

What services are Clergy permitted to offer couples in same sex relationships in the Church of England?

Revd Brian Lewis.

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The House of Bishops' Pastoral Statement on Civil Partnerships of July 2005 is clear that clergy are not authorised to offer "Services of Blessing". But this leaves us with as many questions unanswered as it answers.

While Clergy do indeed owe Canonical obedience to their bishops, the House of Bishops' pastoral statements do not have the force of Canon Law and it is not at all clear that there is a canonical prohibition of such services. Indeed Canon B5 (discussed below) may well give clergy the "local option" of providing such services. But while there is a strong argument to be made that Canon B5 is sufficiently permissive to allow for the blessing of same sex relationships the argument becomes even stronger if we first consider the significance of the phrase "a Service of Blessing".

In the Church of England if a heterosexual couple contract a Civil Marriage they may then seek a "Church Blessing". They will seek a "Church Blessing" but in fact they will receive a "Service of Prayer and Dedication". Recently the Prince of Wales and the Duchess of Cornwall contracted a Civil Marriage, they then went to St George's Chapel Windsor where the Archbishop of Canterbury presided at what was described in the media and popularly understood as a "Service of Blessing". It was a "Service of Prayer and Dedication" using the rite provided at the direction of the House of Bishops (1985) for such occasions.

This is relevant to the vexed question of what services in the Church of England are legitimate in relation to same sex relationships and Civil partnerships as can be seen when we consider the following question and its supplementary at the General Synod of November 2005:

Question 12. *Revd Andrew Watson (London)* asked the Chairman of the House of Bishops:

In view of its potential for serious theological/ethical confusion, does the House of Bishops intend to forbid the clergy of the Church of England from conducting rites of blessing for civil partnerships?

The Bishop of Norwich (Rt Revd Graham James): In the pastoral statement of 25 July this year, the House of Bishops stated that 'clergy of the Church of England should not provide services of blessing for those who register a civil partnership'. I think that is pretty unambiguous language for a document in the Church of England.

Revd Michael Ainsworth (Manchester): Could the Bishop confirm that in fact in terms of services after civil marriage the Church of England properly refers to 'services of dedication and thanksgiving' rather than 'services of blessing'.

The Bishop of Norwich: That is correct.
(Transcript of Proceedings of General Synod Wed 16th November 2005)

Though the Reverend Michael Ainsworth and the Chair of the House of Bishops were slightly in error in their question and answer in that the forms of service authorised by the House of Bishops are titled "Services of Prayer and Dedication after Civil Marriage" not "Services of Dedication and Thanksgiving" the point remains that the services we all normally think of as "Blessing Services" are otherwise titled in the official language of the Church of England. Since the "Services of Prayer and Dedication after Civil Marriage" are explicitly declared not to be "Services of Blessing" they may be a guide to what would be deemed not to be a Service of Blessing in another context.

The Services of Prayer and Dedication commended by the House of Bishops in 1985 includes the following material:

N and N , you have committed yourselves to each other in marriage,
and your marriage is recognized by law.
The Church of Christ understands marriage to be,
in the will of God,
the union of a man and a woman,
for better, for worse,
for richer, for poorer,
in sickness and in health,
to love and to cherish,
till parted by death.
Is this your understanding of the covenant and promise that you have made?

Husband and wife: It is.

The minister says to the husband: N, have you resolved to be faithful to your wife, forsaking all others, so long as you both shall live?

Husband: That is my resolve, with the help of God.

The minister says to the wife: N, have you resolved to be faithful to your husband, forsaking all others, so long as you both shall live?

Wife: That is my resolve, with the help of God.

Heavenly Father, by your blessing let these rings be to N and N a symbol of unending love and faithfulness and of the promises they have made to each other; through Jesus Christ our Lord.

The husband and wife kneel and say together

Heavenly Father,
we offer you our souls and bodies,

our thoughts and words and deeds,
our love for one another.
Unite our wills in your will,
that we may grow together
in love and peace
all the days of our life;
through Jesus Christ our Lord. Amen.

The minister says

Almighty God give you grace to persevere,
that he may complete in you
the work he has already begun,
through Jesus Christ our Lord. Amen.
The Lord bless and watch over you,
the Lord make his face shine upon you
and be gracious to you,
the Lord look kindly on you and give you peace
all the days of your life. Amen.

and among the concluding prayers

Almighty God,
you send your Holy Spirit
to be the life and light of all your people.
Open the hearts of these your servants to the riches of his grace,
that they may bring forth the fruit of the Spirit
in love and joy and peace;
through Jesus Christ our Lord. Amen.

The House of Bishops is quite clear the inclusion of this material including the couples' declaration of commitment to their new state followed by the pronouncing of a blessing upon them does not make this a Service of Blessing, it remains a Service of Prayer and Dedication. Including this or other similar liturgical material does not turn a service of Prayer into a Service of Blessing according to the House of Bishops (this may seem strange but the Bishops position is clear).

