

# ***The Church of England's***

## ***Doctrine of Marriage***

### **1. Introduction**

- 1.1. On 9 February 2023 the Church of England's General Synod passed a motion concerning the response of the House of Bishops to the Church of England's Living in Love and Faith process.
- 1.2. Clause (g) of the motion declares that this Synod "*endorse the decision of the College and House of Bishops not to propose any change to the doctrine of marriage, and their intention that the final version of the Prayers of Love and Faith should not be contrary to or indicative of a departure from the doctrine of the Church of England.*"<sup>1</sup>
- 1.3. The passing of this motion raises the question 'What is meant by the 'doctrine of marriage'?' and the purpose of this paper is to provide an answer to this question.
- 1.4. This paper will begin by explaining what the term 'doctrine' means. It will then go on to explain that the place where the Church of England's doctrine is found is in the three 'historic formularies,' The *Thirty-Nine Articles*, the 1662 *Book of Common Prayer* and the 1662 *Ordinal*. After that it will explain the doctrine concerning marriage found in the *Thirty-Nine Articles* and the *Book of Common Prayer* and the ways in which this doctrine has been reflected in Canon B.30 and in other more recent Church of England material. Finally, it will summarise the doctrine of marriage and look at what would be contrary to, or indicative of a departure from, the Church of England's doctrine of marriage in contravention of clause (g) of the motion passed by Synod,

### **2. The meaning of the term doctrine**

- 2.1. When thinking about the meaning of the term doctrine the place to start is the fact that the New Testament writings presuppose the existence of a corpus of authoritative teaching which Christians are expected to believe and uphold.
- 2.2. We can see this idea in the letters of Paul. For example, in Romans 6:17 he refers to 'the standard of teaching to which you were committed', in Colossians 2:7 he exhorts the Colossians to be 'established in the faith as you have been taught it', in 2 Thessalonians 2:15 he tells the Thessalonians to 'stand firm and hold to the traditions which you were taught by us, either by word of mouth or by letter' and in Titus 1:9 he lays down that a bishop 'must hold fast to the

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<sup>1</sup> "Prayers for God's blessing for same-sex couples take step forward after Synod debate" at: <https://www.churchofengland.org/media-and-news/press-releases/prayers-gods-blessing-same-sex-couples-take-step-forward-after-synod>

sure word as taught, so that he may be able to give instruction in sound doctrine and also confute those who contradict it.’

- 2.3. The same idea is also put forward by other New Testament writers. Thus in Hebrews 10:23 the writer to the Hebrews refers to ‘the confession of our faith’ to which he wants his readers to hold fast without wavering, in 1 Peter 1:25 Peter talks about ‘the good news which was preached to you,’ in Jude 3 and 20 Jude refers to ‘the faith once delivered to the saints’ and ‘your most holy faith’ and 1 John 2:24 John’s readers are exhorted ‘let what you have heard from the beginning abide in you.’
- 2.4. If we ask where this authoritative teaching came from, the answer that the New Testament gives us is that it was first taught by Jesus and then given to the Church by the apostles and those associated with them such as the Lord’s brothers James and Jude. This is made clear by Luke in his two-part history of the origins of Christianity in Luke and Acts. In Luke’s Gospel and at the start of the first chapter of Acts, Jesus instructs the Apostles and from then onwards it is the Apostles and those associated with them who give instruction to those who subsequently become Christians. It is this ‘teaching of the Apostles’ (Acts 2:42), learned by them from Jesus, that is the standard of faith for the Church. Although Paul was not part of the original group of Apostles he is commissioned as an additional apostle by the risen Christ himself (Acts 9:1-31) and his teaching is in line with the teaching of the other apostles.
- 2.5. This last point is also made by Paul himself in the opening chapters of Galatians. He emphasises his own independent commissioning as an apostle (‘Paul an apostle – not from men nor through man, but through Jesus Christ and God the Father, who raised him from the dead’ (Galatians 1:1)) , but he also notes that what he preached as an Apostle was ‘the faith he once tried to destroy’, the faith that was believed by the Church in its earliest days (Galatians 1:23) and that it was recognised by the leaders of the Church in Jerusalem that he had been appointed to preach to the Gentiles the same gospel that they had been appointed to preach to the Jews (Galatians 2:6-10). His subsequent argument with Peter was not because he and Peter had a different understanding of what the gospel was but because Peter was unwilling to behave in a way that was consistent with the gospel (Galatians 2:11-21). There were not two different gospels, a Pauline gospel and a Petrine one, but a single agreed gospel, which Peter had failed to live out adequately.
- 2.6. It is these sort of New Testament passages that are in mind when subsequent Christian theologians have referred to ‘the faith.’ This term has been used as a shorthand for ‘the apostolic faith’ or ‘the faith of the Church,’ the content of the teaching that was first given to the apostles by Jesus and then handed on by the apostles to the early Church in accordance with Jesus’ command in Matthew 28:20, and that has been believed, taught and confessed by orthodox Christians ever since.
- 2.7. ‘Doctrine’ is another term used to describe this same reality. The Greek word *didache* (teaching) used by Paul in Romans 6:17 was translated into Latin as *doctrina* and from there into English as doctrine. Thus, the Authorised Version’s translation of Romans 6:17 talks about ‘that form of doctrine’ to which the Romans were committed. This linguistic development meant that doctrine came to be used in English to refer to the understanding of the apostolic teaching held by the Christian Church as a whole, or by particular churches, and this is what the word doctrine is still used to mean today.

### 3. Where the doctrine of the Church of England can be found?

3.1. When we talk about 'the doctrine of the Church of England' what we mean is therefore the understanding of the apostolic teaching that is held by the Church of England. If we ask where we can find this understanding the answer is given in Canons A5 and C15 of the Church of England's code of Canon Law.

