

# Constitution of the Provincial Synod of the Episcopal/Anglican Church in Jerusalem and the Middle East

## Preamble

WHEREAS, the Anglican Archbishopric in Jerusalem formed in January 1958 has been reorganised at the request of the Constituent Dioceses.

AND WHEREAS the Anglican Consultative Council at its meeting in Dublin in July 1973 recommended that the dioceses of the Jerusalem archbishopric should inaugurate a Council of the Episcopal Church of Jerusalem and the Middle East which by delegation from the Archbishop of Canterbury should have and exercise sole metropolitan authority.

AND WHEREAS, the Archbishop of Canterbury, after consultation with the competent bodies in the dioceses, has accepted the recommendation of the Anglican Consultative Council and has approved this Constitution as set out hereinafter, this Constitution is hereby established as the Constitution of the Provincial Synod of the Episcopal Church in Jerusalem and the Middle East.

For details of the process of establishment see the Appendix. I and II.

## Articles of the Constitution

### 1. Citation

This Constitution may be cited the Constitution of the Middle East, 1976.

### 2. Definition

- a. "Provincial Synod" means the body to which the Archbishop of Canterbury relinquishes his Metropolitan Jurisdiction in the Episcopal Church of Jerusalem and the Middle East.

### 3. Jurisdiction:

- a. The Jurisdiction of the Provincial Synod shall comprise the following Dioceses:--
  - i. Jerusalem
  - ii. Iran
  - iii. Cyprus and the Gulf

### 4. Doctrine and Worship:

- a. The Provincial Synod and the constituent dioceses, being in full communion with the member Churches of the Anglican Communion throughout the world, hold the Faith of Christ as preached by the Apostles, summed up in the Creeds and confirmed by the dogmatic decisions of the first four general Councils of the Holy Catholic Church.

- b. The Provincial Synod and the Constituent Dioceses receive the Canonical Scriptures of the Old and New Testaments as being the ultimate rule and standard of faith and life, given by inspiration of God and containing all things necessary for salvation.
  - c. The Provincial Synod and the Constituent dioceses maintain this faith as embodied in the Doctrine, Sacraments and Discipline of the Church as taught in the Book of Common Prayer of 1662, and the ordering of Bishops, Priests and Deacons.
  - d. The Provincial Synod may make and authorise such amendments to the forms of Service provided in the Book of Common Prayer of 1662 as may in its judgment be required to meet the needs of the Church within its Jurisdiction, provided that such amendments are consistent with the spirit and teaching of the Book of Common Prayer of 1662.
  - e. A Diocesan Bishop shall not authorise for general use in his diocese alterations and amendments of Liturgical services unless such alteration and amendments have been approved by the Diocesan Synod or Council of that diocese, and approved also by the Provincial Synod.
  - f. In all matters relating to the Faith and Order of the Church no resolution shall be passed by the Provincial Synod unless it is supported by a majority of all members in the Provincial Synod voting by houses with a simple majority in each house.
5. Relationships:
- a. In conformity with Christian doctrine, this Provincial Synod proclaims that all people are of equal value and dignity in the sight of God, and while careful to provide for the special needs of different people committed to its charge, allows no discrimination in the membership and government of the Church based on grounds of racial difference.
  - b. The Provincial Synod, together with the constituent dioceses, seeks to establish and maintain relations of Christian charity, fellowship, mutual understanding and co-operation in the service of God with all other Christian Churches in the hope of the Unity of all Christian people according to the Will of God.
  - c. The Provincial Synod welcomes endeavors to promote responsible dialogue with people of other faiths and religious traditions.
6. The Provincial synod:
- a. The Provincial shall consist of three Houses:--
    - i. The house of Bishops composed of the Diocesan Bishop of the constituent dioceses.
    - ii. The house of Clergy composed of one priest from each diocese, elected by the Diocesan Synod or Council of each diocese, provided that the Diocesan Synod or Council may elect an alternate member.
    - iii. The house of Laity composed of two lay persons from each diocese, elected by the Diocesan Synod or Council of each diocese, provided that the Diocesan Synod or Council may elect two alternate members.
  - b. Members elected under (ii) and (iii) shall hold office for five years, and may be re-elected for a further period of five years only.
  - c. The Provincial Synod shall meet once in every period of two years, or less frequently, provided that the interval between the end of one meeting and the beginning of the next shall not exceed three calendar years.
7. The President of the Provincial Synod:

The Provincial Synod shall elect from among the diocesan Bishops a President who shall serve for a period of five years, and who may be re-elected for one further period of five years.

8. Officers of the Provincial Synod:
  - a. The Provincial Synod shall appoint a Secretary and an honorary Treasurer from among its members.
9. The Standing Committee of the Provincial Synod:
  - a. There shall be a Standing Committee of the Synod, composed of the Diocesan Bishops, the Secretary, and the Honorary Treasurer of the Provincial Synod, and one priest and one lay person chosen in such a way that each of the three dioceses shall be represented in the Standing Committee by two persons, whether bishop priest or lay person.
  - b. The President-Bishop shall preside at all meetings of the Standing Committee.

#### Responsibilities of the Standing Committee

1. It shall be the duty of the Standing Committee to keep a watch on the life of the Church of the Province in general, between meetings of the Provincial Synod, and to care as far as is possible for the spiritual health and well-being of the dioceses of the Church.
2. It shall ensure, as far as lies within its power, that decisions of the Provincial Synod are carried into effect.
3. It shall receive each year a report from each of the three dioceses, and shall be entitled to pass such a recommendation on such reports as may seem to it relevant, and to give to the several dioceses such advice as it may judge to be helpful.
4. It shall attend to such routine matters, not involving any principles of doctrine or of ecclesiastical order, as may arise between meetings of the Provincial Synod.
5. It shall determine the dates of its own meetings and shall advise the Provincial Synod as to the date, location and agenda for subsequent meetings of the Synod.
6. It shall serve as the link between the Church of the Province and the other Churches of the Anglican Communion, and of the world-wide Church, subject to the limitations which are indicated below.
7. It shall receive from the Dioceses and Diocesan Councils, resolutions and recommendations, and, when it seems suitable, shall pass these on the Provincial Synod.
8. In the case of great emergency, it shall indicate to the President-Bishop reasons which may make desirable the calling of an emergency meeting of the Provincial Synod.
9. The Standing Committee will carry out its duties within clear limits:-
  - a. Matters concerning Faith and Order can be dealt with only by the Provincial Synod, and not by the Standing Committee.
  - b. The Standing Committee may recommend to the Provincial Synod amendments to the Constitution, but cannot itself bring any such amendment into effect.
  - c. The Provincial Synod may, at any meeting, indicate subjects which it reserves to its own consideration and determination, and which, therefore, may not be considered by the Standing Committee.
10. Diocesan Constitutions:

- a. The Provincial Synod recognises the Synodical Government of the constituent dioceses, each with its own Diocesan Synod or Council, in accordance with the constitutions of the dioceses annexed to this Constitution of the Provincial Synod.
- b. Any subsequent amendment of a Diocesan constitution must be passed by a two-thirds majority of the members at a duly held meeting of the Diocesan Synod or Council concerned, and must be accepted by the Provincial Synod as consistent with the provisions of this Constitution.