The question then becomes does the Church of England permit clergy to conduct a similar service for same sex couples since a couples' declaration of commitment to their new state followed by the pronouncing of a blessing upon them, does not make a service of prayer a "A Service of Blessing"?

Now it is true that a form of service of Prayer and Dedication for use after the registering of a Civil Partnership has not been authorised by the House of Bishops, but in the Church of England that is not the same thing as saying such a service is not permitted.

Under the provisions of Canon B5 the clergy of the Church of England are granted a wide ranging discretion in the conduct of "Public Prayer"

Canon B5 is as follows (my underlining)

B 5 Of the discretion of ministers in conduct of public prayer

1. The minister who is to conduct the service may in his discretion make and use variations which are not of substantial importance in any form of service authorized by Canon B 1 according to particular circumstances.
2. The minister having the cure of souls may on occasions for which no provision is made in The Book of Common Prayer or by the General Synod under Canon B 2 or by the Convocations, archbishops, or Ordinary under Canon B 4 use forms of service considered suitable by him for those occasions and may permit another minister to use the said forms of service.
3. All variations in forms of service and all forms of service used under this Canon shall be reverent and seemly and shall be neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.
4. If any question is raised concerning the observance of the provisions of this Canon it may be referred to the bishop in order that he may give such pastoral guidance, advice or directions as he may think fit, but such reference shall be without prejudice to the matter in question being made the subject matter of proceedings under the Ecclesiastical Jurisdiction Measure 1963.
5. In this Canon the expression 'form of service' has the same meaning as in Canon B 1.

The minister is constrained principally by the proviso that the service must not contravene the doctrine of the Church of England in any essential matter, and that if the service is referred to the Bishop he may give direction.

The final decision on whether or not any particular service contravened the essential doctrine of the Church of England could only be determined by bringing a case against him/her under the Ecclesiastical Jurisdiction Measure 1963, or the more recent Clergy Discipline Measure. As far as we are aware no such case has been brought (nor do we believe it likely).

Statements by the House of Bishop do not suggest that differing opinions on this issue contradict the essential doctrine of the Church of England and we could reasonably expect a bishop to give direction accordingly if a particular case was referred to him.

The 1991 Statement of the House of Bishops *Issues in Human Sexuality* recognises a diversity of view and the place of conscience within the Church of England.

Paragraph 5.6 states:

5.6 At the same time there are others who are conscientiously convinced that this way of abstinence is not the best for them, and that they have more hope of growing in love for God and neighbour with the help of a loving and faithful homophile partnership, in intention lifelong, where mutual self-giving includes the physical expression of their attachment. In responding to this conviction it is important to bear in mind the historic tension in Christian ethical thinking between the God-given moral order and the freedom of the moral agent. While insisting that conscience needs to be informed in the light of that order, Christian tradition also contains an emphasis on respect for free conscientious judgement where the individual has seriously weighed the issues involved. The homophile is only one in a range of such cases. While unable, therefore, to commend the way of life just described as in itself as faithful a reflection of God's purposes in creation as the heterophile, we do not reject those who sincerely believe it is God's call to them. We stand alongside them in the fellowship of the Church, all alike dependent upon the undeserved grace of God. All those who seek to live their lives in Christ owe one another friendship and understanding. It is therefore important that in every congregation such homophiles should find fellow-Christians who will sensitively and naturally provide this for them. Indeed, if this is not done, any professions on the part of the Church that it is committed to openness and learning about the homophile situation can be no more than empty words.

Further the July 2005 Pastoral Statement on Civil Partnerships of the House of Bishops while explicitly rejecting "services of blessing" for those entering civil partnerships clearly envisages some form of service is within the range of permitted action;

"Where clergy are approached by people asking for prayer in relation to entering into a civil partnership they should respond pastorally and sensitively in the light of the circumstances of each case." (paragraph 18)

The recent debates at General Synod acknowledged the diversity of opinion about human sexuality within the Church of England and there was no suggestion that differing from the view of the House of Bishops Pastoral Statement is "contrary to nor indicative of any departure from, the doctrine of the Church of England in any essential matter".

It therefore seems extremely unlikely that a public service of Prayer and Dedication would lie outside the provision of Canon B5.

Brian Lewis

Postscript on the relevance to The Episcopal Church and the Anglican Church of Canada.

It is entirely possible that if we were to consider the content of a service used as "A Service of Blessing for a Same Sex Relationship" under a "local option" provision in TEC or ACC we could find that the very same service was permitted as a "pastoral response" within the liberty provided to the clergy in the conduct of Public Prayer by Canon B5 within the Church of England (provided of course it was not titled a "Service of Blessing")