this year. Firstly, recent crime figures suggested the breakdown of society, and so the importance of family time. Secondly, recent unemployment figures suggested that workers would be under greater than ever pressure to comply with requests to work on Sundays. Duggan reiterated his earlier point, but rather more bluntly, noting that the Bishop “has got to do his little piece, we know. He is worried about his flock, but we have got to consider the visitors”.

In 1994, however, Bishop Jones expressly referred to the views of Bishop Attwell, who saw the 1985 Act as the beginning of erosion of the Sabbath. He dismissed arguments from tourism, noting that tourists came to the Isle of Man for reasons unconnected with the mainstream retail trade. More broadly, he was worried at decadence in society, looking in dismay at leading citizens of neighbouring islands with their low personal morality. These citizens called for the Church to take a lead on morality and standards, but then undermined it by deregulating Sunday. He finished with an appeal to those who had some regard for, and connection with, the Church in the Island. Groves supported the comments of the Bishop, particularly on the broader issue of standards. He argued that the rest of the Council were elected to provide leadership within society, not just to improve the moral welfare and benefit of the people, but also to guide them. Kermode, after a snide comment on one of the Bishop’s more colourful rhetorical devices, argued that it was a matter of choice - if an individual opened their shop on a Sunday it did not make them any less of a Christian person. Bishop Jones combined both religious (*Resolution to approve Licensing (Permitted Hours) (no.2) Order*, TC 19.3.96), and sociological (*Resolution to approve Shops Act (Temporary Exemption) Order*, TC 20.3.96), arguments in 1996 and 1998 (*Resolution to approve Shop Acts (Temporary Exemption) Order*, TC 17.3.98).

In 1999, however, Bishop Jones placed a new emphasis on specific religious arguments. During debate of the Bill to repeal regulation of Sunday opening but prohibit Christmas

day opening (*Shops Bill*, LC 7.12.99), he acknowledged that there had been different views on Sunday observance within the Christian Church. He argued, however, that most people claimed to try to live by the Ten Commandments, and that little in the Bill met the Fourth Commandment. In a later debate on the Bill (*Shops Bill*, LC 25.1.00), Bishop Jones argued that the churches wished to ensure that the future was fair, and queried how churches were to compete when seven days were to be given up to retail. He also sought assurances about fairness to those employees who sought to observe the Sabbath, and introduce a number of - unsuccessful - amendments to make the measure slightly more restrictive. At the third reading of the Bill in the Council (*Shops Bill*, LC 8.2.00), Bishop Jones opposed the measure strongly – if a majority did support Sunday opening, the majority view was not necessarily right, as the Biblical example of the crowd’s choice between Jesus and Barabbas illustrated. In the millennium of Christ’s birth the proposal would torpedo “one of the main gifts which he gave to mankind”. Those who made a firm stand on Sabbath observance would fail to get employed, or would lose pay. He thought the legislature would regret not properly exploring biblical, economic, social and medical arguments for preserving Sunday observance. He felt he would be remiss if he did not conclude with a specifically Christian reference, but “because you might accuse me of being churchy at this point”, he chose to cite a report from the Salvation Army, “if any group showed a down-to-earth no-nonsense approach to religion it is them”.

A number of interesting issues arise from these debates, as we discuss below. Of particular note is the tension between the Bishop and other Christians, a fear that the Church could appear as sanctimonious in seeking to inform the legislative agenda with Christian teaching and traditional practice, and the willingness of Bishops to bring a variety of argumentative modes - not exclusively religious modes - to bear on the question.

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Criminal law and human rights issues

We have already seen how the Bishops have been willing to speak, indeed to give a lead, on what were categorized as moral issues. The same role can be seen in relation to a small cluster of criminal law and human rights issues, most notably sex between men. These debates are significant as illustrating the range of issues that could be categorised as moral ones.

In 1977, Tynwald Court discussed a report of the European Commission of Human Rights on corporal punishment in the Isle of Man, suggesting that the punishment was unlawful (*Resolution to note European Commission of Human Rights Report in Tyrer Case*, TC 18.5.77). Bishop Nicholls thought that “the great majority of us are practicing

Christians”, but also tried to be responsible citizens. He spoke in the debate personally, and not for the Isle of Man Council of Churches which he chaired. He spoke in support of retention of the punishment for violent crimes by young offenders. Nivison violently disagreed with the retention of the birch as a practicing Christian based on his own reading of the New Testament. He was “disappointed in the Bishop”, as he thought that a church leader should give a lead on this. When the issue came before Tynwald again (*Resolution to grant Tynwald Day petition of Margaret Irving and Others*, TC 21.11.78), the Bishop felt that he “must say something as a very privileged member in not having to submit myself to the electorate”. He had supported the birch some months earlier, but could not as a Christian bring himself to support a measure which could lead to the Island becoming disassociated with the European Convention on Human Rights.

In 1993, the Council discussed a Bill to formally abolish the death penalty, although it had been defunct for some time (*Death Penalty Abolition Bill*, LC 2.2.93). Radcliffe opposed abolition, sure that he was representing the views of majority of the Island, who believed in justice and retribution. Bishop Jones strongly dissociated himself from Radcliffe’s comments. In particular, he challenged the view that Radcliffe spoke for the majority of the Manx people - “in this Christian country there would be a lot of challenge to that comment”. By a later point in the process, the Bishop was stressing that the Bill was intended to remove an unenforceable law from the statute books, and that nobody was voting for lawlessness or immorality or the loosening of standards (*Death Penalty Abolition Bill*, LC 23.2.93).

One of the first substantial debates facing Bishop Jones concerned the legalisation of sexual acts between men (*Resolution for referendum whether law on homosexual acts should be changed*, TC 11.4.90. See further *Sexual Offences Bill*, LC 28.5.91; *Sexual Offences Bill*, LC 25.6.91). He sought to speak more philosophically than politically. He valued the voices of the people and of the legislators, but in matters concerning personal sexual morality it was important to remember that there was a higher court and a more significant voice. The issues were between a man and God, and the Church was called to declare God’s law and work and to reconcile men with God. He considered that the Church could not hope to counsel a group who were driven underground, although the Churches position on homosexual acts, based on scripture, was clear. He had consulted with other Christian churches on this question, and they were all agreed that homosexual acts were sinful, although they differed on how the sinner should be treated. Although he personally found active and corrupting homosexual lifestyles to be abhorrent (see *Criminal Justice Bill*, LC 24.10.00), he did not wish to close the door on the reclamation of sinners, and did not wish to single out a single area of immorality harmful to society. Lowey did not wish to argue with the Bishop on morals or religion, but he thought many devout Christians were against a change in the law. Even if members of Tynwald were

seeking to be Christian, it was important to keep religion and politics apart - homosexual crimes were a political issue just like theft, drugs, and murder.