11. Powers of the Provincial Synod:

- a. The Provincial Synod shall have power:
  - i. To deal with matters of common concern to the whole of this Church, and with matters affecting the relationship of this Church with other Churches and Provinces of the Anglican Communion.
  - ii. To determine all matters affecting relationships between the constituent dioceses, and to subdivide or re-arrange dioceses, create new dioceses, release from its jurisdiction any of the constituent dioceses, or to combine with other dioceses or Provinces in the formation of a new province, subject in all cases to the consent of the dioceses concerned.
  - iii. At the request of the diocese concerned, to approve the appointment of coadjutor, suffragan, or assistant bishops.
  - iv. On the vacancy of a bishopric in any of its constituent dioceses, to issue a mandate to the diocese concerned to elect a new bishop in the manner prescribed in the Constitution of that diocese. N.B. See appendix III c.
  - v. To receive from a diocese the nomination of a bishop, and if approved, to issue a mandate for his consecration and/or installation, provided that if for any reason approval of a nomination is withheld, the Provincial Synod shall begin forthwith consultations with the diocesan Synod or Council concerned to be continued until agreement is reached. Provided further that the decision of the Provincial Synod shall be reached within three months and if necessary by correspondence of the Provincial Synod is not in session.
- b. When the Provincial Synod is not in session, its powers may be exercised by the Standing Committee, except in all matters of faith and order as are reserved to the Provincial Synod itself.

12. Powers of the President of the Provincial Synod:

- a. The President shall summon and preside at all meetings of the House of Bishops and the Standing committee, as well as at all meetings of the Provincial Synod unless he requests the Diocesan Synod or council of the host diocese to nominate a chairman for a particular meeting or session.
- b. The President shall represent the Provincial Synod in its relation to the rest of the Anglican Communion and to the whole Church of Christ.
- c. When a see falls vacant, the President shall ensure that the election of a new bishop is carried out in accordance with the Mandate of the Provincial Synod.
- d. When the Provincial Synod has approved the nomination of a new bishop, the President shall receive the Mandate of the Provincial Synod and make the necessary arrangements for the consecration and/ or installation of the new bishop.

13. Conditions for Appointment and Retirement of a Bishop:

- a. Before issuing a mandate for the consecration of a bishop, the Provincial Synod must satisfy itself that the bishop elect satisfies the following conditions for the office :--
  - i. He must be in priest's orders.
  - ii. He must be not less than thirty-five years of age.
  - iii. He must be sound in health.
  - iv. He possesses any other qualifications required under the Constitution of the Diocese concerned.
- b. A bishop may retire at the age of 65 years, but shall retire not later than the completion of his seventieth year.

14. Tribunals:

- a. The Provincial Synod shall constitute a Provincial Tribunal, the functions of which shall be:
  - i. To deal with all matters relating to the discipline of bishops, and when necessary, to institute proceedings.
  - ii. To hear appeals from the judgment of a diocesan court on all matters relating to the discipline of a clergyman.
- b. The Provincial Synod shall establish a Supreme Court of Appeal, the sole function of which shall be to hear an appeal from the judgment of the Provincial Tribunal by a bishop under conviction and sentence by that Tribunal
- c. Principles and Rules governing the constitution and procedures of the Provincial Tribunal and the Supreme Court of Appeal are set out in the Standing Orders and Rules attached to this Constitution.

15. Finances of the Provincial Synod:

- a. The financial responsibility of the Provincial Synod shall be confined to its own expenses and the administration of projects initiated by the Provincial Synod for which purposes the Provincial Synod may raise money whether by assessments on the dioceses or otherwise.
- b. The finances of the Provincial Synod shall be administered by the honorary Treasurer in accordance with such rules and regulations as the Provincial Synod may determine, including provision for the audit of the accounts.
- c. Monies given to the Provincial Synod for a defined purpose shall be used for that purpose exclusively, unless the donors have agreed in writing on a variation of that purpose. If the donor is deceased and the specific and defined purpose has failed, the Provincial Synod may reallocate its use for another purpose provided that such a change is approved by a two-thirds majority of the members present at a duly held meeting of the Provincial Synod.

