



## MEMORANDUM

**Date:** June 4, 2008

**From:** J.I. Packer

**Re: 1 Cor 6 and Legal Proceedings regarding properties maintained, occupied and used for ministry by ANiC congregations**

1. At Corinth, for no better reason apparently than litigiousness or greed, or maybe revenge, believers were taking each other to court before pagan judges (vss. 1, 6). Paul rebukes them, saying:
  - (1) This dishonours God, flaunting failure in the church by washing dirty Christian linen in public;
  - (2) This dishonours the church, implying that none of its members is fit to judge even small cases, when God is in fact equipping them all to judge major matters (involving angels!) one day;
  - (3) This dishonours the Christian calling, which requires willingness to be defrauded rather than disrupt fellowship.

This, however, is not the situation ANiC faces.

2. The properties currently used by ANiC congregations have been maintained by the congregations, in some cases indeed were erected, at the expense of present and past members of the congregations, and are now adapted for worship and ministry in the congregations.

Dioceses are currently claiming them, even where (1) the diocese has never put money into them, (2) the only congregations wishing to use them are the existing ANiC congregations, (3) the parish has been incorporated as a registered company to hold the property, and (4) it is ACC action at the diocesan and national church level that, by changing ACC's constitutional Bible-based faith and thereby maiming the gospel, now forces congregations for conscientious reasons to leave ACC and transfer to ANiC.

No Canon or civil law assigns ownership of these properties to the diocese in which the parish is sited; diocesan ownership has in the past been assumed (within the frame of diocesan-maintained constitutional Anglicanism), but has never been synodically enacted, either locally or centrally. It has, however, gone unchallenged until now.

3. As Trustees for the gospel, according to constitutional Anglicanism, and as stewards of the properties that they maintain and use for the ministry of that gospel, congregations forced by diocesan deviation to leave ACC and realign, are free to surrender property to the diocese on request. However, it would seem that they have a *prima facie* duty to attempt to conserve that property if it appears that their ministry of the gospel will be furthered by retaining it and suffer a setback by losing it. How far to take this attempt will depend upon local factors in each case.

*"Whatever you do, do all to the glory of God". (1 Cor. 10:31)*