It became clear that if Tynwald did not effect some change, the United Kingdom government would do so in order to meet its international obligations under the European Convention on Human Rights, and so a Bill was introduced which would legalise some sexual acts between men. During discussion of the Bill in the Council (*Sexual Offences Bill*, LC 26.5.92), a number of the members conceded that, on constitutional grounds rather than the merits of reform, the Bill should be accepted. Barton felt that an imposed Act of Parliament would be worse than legalizing such acts, but felt that in saying this he let down many sincere Christian people who had written to give him support. Bishop Jones thought that scripture, tradition, and human experience made it impossible for the Church to conclude that homosexuality was an alternative form of human sexuality. Members of a number of denominations had reminded him that the Bishop represented as wide a range of Christian opinion as possible in Council debates. If he were speaking only for himself, he would be content to accept the legislation, but felt he would be neglecting his duty if he did not draw attention to the deep feeling of the majority of Christians that the change was unwelcome.

In 1994, Tynwald discussed an extension to the range of lawful abortions (*Resolution to implement Council of Ministers Social Issues Committee recommendations for medical termination of pregnancy legislation*, TC 15.2.94). Bishop Jones disapproved, seeing abortion in the United Kingdom as disastrous, leading to the killing of children. Christianity viewed all life as a gift from God, which it was only acceptable to take away in exceptional circumstances. He then criticized the detail of the proposal. Speaker Cain and Kermode welcomed the Bishop's speech as powerful and constructive, and Quine said that his contribution was very telling, and he found it useful for a member of the Council to offer his guidance and help. Luft, on the other hand, despite his great respect for the Bishop, felt he had misdirected himself on this occasion. When the Council first considered the emerging Bill, Lowey regretted the absence of the Bishop "after his passionate intervention in Tynwald Court" (*Termination of Pregnancy (Medical Defences) Bill*, LC 4.4.95). The Bishop was present at the second reading, however, and again opposed the Bill (*Termination of Pregnancy (Medical Defences) Bill*, LC 2.5.95). He was particularly concerned that the Bill should not be accepted simply because of a vocal minority, and that the Council should have the courage to say the Bill was wrong and not what the Manx wanted. In this case the Council was "dealing with the sanctity of life, God's creation". By the discussion of the clauses he had shifted his opposition to individual points of detail, with a number of unsuccessful challenges to individual sections (*Termination of Pregnancy (Medical Defences) Bill*, LC 9.5.95). At the third reading, however, Bishop Jones returned to his overall objection (*Termination of*

Pregnancy (Medical Defences) Bill, LC 23.5.95). God was the giver and taker of life, and life was sacred. Pro-abortionists would not be deterred by any statutory wording that could be liberally interpreted, and there was still time to look at the Bill again. Christian, another member of the Council, thought that everyone with Christian convictions would be disturbed at the passage of the Bill, and they had a job to do in imbuing others with their level of faith.

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Subjects where the contribution of the Bishop is seen as particularly appropriate

The debates summarized above contain much that is of interest in terms of how the Bishop is expected to contribute to the business of Tynwald, which we return to at length below. They also indicate to us that there are two broad categories where the input of the Bishop is not simply seen as acceptable, but particularly appropriate, so that the Bishop is prepared to speak on the topic, and other members actively seek his contribution - moral issues, and technical issues concerning the Manx Church.

There are strong indicators, arising in relation to a number of Bishops, that the Bishop has a special role in relation to topics that are seen as involving moral issues. This arose particularly in relation to gaming. In a debate over the Casino, Moore argued for legislators to bring their religious views into their work generally, but Bishop Pollard dealt with the point more narrowly - he identified the topic as a moral issue and indicated that “we” (although it is unclear who he meant by this) had a right to deal with any moral issue before Tynwald. Bishop Gordon, again in relation to gambling, considered that moral issues would always come before a legislature, which could intervene when wrong moral choices impacted on the community. He returned to the point later, arguing that the law could help people to be their best, and that this was a matter of particular moral importance. Bishop Nicholls, in his contribution to the ongoing gaming debate, argued that the Church had a duty to speak on social issues, and Tynwald a duty to give moral leadership. Bishop Attwell, in his contribution to a Casino debate, supported one amendment explicitly on “moral grounds”.

This “moral” role for the Bishop is not necessarily an argument for an expansive role in the legislature, nor is it necessarily uncontested. During one debate Nivison recalled, erroneously, a recommendation of the MacDonnell Report that the Bishop should vote only on moral issues, and suggested that he might be relieved of the duty to vote. On the second point, there are some indications, that the special role of the Bishop as a moral guide may not always be taken very seriously. In 1967, during a debate on the restriction of ‘pirate’ radio stations (*Marine Broadcasting Offences (Isle of Man) Bill*), the Bishop argued for the legislation as the stations were operating “contrary to the spirit of the law”.

The Lieutenant-Governor said: “[t]his is a question for the Attorney-General actually; he gives legal guidance, the Bishop moral”. This provoked laughter in the chamber, tying in with a regular tendency to treat explicit references to moral guidance from the Bishop as a source of levity (see for instance *Road Traffic Bill Second Reading*, LC 8.5.01; *Motor Vehicle Bill*, LC 7.12.71; *Dogs Bill*, LC 27.2.90; *Road Traffic (Driving Courses) Bill*, LC 22.5.90; *Church Legislation Bill*, LC 10.11.92). As well as this generally good tempered humour, the ecclesiastical role of the Bishop has very occasionally been used in an abusive way, although it should be stressed that the anticlerical thread in the Manx debates is a thin one (*Resolution to approve estimates of Board of Education*, TC 17.3.76; *Resolution to approve Shops Act (Temporary Exemption) Order*, TC 16.3.93; *Resolution to approve Shops Act (Temporary Exemption) Order*, TC 16.5.95). Most pointedly, in 2001, during the debate on the Bishop’s vote, Cannell made the point that other members of Tynwald could speak with a Christian voice by noting that “Christianity does not have to be expressed with a purple frock and dog-collar” (*Constitution Bill*, HK 23.1.01).