16. Metropolitan Jurisdiction

- a. If at any time the Episcopal Church in Jerusalem and the Middle East shall decide to dissolve the unity of its (three) constituent Dioceses, that Church shall request the President of the Anglican Consultative Council to assume Metropolitan jurisdiction over each of the Dioceses severally: whereupon he shall assume such Metropolitan jurisdiction.
- b. If the constituted authority of the Episcopal Church in Jerusalem and the Middle East shall at any time inform the President of the Anglican Consultative Council that a situation has arisen in which Metropolitan jurisdiction can no longer be exercised in

accordance with the Constitution of that Church, the President of the Anglican Consultative Council, if he is satisfied that such a situation has arisen, shall assume Metropolitan jurisdiction and shall, in consultation with the Chairman and Secretary General of the Anglican Consultative Council, make the necessary arrangement to maintain Metropolitan jurisdiction over the constituent Dioceses of that Church. (cf. Resolution 23 of ACC-2 Dublin).

- c. If at any time the constituted authority of the Episcopal Church in Jerusalem and the Middle East can no longer exercise its functions in accordance with the Constitution of that Church, the President of the Anglican Consultative Council, if he, after such consultation as is possible with the authority of that Church, is satisfied that such a situation has arisen and that Metropolitan jurisdiction can therefore no longer be exercised in accordance with the Constitution of that Church, shall assume such Metropolitan jurisdiction and shall, in consultation with the Chairman and Secretary General of the Anglican Consultative Council, make the necessary arrangement to maintain Metropolitan jurisdiction over the constituent Dioceses of that Church. (cf. Resolution 23 of ACC-2 Dublin).
- d. A Diocese may, for sufficient reason and with the consent of the Provincial Synod and subsequent confirmation of the Anglican Consultative Council Standing Committee and the Primates, withdraw from the Episcopal Church in Jerusalem and the Middle East. If the necessary conditions for such withdrawal have been fulfilled, the President-Bishop shall notify the President of the Anglican Consultative Council and request him to assume Metropolitan jurisdiction over the said Diocese; whereupon he shall assume such Metropolitan jurisdiction and shall, in consultation with the Chairman and Secretary General of the Anglican Consultative Council, make the necessary arrangement to maintain Metropolitan jurisdiction.

17. Amendments of the Constitution:

- a. Proposals for amending this Constitution may be submitted by any members of the Provincial Synod. Notification of any such proposed amendment must be given to the constituent dioceses and to the President of the Anglican Consultative Council not less than two months before the meetings of the Provincial Synod at which the amendment is to be discussed.
- b. Not less than three members of the Synod clerical or lay, acting together may propose amendments to this Constitution which must be passed by a two-thirds majority (at least) of the members present at a duly held meeting of the Provincial Synod and accepted by a simple majority of the members of each Diocesan Synod or council present and voting at a duly constituted meeting of such synod or council, and ratified by a simple majority of the members of the Provincial Synod present and voting at a meeting held at an interval of not less than two years from the meeting of the Provincial Synod at which it has first been accepted.

## **The Appendix**

This Appendix covers the historical gap between the Preamble and the Articles of the constitution which follow it:

On 6 January 1976, in St. George's Cathedral, Jerusalem, the Rt. Revd. Robert Stopford, Vicar General of the Lord Archbishop of Canterbury (Frederick Donald Coggan) read aloud in the presence of the congregation the following: --

## I. Deed of Relinquishment

FREDERICK DONALD by Divine Providence LORD ARCHBISHOP OF CANTERBURY PRIMATE OF ALL ENGLAND AND METROPOLITAN To all Christian People to whom these Presents shall come and more especially to the Bishops Clergy and Laity hitherto belonging to the Archbishopric in Jerusalem.

Greeting:

**WHEREAS** We have agreed to relinquish our Metropolitan jurisdiction over the said Archbishopric in Jerusalem to the intent that the Central<sup>1</sup> Synod of the Episcopal Church in the Middle East shall exercise the said jurisdiction hitherto possessed by US.

**AND WHEREAS** the said Central Synod shall enjoy the rights and perform the functions as are contained in the Constitution of the said Central Synod which we have approved.