3.2. Canon A5 declares

*The doctrine of the Church of England is grounded in the Holy Scriptures, and in such teaching of the ancient Fathers and Councils of the Church as are agreeable to the said Scriptures.*

*In particular such doctrine is to be found in the Thirty-nine Articles of Religion, the Book of Common Prayer, and the Ordinal.*

3.3. Canon C 15 states that the Church of England:

*... professes the faith uniquely revealed in the Holy Scriptures and set forth in the catholic creeds, which faith the church is called upon to proclaim afresh in each generation. Led by the Holy Spirit, it has borne witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, the Book of Common Prayer and the Ordering of Bishops, Priests and Deacons.*

3.4. These two Canons give a threefold answer to the question of where the doctrine of the Church of England can be found. They tell us that if we want to know how the Church of England understands the apostolic teaching, we need to consult three authorities, the Holy Scriptures, the teachings produced in the early centuries of the Church's existence by the Fathers and Councils of the Church and summarised in the Catholic Creeds, and the Church of England's three 'historic formularies,' *The Thirty-Nine Articles*, *The 1662 Book of Common Prayer* and the *1662 Ordinal* ('the Ordering of Bishops, Priests and Deacons').

3.5. If we look carefully at what is said in these two Canons, we find that these three authorities do not possess the same level of authority. The primary authority is the Holy Scriptures, in which the apostolic faith is 'uniquely revealed,' the secondary authority is the teaching of the Fathers, the Councils and the Creeds which is based on the teaching of Scripture, and the tertiary authority is the witness of the historic formularies which is based on the teaching of Scripture and of the Fathers, the Councils and the Creeds.

3.6. However, Canon A5 also says that the doctrine of the Church of England is to be found 'in particular' in the historic formularies. The point that is being made in very condensed fashion in these two words is that although the material contained in the historic formularies is based on the teaching of Scripture and the Fathers, the Church of England also holds that this material provides a correct interpretation of the teaching found in these two sources. This being the case, if there is a dispute about how to understand the teaching of Scripture and Fathers (as there is at present over the issue of marriage) then the material contained in the historic formularies determines for those in the Church of England how this teaching is to be understood.

3.7. A good comparison would be the position attached by the Western Church as a whole to the Apostles, Nicene and Athanasian Creeds and the Chalcedonian Confession. If we want to know

who God is and how to understand who Jesus Christ is, the basic source of our knowledge is Scripture. However, we need to interpret Scripture properly on these matters and a reliable guide to how to do this is provided by the Creeds and the Chalcedonian Confession. These sources have less authority than Scripture, but these sources show us how to read Scripture properly and, in that way, define the Church's doctrine of God and of the person of Christ. #

- 3.8. In a similar fashion the historic formularies of the Church of England have less authority than Scripture and the Fathers, but they show us how to read Scripture and the Fathers properly and as such are determinative for the Church of England's doctrine.

## **4. The Church of England's doctrine of marriage**

- 4.1. When looking at what the historic formularies have to say about marriage we can set aside the 1662 Ordinal. Because it is a collection of ordination services, the *Ordinal* says nothing about marriage.

- 4.2. There is, however, material about marriage in the other two formularies.

### **4.3. The doctrine of marriage in the *Thirty-Nine Articles***

- 4.3.1. There are three articles in *Thirty Nine Articles* that contain doctrine relating to marriage.

- 4.3.2. Article XIV 'Of Works of Supererogation' rejects 'voluntary works besides, over, and above God's Commandments, which they call works of Supererogation.' This is relevant to marriage because in the medieval scholastic interpretation of the patristic tradition addressed by this article voluntary abstinence from marriage was one of these works of supererogation. It was viewed as a spiritual state higher than marriage and was held to acquire additional spiritual merit from God. Article XIV rejects this way of thinking on the grounds that is impossible to earn additional merit by voluntarily doing more than God commands. In the view of the English Reformers marriage and celibacy had equal value as ways of life to which people might be called by God and there was no additional merit to be earned by living in one state rather than the other.

- 4.3.3. Article XXXII, 'Of the Marriage of Priests,' builds on Article XIV by insisting that marriage and celibacy are both equally permissible for the clergy. Rejecting the Western medieval tradition of compulsory clerical celibacy, it declares that:

Bishops, Priests, and Deacons are not commanded by God's laws either to vow the estate of single life or to abstain from marriage. Therefore, it is lawful also for them, as for all other Christian men, to marry at their own discretion, as they shall judge the same to serve better to godliness.

- 4.3.4. Although neither of these articles declares that marriage is preferable to celibacy, the dissolution of the English monasteries in the 1530s and the abolition of the requirement for clerical celibacy meant in practice that until the revival of religious communities from 1841 onwards it became very rare for people in the Church of England to deliberately embrace a vocation to celibacy. There were plenty of individuals, who were not married, but this was generally a matter of circumstance and there was no recognised communal structure for the unmarried life.

- 4.3.5. Following the revival of religious communities, a vocation to the celibate life has come to be recognised as a normal and valued part of the life of the Church of England alongside marriage, with marriage bearing witness to God's purpose in creation and celibacy bearing witness to God's coming kingdom where 'they neither marry nor are given in marriage' (Matthew 22:30).
- 4.3.6. Article XXV rejects the seven sacraments formula, as developed by Peter Lombard and classically presented by Thomas Aquinas, in which the sacraments are accounted for in terms of the pastoral needs of the 'seven ages' of human life (baptism at birth, confirmation at puberty and so on), a way of conceiving the sacraments into which marriage fitted quite nicely.
- 4.3.7. Instead, it restricts the 'Sacraments of the Gospel' to the two rites of Baptism and the Lord's Supper that were ordained by Christ himself and therefore, despite the use of *sacramentum* in the Vulgate translation of Ephesians 5:31, it says that marriage should not be seen as an additional sacrament alongside these two. It describes matrimony instead as 'one of the states of life allowed in the Scriptures.' As the word *probat* used in the Latin version of the article indicates, the word 'allowed' means 'approved.' In the view of the article marriage (like ordination) is a state of life approved by God, but it is still not a sacrament because it does not have 'any visible sign or ceremony ordained of God' in the same way that Baptism has the sign of the application of water in the name of the Trinity and the Lord's Supper has the eating and drinking of bread and wine.