We can also identify a number of instances where the contribution of the Lord Bishop has been made, or looked for, on what might be regarded as a technical issue concerning the Manx Church (see also Davies, 1976 at 22). This is a theme most strongly found in relation to Church legislation, but can also be seen in a number of areas (see also *Children and Young Persons Bill*, LC 3.12.68; *Interpretation Bill*, LC 1.7.69; *Custody Bill*, LC 1.11.94). Although Bishop Jones was keen to disavow a similarity between his role and that of the Attorney-General, who acts as a technical expert on Manx law for the Council, it does appear that on technical issues concerning the Manx Church, he discharges just this role.

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Modes of contribution by the Bishop

In this section we are concerned less with how the Bishops chose to express themselves in debates, and more with what was seen by the Bishop and other members of Tynwald as the appropriate way for him to contribute to the work of Tynwald. The two issues are obviously related, but distinct, as we will see when we come to consider an instance where a Bishop acted contrary to the expectations of his fellow legislators. Tynwald applied four, unspoken, principles about how religious representation should be accommodated. These were the expectation that the Bishop should be non-partisan; that he should represent the Manx Church, Manx Christianity, and perhaps even religion more generally; that he may make use of both secular and religious modes of argumentation; and that he was not the only member of the legislature who may represent religious perspectives or make use of religious argumentation.

The strongest expectation from the debates was that the Bishop should be non-partisan, and this was put forward by supporters of the Bishop's role - for instance by Bishop Jones himself during the 1994 debate, and Lowey during the 1998-2001 debate. There are not a significant number of examples of this expectation in practice, but this may be evidence for its power, and so the extent to which it is followed. This interpretation is supported by the strength of the reaction on the one occasion when a Bishop did act in a way that could be interpreted as partisan - albeit not in terms of Manx party politics.

In 1963 Tynwald Court was discussing the definition of Manx worker under the employment regulations intended to restrict immigrant workers (*Regulation of Employment (Amendment) Order*, TC 22.5.63). Bishop Pollard indicated that he regularly told the English Bishops and Church Assembly bodies that unemployment was a minor problem in the Isle of Man, and that unemployment was much worse in the United Kingdom. He then suggested that this would get worse still if Labour Party policy were implemented. Nivison queried what he meant by policy, and was directed by Bishop Pollard to the party's statement - Nivison replied by suggesting that the Bishop should read the New Testament. Moore objected to the "vicious" attack of Bishop Pollard. He had always believed that the Bishop should sit in Tynwald Court as a historic right, but that this debate had changed his belief. Legislative business changed to the report of the Board of Agriculture and Fisheries (*Report of Board of Agriculture and Fisheries*, TC 22.5.63), but the controversy triggered by the Bishop's remarks continued. Callister directed the Bishop to the Labour Party, and in particular to their policies on employment. Bishop Pollard indicated he had read them, and could agree with none of them. Gale was "disappointed and disgusted" by the Bishop's remarks - one might conclude that he should be removed from Tynwald Court if he was going to participate in debate as he did this morning. Gale was prepared to attribute them to the Bishop's recent illness. Simcocks saw no justification for the "childish" attack on Bishop Pollard simply because he had indicated an attitude to an organization's policy. The suggestion he should not sit in the legislature was "not socialism but communism", and a fair warning to the population of the Island. Later, during the debate on Bishops Court, Nivison indicated that the "partisan" Bishop's outbursts needed to be controlled. It seems likely that this is a further reference to this conflict. In 1996, a report by a Committee of the House of Keys referred to a tradition of the Bishops, on the whole, displaying a spirit of independence and impartiality - again, reiterating the importance of this expectation.

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Secondly, although an individual Bishop sometimes made it clear that he spoke for no-one but himself, it was more usual for the Bishop to be treated as a representative of some sort of religious community, although there were important differences in the breadth of

his constituency. We have already referred to some members' consideration of the legislative role of the Bishop as being associated with Establishment. Only a relatively small proportion of the Manx population were active members of the Manx Church. Given the particular religious demographics of the Isle of Man, a stronger theme was the role of the Bishop as a representative of Christianity in the Island more generally. On a number of occasions, members of Tynwald stressed that the Bishop had a representative role beyond Anglicans. During the Bishops court debate, Quayle saw the site as an important focus for Manx spiritual life, because people thought of the Bishop as Bishop for the whole Island, not just for Anglicans, with Bishop Nicholls having embraced the whole Christian spectrum. Bishop Gordon saw himself as speaking in Tynwald for Christians as a whole, rather than just for Anglicans. During the 1994 debate Lowey stated this most widely, seeing the Bishop as Bishop for everyone on the Island, regardless of his or her faith. At the same time, Bishop Jones argued that his place in the Council arose not because of his place in the Church of England, but because the Lord of Mann had appointed him to serve her people in that part of the Church that is in the Isle of Man.

There is considerable evidence to support this statement of the Bishops role. During the debate on proposals for development of the main Manx hospital, the Bishop asked for an interdenominational chapel and chaplains' room to be incorporated in the plans, although not for Health Service funding of chaplains as in England (*Resolution to approve Health Services Board proposals for development of Nobles Hospital*, TC 10.12.68). Another example of interdenominational representation came up in relation to fire regulations, where the Bishop raised the problem of stringent fire regulations for small church halls, Methodist as well as Anglican (*Resolution to approve estimates of Local Government Board*, TC 19.3.75). The concerns of Methodists were raised again in relation to gambling in 1981 (*Public Lotteries Bill*, LC 5.5.81), and the Bishop spoke knowledgeably on a bill dealing purely with Methodist affairs in 1982 (*Methodist Church Bill*, LC 12.1.82). Another example, although one met by incorrect responses from the Attorney General, was the concern of the Bishop as to how far clergy, including Roman Catholic priests and Free Church ministers, were precluded from standing for some public offices (*Statute Law Review Bill*, LC 9.4.79). Similarly, in drawing upon sources of argumentation, Bishops have explicitly made use of Christianity as broadly defined, as well as institutional sources within the Manx Church. In particular, a number of Bishops have referred to the views of the Isle of Man Council of Churches (see also *Question on aid to British Honduras*, TC 19.11.74; *Licensing (Sunday Opening) Bill*, LC 6.12.77; *Resolution noting the success of the Millennium Lottery and calling for legislation permitting lotteries for purposes approved by Tynwald*, TC 20.11.79). This has been supplemented by drawing on distinctively Anglican structures (e.g. *Resolution calling for introduction of breathalyser*, TC 22.4.69; *Matrimonial Proceedings Bill*, LC 11.3.86).