**NOW THEREFORE WE FREDERICK DONALD LORD ARCHBISHOP OF CANTERBURY PRIMATE OF ALL ENGLAND AND METROPOLITAN** do hereby relinquish all Metropolitan and Episcopal jurisdiction over the said Archbishopric in Jerusalem.

**GIVEN** under Our hand and archiepiscopal seal this sixth of January in the year of Our Lord One Thousand nine hundred and seventy six and in the second year of Our Translation.

(sgd.) DONALD CANTUAR

## II. Anglican Consultative Council Explanations

In none of the official documents was the word "Province" used in relationship to the Episcopal Church in Jerusalem in the Middle East. Doubts having been raised as to the ecclesiastical status of the new Church, enquiry was made of the ecclesiastical authorities, and the following reply was received a letter from the Secretary General of the Anglican Consultative Council, dated 20<sup>th</sup> June 1978, of which a copy was sent to the Archbishop of Canterbury.

- a. "The Episcopal Church in Jerusalem and the Middle East is an autonomous Anglican Province." "By the Archbishop of Canterbury's mandate read at the institution of the Province in Jerusalem on 6 January 1976 he surrendered his Metropolitan jurisdiction to the newly constituted Central Synod.
- b. "Metropolitan jurisdiction must be legally regarded as relinquished and not delegated."

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<sup>1</sup> The original language used at the point the Deed of Relinquishment in 1976 was of a "Central Synod". Whilst the term has now been amended (in the 2021 revisions to the constitution) to refer to the Synod as a "Provincial Synod" reflecting the language commonly used in the Anglican Communion, the original language has been retained in this appendix for the sake of historical accuracy.

- c. "The full autonomy of the Church is assured but provision is also made for the maintenance of Metropolitan jurisdiction in certain eventualities."

In the light of these documents the Constitution has been revised and amended, the amendments having been accepted in due Constitutional form by the Central Synod at its Second meeting on 29<sup>th</sup> November 1978, and by the Diocesan Synods or Councils as stated on the bottom of page 15.

C.S. 80/8

### **III. CONSTITUTIONAL AMENDMENTS Nov. 18. 1980 NICOSIA CYPRUS**

- a. Ref. C.S. 78/18 Regarding the Powers of the Standing Committee.  
Both the Dioceses of Egypt on Oct 1980 and Jerusalem on Sept. 1980 formally approved the new powers, Iran approved it on Oct. 10. 1979 and Cyprus and the Gulf on March 1979. It was therefore agreed to incorporate these powers in the text of the Constitution as final. N.B. They were incorporated.

- b. It was voted that the following be added at the end of Article II (v)

"Provided further that the decision of the Central Synod shall be reached within three months and, if necessary, by correspondence if the Central Synod is not in session."

N.B. Jerusalem approved it on Sep. 1980. The other dioceses approved it but dates were not yet given to the secretary.

This text was also incorporated.

- b. Notice of Proposal for amending the Constitution of the Central Synod in accordance with Article 16 (i) in the grey book.
- a. In Article II. A. (iv) delete  
"On the vacancy of a bishopric"  
Substitute:--  
"On being notified that a bishopric in any of its constituent dioceses is about to become vacant..."
- c. The Central Synod recommends that Articles in Diocesan Constitutions which deal with the appointment of bishops be amended to provide the President Bishop be informed when the office of the bishop is about to be vacant.
- d. The Central Synod authorises the Secretary to print only the Constitution of the Central synod with approved amendments, and further amendments will be added when proposed and approved.

The above points were agreed Nov. 18, 1980 by the Central Synod.



## **DATES OF ACCEPTANCE AND RATIFICATION**

D. Jerusalem	in 25 <sup>th</sup> Sep. 1979
D. Egypt	in Oct. 1979
D. Iran	in 4 <sup>th</sup> Oct. 1979
D. Cyprus and the Gulf	in March 1979 in Cyprus and May 1979 in the Gulf.

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