#### 4.4. **The doctrine of marriage in the *Book of Common Prayer***

- 4.4.1. The service for the 'solemnization of matrimony' in the 1662 *Book of Common Prayer* is based on the marriage services in the English Prayer Books of 1549 and 1552, which in turn drew extensively on the marriage rites of the pre-Reformation English Church.
- 4.4.2. Solemnization means marking something with a formal ceremony and the form of service for the 'solemnization of matrimony' in the Book of Common Prayer is a formal Church rite to mark the entry of a man and a woman into matrimony (or marriage, for the terms holy matrimony, matrimony marriage and holy wedlock are used as synonyms).
- 4.4.3. The rite begins by stating positively the status of marriage given that it is no longer to be regarded as a sacrament, declaring that marriage is:

*An honourable estate instituted by God in the time of man's innocency, signifying unto us the mystical union that is betwixt Christ and his Church: which holy estate Christ adorned and beautified with his presence, and the first miracle that he wrought, in Cana of Galilee; and is commended of St. Paul to be honourable among all men.*

- 4.4.4. The words 'in the time of man's innocency' are intended to counter any idea that marriage is a second-class way of life brought in by God simply as a way of harnessing people's undisciplined sexual appetites after the fall. On the contrary, the service says, marriage is something that is 'honourable' and 'holy.'
- 4.4.5. This is for four reasons given to us in Scripture.
- 4.4.5.1. First, as Genesis 1 and 2 tell us, marriage is an ordinance of God in creation and therefore shares in creation's original goodness. Like everything else created by God it is 'very good.'

- 4.4.5.2. Secondly, as Ephesians 5:32 tells us, marriage is a God given sign pointing us to the relationship between Christ and His people.
- 4.4.5.3. Thirdly, as John 2:1-12 tells us, Christ gave his own stamp of approval to marriage when he attended a marriage at Cana in Galilee and made it the occasion of his first miracle. Christ may not have instituted marriage as a sacrament, but he dignified it by his presence and action at Cana.
- 4.4.5.4. Fourthly, as Hebrews 13:4 (here attributed to Paul) says, marriage is therefore something that should be held in honour by everyone.
- 4.4.6. The service then goes on to warn that because marriage is honourable and holy it is therefore:
- ... not by any to be enterprised, nor taken in hand, unadvisedly, lightly, or wantonly, to satisfy men's carnal lusts and appetites, like brute beasts that have no understanding; but reverently, discreetly, advisedly, soberly, and in the fear of God; duly considering the causes for which Matrimony was ordained.*
- 4.4.7. The service lists three causes for which marriage was ordained:
- 4.4.7.1. First, It was ordained for the procreation of children, to be brought up in the fear and nurture of the Lord, and to the praise of his holy Name.
- 4.4.7.2. Secondly, It was ordained for a remedy against sin, and to avoid fornication; that such persons as have not the gift of continency might marry, and keep themselves undefiled members of Christ's body.
- 4.4.7.3. Thirdly, It was ordained for the mutual society, help, and comfort, that the one ought to have of the other, both in prosperity and adversity.
- 4.4.8. These three causes are Archbishop Thomas Cranmer's re-working of the traditional medieval list of the three 'goods' of marriage. This list goes back to Augustine's reading of Scripture in his treatise *On the Good of Marriage*<sup>2</sup> and in line with the commitment of the English Reformers to Scripture as God's written word and therefore the supreme theological authority for the Church,<sup>3</sup> Cranmer's re-working of this traditional list of the causes for marriage is likewise based on biblical teaching.
- 4.4.9. The first of these causes links Gods command to his human creatures 'be fruitful and multiply' in Genesis 1:28 to the building up of the Christian community in accordance with the promise of numerous godly descendants made by God to Abraham in Genesis 12:2-3.
- 4.4.10. As the homily 'Of the State of Matrimony' in the *Second Book of Homilies* puts it, marriage was ordained:

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<sup>2</sup> Augustine, *On the Good of Marriage*, in *The Nicene and Post Nicene Fathers*, First Series, Vol.III (Edinburgh and Grand Rapids: T&T Clark/ Eerdmans, 1998), pp. 399-413.

<sup>3</sup> For this see Martin Davie 'The role of Scripture in the Anglican formularies' in C Hill, M Kaiser, L Nathaniel and C Schwöbel (eds.), *Communion Already Shared and Further Steps – 20 Years After the Meissen Declaration* (Frankfurt am Main: Verlag Otto Lembeck, 2010), 331-358.

... that the Church of God and his kingdom, might by this kind of life, be conserved and enlarged, not only in that God giveth children, by his blessing, but also, in that they be brought up by the parents godly, in the knowledge of God's word; that thus the knowledge of God, and true religion, might be delivered in succession, from one to another, that finally, many might enjoy that everlasting immortality.<sup>4</sup>

4.4.11. From an Anglican perspective this means that procreation is an integral part of marriage, and the normal expectation is that a married couple who are able to do so will have choose to have children. A married couple that chose not to have children when they were able to do so would need to have a good reason for their decision not to fulfil this aspect of the purpose of marriage. However, since the Lambeth Conference of 1930 the Church of England, like the Anglican tradition as a whole, has accepted that it may be a legitimate Christian choice to use artificial contraception where 'there is...a clearly felt moral obligation to limit or avoid parenthood, and where there is a morally sound reason for avoiding complete abstinence.'<sup>5</sup>

4.4.12. The second cause links the teaching of St. Paul in 1 Corinthians 7:2 and 7:8-9 about marriage as a remedy for the temptation to sexual immorality with his teaching in 1 Corinthians 6 about the sexual purity required of the members of body of Christ. As the homily 'Of the State of Matrimony' puts it, marriage bridles 'the corrupt inclinations of the flesh, within the limits of honesty; for God hath strictly forbidden all whoredom and uncleanness.'<sup>6</sup>

4.4.13. The phrase 'remedy against sin' used in this second cause is an English translation of the Latin phrase '*remedium peccati*' which goes back to Augustine. Augustine saw marriage as a remedy against sin because its good of faithfulness (*fides*) turned the roaming disorders of excessive sexual appetite into a settled and exclusive attraction and because the link in marriage between sexual activity and the procreation of children (with the consequent responsibilities and constraints of parenthood) meant that 'carnal or youthful incontinence, which is admittedly a defect, is applied to the honourable task of begetting children, and so intercourse within marriage engenders something good from the evil of lust.'<sup>7</sup> Cranmer and the other English Reformers, on the other hand, had a different focus. For them the problem for which marriage was a remedy was sexual activity outside marriage ('whoredom or uncleanness') rather than excessive sexual desire within it.