Additionally, it will be recalled that Bishop Jones also made use of materials from the Salvation Army to explain a distinctively Christian viewpoint on Sunday trading, rather than an Anglican document, because he wished to avoid appearing too “churchy”. The contribution of Bishop Jones to the debate on sexual acts between men is particularly interesting in this context. At the beginning of the debate, the Bishop referred to having consulted with other churches on the moral status of homosexual acts. Later, however, the Bishop distinguished between his own views and those of the majority of Manx Christians, which he had gauged by discussions with a cross-section of Christians of all denominations (*Sexual Offences Bill*, LC 26.5.92). Laying aside his private and personal interests, he felt he was under a duty to represent as wide a range of Christian opinion as possible.

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But there were clear limits to how far Bishops would go with this expanded role. During debate on a bill to allow sixteen year olds to consent to surgical treatment (*Family Law Reform (Isle of Man) Bill*, LC 9.3.71), the Bishop expressed concern that parents should continue in control of the child until it reached adulthood. The Lieutenant-Governor referred to difficulties when drastic operations were necessary to save life. The Attorney General indicated that sometimes parents might not agree because of religious reasons. The Lieutenant-Governor responded: “I am not talking about those strange people”. This did not prompt any intervention by the Bishop. A particularly stimulating example arose during discussion of a bill dealing with animal welfare, during which Bishop Nicholls asked whether the Bill would permit Jewish and Muslim slaughter, such slaughter having been permitted in the United Kingdom although it had caused great distress to many people, and was different “from the one used in (if I may use the words in the widest terms) a Christian community” (*Welfare of Animals Bill*, LC 4.11.80). It may be relevant to understanding Bishop Nicholls’ stance on this point to consider an earlier debate. During discussion of a criminal law bill dealing with theft in 1977, Bishop Nicholls praised the Manx quality of life. He had lived for eighteen years in the West Midlands, in “a society that was becoming more and more multiracial on the one hand and more and more frightening on the other” (*Theft Bill*, LC 1.11.77). He wished for a firmer stance on violence, and more consideration for victims. A later Bishop, Bishop Attwell, also saw difficulties with some Islamic practices. During a debate on reform of the law relating to marriage and divorce, he noted that a proposal could cause problems, as in England “with regard to Muslims and Koranic law, where you can marry a girl at 12 and divorce is simply a male thing - you just say ‘I do not like you’ and clear off” (*Matrimonial Proceedings Bill*, LC 26.3.86). Again, to place this in some context, during discussion of medical registration, Bishop Attwell expressed his concerns that procedures for testing

the English language expertise of Indian doctors were inadequate (*Medical Bill*, LC 2.4.85). Bishop Jones involvement in Tynwald Court on the 16th of May 2000 is also illuminating. During the session, a resolution was before the Court to approve regulations dealing with motor-cycle helmets, including an exemption for turbaned Sikhs (*Resolution to approve Motor Cycles (Protective Helmets and Visors) Regulations*, TC 16.5.00). Cannell objected to this clause, on the basis that he could not think of another instance where religious conviction provided an exemption from complying with the law, and he thought this was unacceptable discrimination in favour of Sikhs. Bishop Jones did not respond with a defence of the religious interests of Sikhs. Rather, when the debate moved on to a resolution to approve summer opening of public houses (*Resolution to approve Permitted Hours (Licensed Premises) Order*, TC 16.5.00), he noted that he was glad that Tynwald Court had earlier respected the turbans of the Sikhs in a very sensitive way; so it should be noted that a number of deeply religious people of varying denominations would be very concerned with the proposed regulations.

Although the Bishops more clearly fulfilled an interdenominational role than an inter-faith one, it will be recalled that non-Christian communities in the Isle of Man were comparatively small. Thus, it may be that the interests of non-Christians simply never arose in legislative debates. The examples above, of instances where the Bishop had an opportunity to speak for non-Christian interests but failed to do so, suggest that this is not a complete explanation. Additionally, there is a recent instance of Bishop Jones constructing the Island as a Christian country, rather than a multifaith one (*Human Rights Bill*, LC 27.6.00), and in 2001 he took a leading role in resisting a description of religious education as “wholly or mainly of a broadly Christian character”, preferring to delete “broadly” (*Education Bill*, LC 8.5.01; *Education Bill*, HK 8.5.01; *St. John’s Primary School Expenditure*, TC 10.7.01).

If there was a strong expectation that the Bishop should not be politically partisan, there is some indication that some Bishops were themselves keen not to be seen as partisan in relation to whatever their religious constituency was understood to be. Bishop Pollard, when speaking in opposition to extended Sunday trading on the basis that it would secularise the day, stressed that although commerce could impact upon churchgoing, this was not his concern. Rather, like the rest of the Council he was there to conserve the good of society as a whole. Similarly, when he took his seat, Bishop Gordon stressed that the link between Church and State was of value to the whole community - the Bishop stood for the good traditions of the Island; a point reiterated by Bishop Attwell when he took up office. This may also explain the conduct of Bishop Nicholls during the Bishops court debate. Although present during earlier stages of the debate, when Tynwald came to approve the government purchase, he withdrew. In relation to Sunday trading, we have already seen how other members of Tynwald were prepared to categorise Bishop Jones’

contribution as special pleading, albeit pleading he was duty bound to make on behalf of his religious organisation. This desire to avoid being seen simply as a distinctively religious narrative may also be seen in the argumentation choices of Bishops in some debates - for instance, explaining the interplay of sociological and religious arguments in the Sunday trading debate.

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Moving from the question of representation, we have already seen an important technical role for the Bishop, in particular in relation to ecclesiastical legislation. Given the traditions of Anglican Christianity from which the Bishops emerge, we might also expect the Bishop to have stressed his role as an expert on religious sources. This does not, however, emerge strongly from their own contributions. Exceptions to this can be found in the work of Bishop Attwell, who based his stance on Sunday opening initially on the Sabbath commandment, although he later added sociological and psychological arguments to his opposition, and his stance on gaming on mainstream theologians; while Bishop Jones similarly invoked the Fourth Commandment for his opposition to deregulated Sunday trading. During a debate on the legalisation of sexual acts between men, Bishop Jones expressed the wish that there was sufficient time for a bible study on Genesis, Deuteronomy, Leviticus, Judges, Romans, and Corinthians. Bishops were also criticized, albeit implicitly, for their technical skills in relation to religious sources. This can be seen in Nivison's criticism during the corporal punishment debate - as Nivison based his view on a reading of the New Testament, and the Bishop disagreed, the Bishop must have been failing in his interpretation of that text. The point arose again in relation to capital punishment (*Call for legislation to abolish capital punishment for murder*, TC 16.1.68), where the Bishop supported abolition of the death sentence. He argued that the New Testament had much higher and deeper principles than the Old Testament emphasis on retribution. Interpreting Simcock's comments in the debate as a criticism of the Bishop's contribution, McFee defended the Bishop as speaking with the force and sincerity he would expect from any legislator. Macleod had expected the Bishop to make the contribution that he did - although the Bishop preached the Bible he did not believe in the Old Testament.

Finally, if the Bishop was seen as a professional, religious officer, with a special expertise in religious issues, and a special role in representing religion, there was an expectation that he would not be the sole legislator with religious convictions, and so should not act as if he were. In the discussion of the right of the Bishop to discuss contentious matters, we have already seen how Moore defended the right of every legislator to bring their own religious beliefs into the political arena. We can see a number of instances where this occurred with members other than the Bishop. In the discussion of corporal punishment

in 1962 (*Criminal Justice Bill*, LC 6.11.62), the Attorney-General suggested that Nivison needed to think of the victim “rather than the others”. Nivison replied that “Christ had regard to the others”, leading another member, Moore, to observe that “He thrashed and turned the moneychangers out. I am in favour of birching”. In a debate on divorce (*Judicature (Matrimonial Causes) Bill*, LC 30.3.71), Nivison referred to religious objections to part of the Bill, although he did not claim them as his own; and in a debate on corporal punishment under the Theft Act he made use of Biblical discourse: “Do-gooders have been trying to make us soft since Cain slew Abel” (*Theft Bill*, LC 1.11.77). Similarly, in a discussion that effectively centred on the legislation of sexual activity between males (*Resolution to call for restoration of right of individual petition to ECHR*, TC 24.3.87), while Bishop Attwell sought to sever discussion of law and morality, Corrin said “I’ve got a job holding myself back from really describing in working man’s language what is being proposed. Look in the Bible; sodomy, buggery, you name it”. These examples suggest that the Bishop is not necessarily to be seen as the sole Christian voice in the legislature and, as Cannell suggested during a 2001 debate on the Bishop’s vote, the removal of the Bishop would not equal the removal of Christian perspectives. Indeed, the number of members referring to their own religious convictions during debates on ecclesiastical legislation, suggests that many Christian voices could be found in Tynwald during our period.

This raises the possibility of a clash between the Christianity enunciated by the Bishop, and that of another member. Such a clash can be found in the initial discussion of corporal punishment, where Nivison criticized the Bishop for failing to provide Christian leadership. Similarly, during a discussion on Sunday trading, Kermode made use of the example of Jesus to criticize what he saw as the Bishop’s emphasis on church attendance. Later, in a 1994 debate on the same topic, Kermode similarly opposed Bishop Jones’ emphasis on Sabbath observance by noting that if an individual chose to open their shop on a Sunday it did not make them any less of a Christian. There was a similar difference of opinion in relation to sexual acts between men, where Lowey indicated that he would not argue with Bishop Jones on morals or religion, but many devout Christians were opposed to a change the Bishop supported.

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The five Bishops as individuals

So far, our discussion is in danger of homogenizing the episcopates of the five men who were Bishops during the period of our study. Although there is much continuity throughout our period, as is clear from the preceding sections, it is important to stress that important differences between the five Bishops also emerge from our analysis. In particular, these differences illustrate the importance of individual personality where a single individual acts as the only religious representative in a democratic legislature.

The departure of a sitting Bishop, or arrival of a new incumbent, provided moments for reflection on the role of the Bishop in the Manx constitution. On his resignation, Bishop Pollard received a tribute from the Lieutenant-Governor in Tynwald Court (*Tribute to Bishop Pollard*, TC 19.4.66). The Lieutenant-Governor said that he had always been a source of great spiritual support and guidance in debate, and commended his work on the Boards of Education and Social Services. He had helped to raise clergy stipends to more respectable levels, and had been forthright on the need for the cathedral, although not all clergy or laity agreed. As already identified, Bishop Pollard saw a special role for the Bishop in relation to morality. We can see this in the debate on the Casino, and also, in a negative sense, in discussion of a Bill to restrict high rates of interest, where the Bishop suggested that the term “usury” should be replaced with “lawful interest”, which would not carry with it the same moral overtone (*Usury Bill*, LC 6.2.62). In terms of his expertise as a leader of the Manx Church, Bishop Pollard was rarely called upon to speak, with the only purely ecclesiastical point upon which he expressed a view being the state of churchyards and variations in the burial rate between parishes (*Burials Bill*, LC 1.5.62). On broader issues, he took a view on constitutional affairs (*Isle of Man Constitution Bill*, LC 28.1.64; *Isle of Man Constitution Bill*, LC 11.2.64). Additionally, he took a definite view on cultural activities when he urged the government to take a part in the Island’s cultural activities (*Motion urging financial guarantee for 1964 International Festival of Music*, TC 20.11.63). He made a detailed contribution to discussion of National Health Service and hospital matters, with an important role on the relevant Board of Tynwald (*National Health Service (Isle of Man) Bill*, LC 6.11.62; *National Health Service (Isle of Man) Bill*, LC 27.11.62; *National Health Service Bill*, LC 19.6.63), and had a similar involvement in social security issues (e.g. *Employment Bill*, LC 2.6.64). On his retirement the Lieutenant-Governor also acknowledged his role on the Board of Education (*Tribute to Bishop Pollard*, TC 19.4.66), although this does not emerge from the legislative debates after 1961.

His successor, Bishop Gordon, was sworn in to the Council in 1966 (*Bishop Gordon Sworn*, LC 15.11.66). The Lieutenant-Governor referred to him as “constructively

merciful rather than negatively critical of human frailties”. In return, the Bishop stressed that the ancient link between church and State involved in his presence on the Council could be of value to the whole community - the Bishop stood for the good traditions of the land, which he would endeavour to maintain, develop and enrich in the present day. On his resignation, Bishop Gordon received a tribute for contributions that the Lieutenant-Governor understood were of a very high order in certain areas (*Tribute to Bishop Gordon*, LC 5.3.74). Nivison said that the Bishop’s advice in the Board of Education was very valuable, and his concern for elderly people in particular had “badgered us” to speed up provision of assistance.