4.4.14. The view held by the English reformers, as also by the Church as a whole from New Testament times, was that all forms of sexual intercourse outside marriage (including what we now call same-sex sexual intimacy) were abominable sins forbidden by the seventh commandment. Thus, the homily 'Against whoredom and uncleanness' declares:

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<sup>4</sup> 'An Homily of the State of Matrimony' in *The Homilies* (Bishopstone: The Brynmill Press/Preservation Press, 2006), p.363. *The First and Second Books of Homilies* were collections of authorised sermons produced by the Church of England during the reigns of Edward VI and Elizabeth I to give teaching on key issues of Christian faith and behaviour. They provide an authorised commentary on the teaching given in the Articles and the Prayer Book.

<sup>5</sup> Lambeth Conference 1930, Resolution 15, in R Coleman (ed), *Resolutions of the Lambeth Conferences, 1867-1988* (Toronto: Anglican Book Centre, 1992), p. 72.

<sup>6</sup> 'An Homily on the State of Matrimony,' p.363.

<sup>7</sup> Augustine, *On the Good of Marriage* 3, in Patrick Walsh (ed), *Augustine: De bono coniugali, De sancta virginitate* (Oxford: OUP, 2001), p.7.

*And that ye may perceive, that fornication and whoredom, are in the sight of God, most abominable sins, ye shall call to remembrance, this commandment of God, Thou shalt not commit adultery. By the which word adultery, though it be properly understood of the unlawful commixtion (or joining together), of a married man with any woman beside his wife, or of a wife, with any man beside her husband: yet thereby is signified also, all unlawful use of those parts which be ordained for generation. And this one commandment forbidding adultery, doth sufficiently paint and set forth before our eyes, the greatness of this sin of whoredom, and manifestly declareth how greatly, it ought to be abhorred, of all honest and faithful persons.<sup>8</sup>*

- 4.4.15. It is this conviction that underlies what is said about the second cause of marriage. Marriage, and marriage alone, provides the setting within which people may engage in sexual activity in a godly way that does not breach the seventh commandment and by so doing 'keep themselves undefiled members of Christ's body.'
- 4.4.16. The third cause links together the teaching of Genesis 2:18-25 about the origins of marriage and the teaching about the nature of the marriage among Christians by Paul in Colossians 3:18-19 and Ephesians 5:21-33 and by Peter in 1 Peter 3:1-7. To quote the homily again, it depicts marriage as 'perpetually friendly fellowship'<sup>9</sup> between a husband and wife.
- 4.4.17. Consideration of the fact that marriage was ordained by God himself for these three causes reinforces the need for marriage not to be undertaken 'unadvisedly, lightly, or wantonly.' They mean that marriage is not simply a matter of engaging in sexual activity 'like brute beasts that have no understanding,' but a serious Christian vocation that is just as spiritually demanding in its own way as the vocation to celibacy and is therefore to be undertaken 'reverently, discreetly, advisedly, soberly, and in the fear of God.'
- 4.4.18. It should be noted that it is not that Cranmer disapproves of animal instincts in animals. Cranmer's point is rather that marriage is a thoroughly human activity and as such to be woven in with the considered thoughts and plans for life in obedience to God which are proper to human beings.
- 4.4.19. Further important details about the understanding of marriage in *The Book of Common Prayer* are provided by the part of the marriage service in which the marriage itself takes place.
- 4.4.20. This part of the service begins with a warning by the minister taking the service that if either party to the marriage knows of any impediment to it, they should confess it because 'so many as are coupled together otherwise than God's word doth allow are not joined together by God; neither is their Matrimony lawful.'
- 4.4.21. After this a chance is given for any potential impediment to the marriage to be alleged and investigated and if no impediment is alleged then two sets of promises follow.
- 4.4.22. In the first set the man answers 'I will' to the question:

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<sup>8</sup> A sermon against whoredom and uncleanness in *The Homilies*, pp. 88-89.

<sup>9</sup> 'An Homily on the State of Matrimony,' p.363.

*Wilt thou have this woman to thy wedded wife, to live together after God's ordinance in the holy estate of Matrimony? Wilt thou love her, comfort her, honour, and keep her, in sickness and in health; and, forsaking all other, keep thee only unto her, so long as ye both shall live?*

4.4.23. The woman likewise answers 'I will' to the question:

*Wilt thou have this man to thy wedded husband, to live together after God's ordinance in the holy estate of Matrimony? Wilt thou obey him, and serve him, love, honour, and keep him, in sickness and in health; and, forsaking all other, keep thee only unto him, so long as ye both shall live?*

4.4.24. In the second set the man and woman declare in turn:

*I N. take thee N. to my wedded wife, to have and to hold from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love and to cherish, till death us do part, according to God's holy ordinance; and thereto I plight thee my troth.*

*I N. take thee N. to my wedded husband, to have and to hold from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love, cherish, and to obey, till death us do part, according to God's holy ordinance; and thereto I give thee my troth.*

4.4.25. The man next places a ring on the woman's left hand with the words: 'With this ring I thee wed, with my body I thee worship, and with all my worldly goods I thee endow: In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.'