There are strong continuities between Bishop Pollard and Bishop Gordon. Like his predecessor, Bishop Gordon spoke on what he saw as moral issues, for instance gaming and Sunday trading. A number of additional issues arose, however, which Bishop Gordon seems to have engaged with as fundamentally moral issues for instance prostitution (e.g. *Sexual Offences Bill*, LC 4.4.67), a paternalistic approach towards users of alcohol (*Motion to adopt Finance Board recommendations on customs and the Common Purse*, TC 19.4.67; *Licensing Bill*, LC 12.11.68). He supported proposals to abolish capital punishment (*Call for legislation to abolish capital punishment for murder*, TC 16.1.68), the authority of parents over children’s healthcare (*Family Law Reform (Isle of Man) Bill*, LC 9.3.71), and the value of compulsory mediation during marital breakdown (*Judicature (Matrimonial Causes) Bill*, LC 11.5.71). Perhaps most clearly, in a discussion of the government estimates in 1973 (*Resolution to approve government estimates*, TC 20.2.73), the Bishop opposed abolition of the Postcard Censorship Committee, seeing it as making a small “contribution to wholesomeness”. Bishop Gordon’s principal contribution on technical issues was in relation to Church legislation. He also took a, comparative minor, role in constitutional affairs (see *Judicature Bill*, LC 23.10.71; *Road Traffic Bill*, LC 9.10.73; *Boards Bill*, LC 1.12.70; *Isle of Man Airports Bill*, LC 9.10.73). As with Pollard, Bishop Gordon was initially elected to the Boards of Education and Social Services, and took an active role in both areas (see for instance *Education Bill*, LC 7.2.67; *Resolution for inquiry into education system*, TC 22.2.67; *Education Bill*, LC 6.2.68; *Resolution approving adaptation of former Drill Hall as new Douglas Fire Station*, TC 21.10.69; *Representation of People (Candidates’ Deposits) Bill*, LC 9.3.71). He lost his place in the Board of Education in 1971, following a debate stressing the importance of the dominance of Members of the Keys in key Boards (*Selection Committee Nominations*, 15.12.71), but continued to speak on education matters, including faith schools (*Resolution to approve Board of Education estimates*, TC 20.3.73).

Perhaps most significantly, Bishop Gordon substantially expanded the interest Bishop Pollard had shown in matters of Manx culture and traditions. In taking his seat in the Council, as we have already seen, Bishop Gordon identified one of his roles as standing

for good traditions on the Island. In discussion of the Education Bill he argued against change for change's sake (*Education Bill*, LC 7.2.67), while on constitutional reform he argued for a slow, steady progress (*Isle of Man Constitution Bill*, LC 1.4.69). He also spoke on issues related to the Manx Museum (*Approval of Manx Museum Purchase of 3 Kingswood Terrace*, TC 18.4.67; *Manx Museum estimates*, TC 20.3.68; *Resolution approving £5000 grant to Manx Museum*, TC 20.2.73), the preservation of the environment (*Sand and Gravel Pits Regulation Bill*, LC 7.5.68; *Tree Preservation Bill*, LC 6.2.73; *Town and Country Planning Bill*, LC 13.2.73; *Resolution to approve Local Government Board estimates*, TC 21.3.73), the benefits of footpaths (*Resolution to approve Tourist Board Estimates*, TC 16.3.71; *Resolution to approve compulsory purchase of land form Isle of Man Railway Company*, TC 20.6.73), particularly in relation to the dangers of the roads (*Budget*, TC 16.5.72); and the need for support for the arts (*Resolution to approve Government estimates*, TC 20.2.73). He described coining of money intended for collectors only as undignified (*Coinage (Manx Crowns) Bill*, TC 14.4.70), and argued for an image of the Island that would attract a more respectable and sober kind of holidaymaker than those who sought out Majorca (*Douglas Corporation (Summerland) Bill*, LC 14.3.72).

There were two significant departures from the approach of Bishop Pollard. Firstly, Bishop Gordon appears to have been concerned with the general quality of legislation emerging from Tynwald; and concerned that his contributions should have a solid theoretical foundation. He spoke in favour of examiners having wide powers to inspect vehicles, with the saving of lives justifying the restriction of liberty (*Road Traffic Bill*, LC 6.12.66). He favoured obedience to the spirit of the law even where it could be argued against on its merits (*Marine Broadcasting Offences (Isle of Man) Bill*, LC 10.1.67); a paternalistic stance on some matters (for instance, licensing for alcohol - see *Licensing Bill*, LC 12.11.68); and careful control of the government by law (*Tenancy of Business Premiums Bill*, LC 9.3.71), and taxation (*VAT and Other Taxes Bill*, LC 9.1.73). He also showed a more general concern for the quality of legislation, for instance in relation to the provision of gas (*Gas Bill*, LC 8.2.72), and postal services (*Post Office Authority Bill*, LC 9.5.72). Secondly, Bishop Gordon was involved in expediting passage of legislation to protect horses from inappropriate treatment (*Riding Establishments (Inspection) Bill*, LC 14.11.67), called for sympathy for those whose pets were excluded from the Island because of fears over rabies (*Resolution calling for amendment of Cats and Dogs (Prohibition of Importation) Order 1969*, TC 17.2.70), and supporting measures to restrict hare-coursing (*Game (Hares) Bill*, LC 11.5.71).

Bishop Nicholls was formally welcomed in 1974 (*Bishop Welcomed*, TC 13.8.74). His appointment, and the period after he took office, was to some extent coloured by the Bishops court controversy discussed above. When he left office in 1983, Nivison's tribute included particular reference to his active involvement in the work of the legislature, and the extent to which he had become involved in the life of the Isle of Man as soon as he arrived (*Tribute to Bishop Nicholls on retirement*, LC 26.4.83). In his reply the Bishop noted that he had enjoyed his work in the Council, which had included ministry to "some Members of the Legislative Council who in eventide of life, have welcomed the ministry of a Bishop representing the Church"; and thanked the legislature for passing much needed church legislation during his term. He drew an explicit parallel with service in the House of Lords as a Lord Spiritual, preferring his office in Tynwald.

The interventions of Bishop Nicholls represent primarily a continuation of the role of Bishop Gordon, but with a return to the argumentation style of Bishop Pollard. In particular, the explicit effort to link the legislative debate with a theoretical foundation is notably missing from his contributions. The topics that concerned Bishop Nicholls, however, are very much the same as those that concerned Bishop Gordon. As with his predecessors, Bishop Nicholls made particular contributions to topics with a moral element, in particular in relation to gaming and holy days (*Licensing (Amendment) Bill*, LC 7.1.75; see also *Licensing (Sunday Opening) Bill*, LC 9.1.79). He was concerned with aid and assistance for those in the developing world - for instance in relation to disaster relief for British Honduras (*Question on aid to British Honduras*, TC 19.11.74), and reception of refugees (*Question on aid to boat people*, TC 16.1.79). Some of his concerns over the significance of the family may also be seen in this light. He spoke on a ban of sale of alcohol to young persons (*Licensing (Young Persons) Bill*, LC 22.1.80), and against encouraging young people to use amusement arcades (*Resolution calling for curtailment of amusement machine industry*, TC 17.6.80). He also warned for caution over capital punishment partly on basis that it could deprive children of both parents - one through murder, one through punishment (*Resolution calling for murder death penalty to be confined to murder in the course of crime or of a policeman*, TC 15.2.83). In relation to technical matters, Bishop Nicholls was involved in a substantial body of Church legislation (*Church (Suspension of Presentation) Bill*, LC 10.6.80). Like his predecessors, Bishop Nicholls was frequently involved in education and social security matters, on a number of occasions drawing on his experience on the work permit appeals panel (*Resolution to approve additional places on the temporary employment scheme*, TC 18.10.77). On more specific points, he was concerned that tips were not always passed on to the serving staff (*Question by Bishop to the Chairman of the Consumer Council*, TC 12.12.78), that debtors were not always properly served by auctions of their goods (*Coroners Bill*, LC 1.2.83), and that farmers could be very seriously inconvenienced by road closures for motor-racing (*Road Races Bill*, LC 30.3.82). Also as with his

predecessors, education was a recurring concern of Bishop Nicholls (e.g. *Resolution to approve and fund Board of Education Grant to Buchan School*, TC 19.11.74; *Education (Increase of Fines) Bill*, LC 3.12.74; *Resolution to approve supplementary vote for teachers' salaries*, TC 21.10.75).

Heritage, tradition, and culture also interested Bishop Nicholls. He stressed the importance of steam railway in attracting visitors (*Resolution to guarantee the Isle of Man Railway Company against operating losses on Castletown-Port Erin service*, TC 10.12.74), the significance of historical and architectural value in deciding on the use of church property (*Question to Bishop on Andreas Rectory*, TC 22.4.80), and the implications of the listed building system (*Town and Country Planning Bill*, LC 10.3.81). More nebulously, he seemed to respect traditions. For instance in relation to corporal punishment, he expressed his admiration for the ladies of the Isle of Man for trying to preserve something they held dear, which had meant much to the Island through the years (*Resolution to grant Tynwald Day petition of Margaret Irving and Others*, TC 21.11.78). On one issue, Bishop Nicholls superficially was in agreement with a well-defined trend in the contributions of Bishop Gordon - concern over cruelty to animals. It should be noted, however, that Bishop Nicholls sole contribution on this point arose over religious slaughter methods.

Bishop Attwell's welcome in 1983 included a number of jocular references to the "hot seat" in Tynwald (*Welcome to Bishop Attwell*, TC 15.11.83). The Speaker commended the works of a Manx poet, T.E. Brown, to the new Bishop, as useful in understanding Manx aspirations. The Bishop indicated that he would seek to appreciate all that was important in the Manx way of life and to the Manx nation, and would try to master the Manx language. In particular, he stressed that he was to be of service to the whole Island, and not to a small section or group. On leaving office in 1988 (*Farewell to Bishop Attwell*, TC 13.7.88), Bishop Attwell admitted that he had not found learning Manx an easy task. The Lieutenant-Governor, in formally thanking the Bishop for his work, particularly noted his contribution to debates on "youth, on heart and soul, and on morality in its greatest sense".

The interventions of Bishop Attwell, as with Bishop Gordon, initially sought to explicitly identify philosophical foundations for legislative activity (*Resolution for legislation to make casino laws permanent*, TC 16.11.83), but this was not a trend present throughout his Bishopric. Although he was complemented for the volume of his attendance during his legislative career, compared with the other Bishops his contributions were relatively low key. Nonetheless, it is possible to identify a concern with issues of morality, in particular the importance of the conventional family (e.g. *Civil Registration Bill*, LC 10.1.84; *Civil Registration Bill*, LC 24.1.84; *Matrimonial Proceedings Bill*, LC 11.3.86; *Matrimonial Proceedings Bill*, LC 26.3.86). He also engaged with the continuing debate

on Sunday trading. Like his predecessors, he spoke on education, particularly as a source of character development rather than simply vocational training (*Resolution calling on Board of Education to report to Tynwald on reasons before making Order bringing in school leaving age of 16*, TC 13.12.83; *Resolution to endorse general strategy in CoMin policy document 'Development of a prosperous and caring society'*, TC 20.11.87); and culture, including Manx museum and archaeological issues (*Manx Museum Bill*, LC 28.2.84; *Manx Museum Bill*, LC 22.5.84). He was also concerned with overseas development (*Resolution to approve Public Lottery Regulations 1984*, TC 11.12.84); and the need to deal with illegal drugs (*Resolution to adopt recommendations of Advisory Council of Drug Misuse*, TC 22.10.85).

Bishop Jones' welcome in 1989 included a reference to the antiquity of his place on the Council by President Anderson (*Welcome to Bishop Jones*, LC 1.8.89), and recommendation by the Speaker that, once again, the new Bishop should look to the works of T.E. Brown (*Welcome to Bishop Jones*, TC 17.10.89). Bishop Jones continued to be concerned with questions of morality, supplementing the discussion of sex between men and abortion discussed above with a contribution to a debate on censorship (*Video Recordings Bill*, LC 24.10.95; *Video Recordings Bill*, LC 7.11.95). He also continued the link between the Bishops and heritage, taking a leading role in debates on the Manx Museum (*Church Records Measure*, TC 1.4.00), and the creation of a Manx Patriot's Roll of Honour (*Resolution to adopt Recommendations in First Report of Tynwald Honours Committee*, TC 11.4.00). He continued to contribute to debates on education, particularly religious education (*Education Bill*, LC 27.3.01; *Education Bill*, LC 3.4.01; *Education Bill*, LC 8.5.01), and the care of children (*Children and Young Persons Bill*, LC 27.2.90; *Children and Young Persons Bill*, LC 13.3.90). On broader social issues, a recurrent concern was addiction, in a sense that he interpreted broadly enough to encompass prohibited drugs, but also alcohol, tobacco, and lottery scratch cards (*Resolution to approve Licensing (Permitted Hours) (no.2) Order*, TC 19.3.96; *Children and Young Persons' (Protection from Tobacco and Liquor) Bill*, LC 8.12.98; *National Lottery Bill*, LC 2.2.99; *Resolution to approve Permitted Hours (Licensed Premises) (Temporary Variation) Order*, TC 18.5.99; *Resolution to approve Permitted Hours (Licenses Premises) (no.2) Order*, TC 19.10.00; *Resolution to receive First Report of Drug Strategy Committee*, TC 19.10.00; *Licensing (Amendment) Bill*, LC 8.5.01). Finally, he continued to deal with specifically Manx Church issues, such as the position of clergy of the Manx Church, particularly in relation to employment regulation (*Residence Bill*, LC 23.1.01; *Residence Bill*, LC 30.1.01).