4.4.26. The minister then prays:

*O eternal God, Creator and Preserver of all mankind, Giver of all spiritual grace, the Author of everlasting life: Send thy blessing upon these thy servants, this man and this woman, whom we bless in thy Name; that, as Isaac and Rebecca lived faithfully together, so these persons may surely perform and keep the vow and covenant betwixt them made, (whereof this ring given and received is a token and pledge,) and may ever remain in perfect love and peace together, and live according to thy laws; through Jesus Christ our Lord. Amen.*

4.4.27. He then joins their right hands together and says:

*Those whom God hath joined together let no man put asunder.*

4.4.28. After that he tells the congregation:

*Forasmuch as N. and N. have consented together in holy wedlock, and have witnessed the same before God and this company, and thereto have given and pledged their troth either to other, and have declared the same by giving and receiving of a ring, and by joining of hands; I pronounce that they be man and wife together, In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.*

4.4.29. Finally, he pronounces a further blessing on the newly married couple:

*God the Father, God the Son, God the Holy Ghost, bless, preserve, and keep you; the Lord mercifully with his favour look upon you, and so fill you with all spiritual benediction and grace,*

*that ye may so live together in this life, that in the world to come ye may have life everlasting.  
Amen.*

4.4.30. After this the service concludes with the recitation of Psalms 128 or 67, prayers, a concluding blessing and either a sermon or a reading of the teaching on marriage from Ephesians 5, Colossians 3 and 1 Peter 3.

4.4.31. An examination of this part of the marriage service reveals seven key points concerning marriage.

- The opening prayer by the minister holds together creation and grace. Cranmer and the other English Reformers did not see marriage as a sacrament, but they did not see it as a purely secular matter, but as a means of grace through which people might receive God's blessing.
- Although in the sixteenth century a church service was not regarded as a necessary part of marriage,<sup>10</sup> the *Book of Common Prayer* is clear that a wedding is a religious ceremony which is undertaken before God and God's people and blessed in God's name.
- For a marriage to be valid and lawful (under the laws of both Church and state) it cannot take place in any way that is not permitted by Scripture, 'other than God's word doth allow'. That is why the *Book of Common Prayer* contains a table of 'kindred and affinity' listing those relationships that are an impediment to marriage according to Leviticus 18:6-18 and 20:17-21.
- A marriage is a covenant freely entered into by one man and one woman, enacted by a mutual exchange of promises and the giving and receiving of a ring. It is 'vow and covenant betwixt them made' that makes them man and wife. When the minister says 'I pronounce that they be man and wife together' this is the public announcement of an existing reality not the creation of a new one.
- The character of the covenant that a husband and wife have entered into is a commitment to a life-long exclusive relationship of mutual love between one man and one woman.
- The fact that the bride promises to obey her husband is an indication that the teaching of Ephesians 5:22-24, Colossians 3:18 and 1 Peter 3:1-6, about wives submitting to their husbands is seen as still applicable to Christian marriage in subsequent times and not just in the first century.<sup>11</sup> However, this does not justify a husband exercising arbitrary or tyrannical authority over his wife. Rather, to quote the homily 'Of Matrimony' once again, the husband 'ought to be the leader and author of love, in cherishing and increasing

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<sup>10</sup> See *An Honourable Estate*, London: CHP, 1988 pp.20-21 and more generally Lawrence Stone *The Family, Sex and marriage in England 1500-1800*, Harmondsworth: Penguin, 1979.

<sup>11</sup> This point is also made clear in the exhortation to the newly married couple provided for use at the end of a service where there is no sermon. This exhortation instructs the wife to obey her husband on the basis of the teaching of Ephesians, Colossians and 1 Peter

concord'<sup>12</sup> thus fulfilling the apostle's exhortation 'husbands, love your wives as Christ loved the church and gave himself up for her' (Ephesians 5:25).

- The use of the words 'those whom God hath joined together let no man put asunder' taken from Matthew 19:6/Mark 10:9 acts as a solemn warning about the sanctity and therefore permanence of marriage, making clear that human beings should not break apart through divorce those whom God has joined together in marriage.

4.4.32. A final point that is worth noting is that the rubric at the end of the marriage service states that 'it is convenient that the new-married persons should receive the Holy Communion at the time of their Marriage, or at the first opportunity after their Marriage.' This rubric once again underlines the specifically Christian character of the form of marriage envisaged in the marriage service of the *Book of Common Prayer*. The vision is of a newly married couple entering as a couple into the life of the Christian community and symbolizing this by receiving Holy Communion together at the first opportunity.

## 5. Canon B 30

5.1. Canon B.30 of the *Canons of the Church of England*, 'Of Holy Matrimony,' was promulgated in 1969. Like the other Canons, it sets the legal parameters for the corporate life of the Church of England. In this connection it consciously and deliberately underlines the doctrine of marriage contained in the marriage service in the *Book of Common Prayer*.

5.2. The Canon specifically affirms that the Church of England's understanding of marriage is set forth in the *Book of Common Prayer* Marriage Service:

*The teaching of our Lord affirmed by the Church of England is expressed and maintained in the Form of Solemnization of Matrimony contained in The Book of Common Prayer.*<sup>13</sup>

5.3. The Canon also summarises the teaching on marriage of the *Book of Common Prayer* and deliberately echoes its language. It declares:

*The Church of England affirms, according to our Lord's teaching, that marriage is in its nature a union permanent and lifelong, for better for worse, till death them do part, of one man with one woman, to the exclusion of all others on either side, for the procreation and nurture of children, for the hallowing and right direction of the natural instincts and affections, and for the mutual society, help and comfort which the one ought to have of the other, both in prosperity and adversity.*<sup>14</sup>

5.4. 'Our Lord's teaching' referred to here, is the teaching of Jesus about marriage in Matthew 19:3-12 and Mark 10:2-12 (which in turn refers to the creation narratives in Genesis 1 and 2). The reference to marriage being 'in its nature a union permanent and lifelong' is an addition to the language of the Prayer Book and was intended to underscore the permanent nature of marriage at a time when this was felt to be under threat in British society. The words 'in its nature'

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<sup>12</sup> 'An Homily on the State of Matrimony,' p.365.

<sup>13</sup> Canon B30.2

<sup>14</sup> Canon B30.1

indicate that permanence is an essential feature of marriage as a created ordinance and therefore something that applies to all marriages, in contrast to the Augustinian and medieval view that permanence is a feature only of sacramental, that is Christian, marriages.

- 5.5. Building on this last point it is important to recognise that the term 'Holy Matrimony' in the title of the Canon, which is taken from the language of the Prayer Book, does not refer to a specific Church of England type of marriage which is different from other marriages. There is not 'holy matrimony' as opposed to 'unholy matrimony.' In this Canon, as in the theology of the Church of England in general, there is only one type of marriage which is the form of marriage affirmed by Jesus outlined in the Prayer Book marriage service, referred to in the marriage service and summarised in the Canon.
- 5.6. The words 'for the hallowing and right direction of the natural instincts and affections' (which are taken from the marriage service in the 1928 Prayer Book) are the Canon's gloss on the second cause of matrimony in the *Book of Common Prayer*. The point made by this gloss is that marriage allows natural human instincts and affections (including the natural human desire for a sexual relationship) to find expression in a way that is holy and that is accord with the way that God has created his human creatures to live. The Canon expresses this point in a positive way, but by implication it highlights the truth made explicitly in the *Book of Common Prayer* and the *Homilies* that that the expression of human desires and instincts outside of marriage can be unholy and not in accordance with God's will (as in the case of sexual activity outside marriage).

## 6. More recent material on the nature of marriage

- 6.1. More recent Church of England material on the nature of marriage can be found in a motion passed by General Synod in 1987, in the 1991 House of Bishops report *Issues in Human Sexuality*, in the 1999 House of Bishops teaching document *Marriage*. in the *Common Worship* marriage service authorised in 2000, in the House of Bishops Pastoral Guidance on Civil Partnerships issued in 2005, in the 2013 Faith and Order Commission report *Men and Women in Marriage* and in the House of Bishops Pastoral Guidance on opposite sex Civil Partnerships issued in 2019.
- 6.2. We shall look at each of these documents in turn to see how they reflect the doctrine contained in the marriage service in the *Book of Common Prayer* and summarised in Canon B.30.

### 6.2.1. The 1987 General Synod motion

6.2.1.1. This motion (the 'Higton motion') was passed by General Synod in 1987 by 403 votes to 8 at the end of a debate initiated by the Revd Tony Higton in response to growing dissatisfaction amongst many within the Church, especially but not only Evangelicals, at what was felt to be a growing acceptance of same-sex relationships by the Church of England's Board for Social Responsibility and by some of the bishops.

6.2.1.2. The motion runs as follows:

*This Synod affirms that the biblical and traditional teaching on chastity and fidelity in personal relationships is a response to, and expression of, God's love for each one of us, and in particular affirms;*

- (1) *that sexual intercourse is an act of total commitment which belongs properly within a permanent married relationship.*
- (2) *that fornication and adultery are sins against this ideal, and are to be met by a call to repentance and the exercise of compassion.*
- (3) *that homosexual genital acts also fall short of this ideal, and are likewise to be met with a call to repentance and the exercise of compassion.*
- (4) *that all Christians are called to be exemplary in all spheres of morality, and that holiness of life is particularly required of Christian leaders.*<sup>15</sup>

6.2.1.3. Point (1) of the motion stresses in line with the *Book of Common Prayer* and the *Homilies* that the sole proper place for sexual intercourse is within marriage (which in the 1987 context means marriage between a man and a woman).

6.2.1.4. Points (2)–(4) then list the implications of this first point in relation to fornication and adultery between people of the opposite sex and sexual activity between people of the same sex and in relation to the standard of conduct required of Christians in general and Christian leaders in particular. This last point echoes the emphasis in the 1662 *Ordinal* on the need for clergy to be ‘wholesome patterns and examples to the flock of Christ.’

## 6.2.2. Issues in Human Sexuality

6.2.2.1. The House of Bishops’ 1991 statement *Issues in Human Sexuality* was a response to the call in Resolution 64 of the 1988 Lambeth Conference for ‘a deep and dispassionate study of the question of homosexuality’ as well as ‘our reflection on the pastoral situation we face in our own Church and society.’<sup>16</sup>

6.2.2.2. At the end of its study of the biblical material relating to human sexuality the statement summarises its findings by declaring that in Scripture there is:

*... an evolving convergence on the ideal of a lifelong, monogamous, heterosexual union as the setting intended by God for the proper development of men and women as sexual beings. Sexual activity of any kind outside marriage comes to be seen as sinful, and homosexual practice as especially dishonourable. It is also recognised that God may call some to celibacy for particular service to his cause. Only by living within these boundaries are Christians to achieve that holiness which is pleasing to God.*<sup>17</sup>

6.2.2.3. The statement then goes on to make a number of further points concerning marriage.

6.2.2.4. It declares that:

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<sup>15</sup> The Church of England, *General Synod Paper of Proceedings*, Vol.18 No.3 (London: CHP, 1987) pp.955-956.

<sup>16</sup> The House of Bishops, *Issues in Human Sexuality* (London: Church House publishing, 1991), p.vii.

<sup>17</sup> *Issues in Human sexuality*, p.18.