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Conclusions

It seems to us that the preceding survey of the construction of the Bishop's role in the Manx legislature supports a number of conclusions.

Firstly, there were expectations, which appear to have been accepted by successive Bishops, that there were topics where the contribution of the Bishop was to be especially welcomed. These fell into two broad classes: matters which implicated moral issues in a way beyond the normal legislative business of Tynwald; and matters which involved technicalities of the Manx Church, particularly ecclesiastical law or practice. These expectations suggest that the Bishop had a distinctive role in the legislature. In relation to moral issues, while the special voice of the Bishop had been vigorously contested by other legislators, it had also been suggested that his legislative role could be confined purely to such issues. In relation to technical issues concerning the Manx Church, hostility was directed more towards the involvement of the national legislature in the internal affairs of a religious organisation. The special authority and expertise of the Bishop was largely unchallenged, but as the amount of such business before Tynwald declined, it provided less support for his legislative function. It is important to note, however, that the right of the Bishop to contribute to debates on any matter had never been contested nor, from our study, was he ever criticized for speaking on a topic outside of these two broad categories.

Secondly, there were expectations that the Bishops should contribute to the work of the legislature in a distinct manner, whatever topic was under discussion. (a) The Bishop was expected to work in a non-partisan, non-political manner. The strength of the reaction by other legislators when Bishop Pollard appeared to act outside of this expectation may indicate the importance of this expectation. It is worth noting that Bishop Pollard erred in expressing a criticism of a non-Manx political party, at a time when the party political systems in the Isle of Man were, compared with the United Kingdom, of marginal importance. A Bishop who chose to endorse one side in a conflict between two Manx political parties could have expected even more stringent criticism. (b) The Bishop was expected to act as a representative of the Manx Church, or Christianity generally, or perhaps religion generally. We have seen that on occasion Bishops chose to distance their own views from those of the broader religious community, or were criticized for not sufficiently representing the range of opinion within that community. Bishops far more commonly, however, accepted a representative role encompassing not simply the Manx Church, but Christianity within the Island more generally. Within the Manx context it would be wrong to see the Bishop as a representative of religion beyond the Christian denominations. (c) The Bishop was an expert on religious sources, who could make use of them in his argumentation. This was not, however, a major theme in the Bishops'

contributions to debate. We did not find a significant, consistent, difference between secular argumentation by the other members of Tynwald, and religious argumentation by the Bishop. There were numerous examples of Bishops using arguments whose grounds were exclusively secular; and of other members of Tynwald having recourse to their religious identity and beliefs in argument. Given the hostility and humour with which the Bishops were sometimes met, it may have been poor tactics for a Bishop to regularly adopt an exclusively religious argumentative mode.

Thirdly, both of these sets of expectations arose in the absence of any clearly enunciated, let alone universally agreed, statement of the theoretical basis for the Bishop sitting, and voting, in Tynwald. During debates the Bishop was represented as an undemocratic vestige of a feudal order, sitting as Baron rather than Bishop; as a similarly undemocratic remnant of the former position of the appointed officers of the Lord, which should give way to the greater power of the Manx people; as a representative of the interests of the Manx Church; as a symbol and practical manifestation of the relationship between Manx Church and Manx State commonly described as establishment; as a representative of a disenfranchised clergy; as a representative of the people of the Manx Church, or of the Christian denominations, or religions more generally; as a non-partisan legislator isolated from the political pressures which directly or indirectly elected members of the legislator were subject to; or as an ecclesiastical specialist with extra-Insular experience. These constructions are not necessarily mutually compatible, and the implications in terms of role, legitimacy, and appointment are not identical. For instance, if the Bishop sat as a Baron, then the size of the Manx Church and his non-partisan role were irrelevant – he sat as of right and could do as he pleased. If, on the other hand, the Bishop sat as a non-partisan legislator isolated from political pressures then not only was this called into question if a Bishop became involved in partisan discourse, but it is no longer obvious that when appointing a non-partisan legislator it should necessarily be the Lord Bishop of Sodor and Man, *ex officio*.

Fourthly, when we talk about “the Bishops”, it is important to stress that we are actually discussing five men who, in succession, held a single office. It is clear from both the style, and content, of the contributions to the debates of Tynwald, that there was extensive variation between Bishops. All, to us, exercised their role in line with fundamental expectations as noted above. But individual differences were important around this commonality. For instance, Bishop Gordon’s aversion to the motor car informed a number of his contributions. It may be that religious representation that consists of a single person, particularly if that person is not simultaneously restricted and empowered by organizational support, raises quite different issues from a larger representation.

Finally, this study shows that it is not useful to treat a religious organization that has the power to appoint a member of the legislator as a forbidden zone for analysis. In the

debates on the role of the Bishop, there were a number of references to the process by which the Bishop is appointed. Appointment of a religious leader, albeit one in a religious organization with a special link with the State, is an essentially internal affair. But when it leads, *ex officio*, to membership of the national legislature, it becomes a legitimate subject for constitutional analysis. The most striking, and to our eyes, important example of this Church/State interaction concerns the repeated worries that the removal of the Bishop from Tynwald would lead to the extinction of the Diocese of Sodor and Man as a separate entity, with a damaging impact on national pride and independence, as well as more practical losses to the community of the Manx Church. From the legislative debates there are times that the Lord Bishop is a member of Tynwald because he is Lord Bishop; and there is a diocese to which he can be Lord Bishop because he is a member of Tynwald.

Bibliography

Brown F., 1994, "Influencing the House of Lords: The role of the Lords Spiritual, 1979-1987", (1994) 42 *Political Studies* 105.

Davies R., 1976, "Church and State" (1976) *Cambrian Law Review* 11 at 22.

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