*Christian teaching about marriage offers something much better than what it is commonly taken to be, namely a regulation which simply condemns those who break it. It offers two things: first, guidance, based on God's revelation in Scripture and Christian experience, as to the way of life within which full physical expression of out sexuality can best contribute to our own maturity and sanctification and that of others; and secondly, a direction in which other sexual relationships can and should move, if they are to serve more effectually the true fulfilment of those concerned.*<sup>18</sup>

6.2.2.5. It then goes on to say in line with the teaching of Paul in Ephesians 5:21-32 that:

*A true marriage reflects Christ's own love for us all. He too gave himself to others, 'for better for worse, till death.' In it we learn to break down our pride and self-concern, to be open to our partner as he or she really is, to treasure what is good and to forgive faults, to sacrifice ourselves for the sake of the other, to be loyal whatever the price. In these ways marriage becomes a means of grace, making us more like Christ both in ourselves and in our dealings with the world around us.*

6.2.2.6. It further adds that:

*A married couple are not simply to serve each other but to stand side by side in the service of the world; and it is the strength of their many dimensioned partnership which will make them more effective means of grace together than they could have been apart.*<sup>19</sup>

6.2.2.7. In addition, the statement says that it is the 'marriage committed to loving stability which alone can provide the best home for our children.'<sup>20</sup>

6.2.2.8. 'For all these positive reasons,' it declares, 'God's perfect will for married people is chastity before marriage, and then a lifelong relationship of fidelity and mutual sharing at all levels.'<sup>21</sup>

6.2.2.9. *Issues* says that those who have what it calls a 'homophile' [i.e. homosexual] orientation and who are 'conscientiously convinced that the way of abstinence is not for them' should not be rejected by the Church but should be offered 'friendship and understanding.'<sup>22</sup>

6.2.2.10. However, in line with the 1987 Synod motion (and behind that the 1662 *Ordinal*) it also goes on to say that:

*... in our considered judgement the clergy cannot claim the liberty to enter into sexually active homophile relationships. Because of the distinctive nature of their calling, status and consecration, to allow such a claim of their part would be seen as placing that way of life in all respects on a par with heterosexual marriage as a reflection of God's purposes in creation. The Church cannot accept such a parity and remain faithful to the insights*

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<sup>18</sup> *Issues in Human Sexuality*, p. 20.

<sup>19</sup> *Issues in Human Sexuality*, p.21.

<sup>20</sup> *Issues in Human Sexuality*, p.21

<sup>21</sup> *Issues in Human Sexuality*, p.22.

<sup>22</sup> *Issues in Human Sexuality*, p.41.

*which God has given it through Scripture, tradition and reasoned reflection on experience.*<sup>23</sup>

### **6.3. The House of Bishops teaching document *Marriage***

6.3.1. The 1999 House of Bishops teaching document *Marriage* was a reaffirmation of the Church of England's teaching on marriage on the eve of the new millennium which was intended to be used 'as a stimulus to commend the gift of marriage to people in our land, and as a basis for teaching in our parishes'<sup>24</sup>

6.3.2. Echoing Canon B.30 the document reiterates that the three traditional causes of marriage are:

*... the procreation and nurture of children, the hallowing and right direction of natural instincts and affections, and the mutual society, help and comfort which each affords the other in prosperity and adversity.*<sup>25</sup>

6.3.3. Like Canon B.30 *Marriage* talks in general terms about the 'natural instincts and affections' and how marriage enables them to be hallowed and given right direction. However, it also talks specifically about sexual activity, declaring that 'Sexual intercourse, as an expression of faithful intimacy, properly belongs within marriage exclusively.'<sup>26</sup>

6.3.4. The big emphasis within the document is, however, not on the traditional causes of marriage, but on marriage as a place in which people can learn to love and thus to reflect the love that exists within God Himself.

6.3.5. Addressing the question 'Why is marriage important?' the document declares:

*God is love (1 John 4.16), and in creating human beings he has called us to love, both himself and one another. The love of God the Father for his Son is the ground of all human love, and through the Holy Spirit we may dwell in that love, which the Son has shown to us (John 15.9). Marriage is a pattern that God has given in creation, deeply rooted in our social instincts, through which a man and a woman may learn love together over the course of their lives. We marry not only because we love, but to be helped to love. Without the practice and disciplines of marriage, our love will be exhausted and fail us, perhaps very harmfully to ourselves and others. When publicly and lawfully we enter into marriage, we commit ourselves to live and grow together in this love.*<sup>27</sup>

6.3.6. Although acknowledging that marriage is 'not the only pattern that is given us for a life of love' it is nonetheless an important one because:

*Through marriage each of the partners grows in maturity, and is helped to overcome personal failings and inadequacies. It is a school of patience and forgiveness. By it a new unit of society*

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<sup>23</sup> *Issues in Human Sexuality*, p.45.

<sup>24</sup> The House of Bishops, *Marriage* (London: CHP, 1999), p.5.

<sup>25</sup> *Marriage*, p.8

<sup>26</sup> *Marriage*, 8.

<sup>27</sup> *Marriage*, p.7

*is created: a couple, stronger than the sum of its members, held together by the bond of domestic friendship. Together the couple can extend love to other people: to their own children, in the first instance, who belong naturally within their domestic circle; and not only to them, but to many others who interact with them in a variety of ways. Their love enables them to make a strong contribution to society so that the weakening of marriage has serious implications for the mutual belonging and care that is exercised within the community at large.*<sup>28</sup>

6.3.7. The first sentence of this quotation combines the contemporary emphasis on personal growth with a reworking of the traditional teaching that marriage is a 'remedy against sin', but with sin being seen here not in terms of sexual sin specifically, but more broadly in terms of 'personal failings and inadequacies'. Like *Issues* this material also places emphasis on the social dimension of marriage, seeing it as a foundation for showing love to those in their family circle and to those in wider society.

6.3.8. The document also acknowledges that the marriages of non-Christians are 'as real' as those of Christians, but it nevertheless argues that Christian marriage is distinctive because it is based on a better understanding of what marriage involves:

*... it is important that those who marry know the full extent of what they are doing. And Christians believe that that requires an understanding of the love that God has shown mankind in Christ, a love which marriage is called to reflect. Those who understand God's love to them will understand their own love as a part of God's work in the world, and will be better equipped for what they undertake.*<sup>29</sup>

## **6.4. Common Worship**

6.4.1. Although the *Book of Common Prayer* marriage service remains the foundational liturgical text for the Church of England with regard to marriage, a number of different forms of the marriage service have also been produced by the Church of England since the 1920s.

6.4.2. These have been the marriage service in the 1928 Prayer Book and the *Series 1* marriage service of 1966, both of which adhered fairly closely to the language and content of the marriage service in the *Book of Common Prayer* and the *Series 3* marriage service of 1977, the marriage service in the *Alternative Service Book* of 1980 and, most recently, the *Common Worship* marriage service of 2000, which have been much more distinct from the Prayer Book service.

6.4.3. The *Common Worship* Marriage Service is the service that is now normally used in the Church of England. The overall shape of the service is the same as that of the service in the *Book of Common Prayer*. However, there are significant differences both in the description of marriage in the prefaces to the service and also in the promises that are made.

6.4.4. There are two prefaces to the *Common Worship* marriage service. The standard preface states:

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<sup>28</sup> *Marriage*, p.7- 8

<sup>29</sup> *Marriage*, p.12.

*Marriage is a gift of God in creation through which husband and wife may know the grace of God. It is given that as man and woman grow together in love and trust, they shall be united with one another in heart, body and mind, as Christ is united with his bride, the Church.*

*The gift of marriage brings husband and wife together, in the delight and tenderness of sexual union and joyful commitment to the end of their lives. It is given as the foundation of family life in which children are [born and] nurtured and in which each member of the family, in good times and in bad, may find strength, companionship and comfort, and grow to maturity in love.*

*Marriage is a way of life made holy by God, and blessed by the presence of our Lord Jesus Christ with those celebrating a wedding at Cana in Galilee.*

*Marriage is a sign of unity and loyalty which all should uphold and honour. It enriches society and strengthens community. No one should enter into it lightly or selfishly, but reverently and responsibly in the sight of almighty God.*

6.4.5. The alternative preface declares:

*We have come together in the presence of God, to witness the marriage of N and N, to ask his blessing on them, and to share in their joy. Our Lord Jesus Christ was himself a guest at a wedding in Cana of Galilee, and through his Spirit he is with us now.*

*The Bible teaches us that marriage is a gift of God in creation and a means of his grace, a holy mystery in which man and woman become one flesh. It is God's purpose that, as husband and wife give themselves to each other in love throughout their lives, they shall be united in that love as Christ is united with his Church.*

*Marriage is given, that husband and wife may comfort and help each other, living faithfully together in need and in plenty, in sorrow and in joy. It is given, that with delight and tenderness they may know each other in love, and, through the joy of their bodily union, may strengthen the union of their hearts and lives. It is given as the foundation of family life in which children may be born and nurtured in accordance with God's will, to his praise and glory.*

*In marriage husband and wife belong to one another, and they begin a new life together in the community. It is a way of life that all should honour; and it must not be undertaken carelessly, lightly, or selfishly, but reverently, responsibly, and after serious thought.*

6.4.6. Both these prefaces agree with the *Book of Common Prayer* and with each other in understanding marriage in the light of Genesis 1 and 2, John 2 and Ephesians 5:21-33, and in seeing it as a state of life created and hallowed by God, which consists of a life-long union of love between a man and a woman and which is to be entered into reverently and responsibly before God .

6.4.7. However, they also differ from the *Book of Common Prayer* in the following ways:

- 6.4.7.1. They are silent about marriage as a remedy against sin and instead have a positive focus on the ways in which marriage enables husbands and wives to know the grace of God and to grow together before God in a union of love, the role of marriage as the foundation of family life and the way in which marriage 'enriches society and strengthens community.'

6.4.7.2. Both omit a reference to 'brute beasts' and 'carnal lusts' and both have explicit references to sexual relations as a positive part of marriage.

6.4.7.3. While the *Book of Common Prayer* follows Augustine as seeing procreation as the first cause of marriage, these prefaces begin with the relationship between husband wife and then go on to focus on marriage as the foundation of family life.

This change in order is because the numbering of the causes of marriage in the *Book of Common Prayer* could be seen to indicate that procreation is the most important aspect of marriage whereas *Common Worship* wants to depict the relationship of love between the married couple as the key aspect of marriage.

For Augustine the three goods of marriage correspond to the body, the soul and the spirit, with the first good being the least important one, an understanding which was shared by the writers of the *Book of Common Prayer* , but by the twentieth century this point had been forgotten with procreation as the first good coming to be seen as the most important. The *Common Worship* order seeks to correct this idea.

6.4.7.4. Both prefaces see the birth of children as one possibility within family life alongside the nurture of children. The fact that the words 'born and' are in square brackets in the standard preface indicates that they are optional so it is possible to have a form of this preface in which talks about the nurturing of children but not about children being born.

6.4.7.5. Unlike the *Book of Common Prayer* these prefaces do not have an explicit reference to bringing up children in the Christian faith, although this idea is implicit in the statement in the alternative preface to marriage being the foundation of family life 'in which children may be born and nurtured according with God's will, to his praise and glory.'

6.4.8. These differences are the result of two factors.

6.4.8.1. The first factor is the desire to give a clear explanation of the benefits of marriage in a social context in which the number of marriages is declining and in which the Christian view of marriage is not well understood. The emphasis in both prefaces on the love between husband and wife and on marriage as the foundation of family life is intended to present a picture of marriage that will make sense of the importance of marriage to everyone attending a wedding, including those who have little or no church background.

6.4.8.2. The second factor is a desire to be sensitive to the pastoral needs of those coming to be married in church in the twenty first century.

6.4.9. The omission of 'brute beasts,' 'carnal lusts' and the idea of marriage as a remedy for sin and the inclusion of references to a sexual relationship as a positive part of marriage are an attempt to counter the popular belief that the Christian faith takes a negative view of sex.

6.4.10. In the sixteenth century it was important for the Church of England to emphasise that marriage was not just about sexual activity and the procreation of children, but also about a 'friendly fellowship' of love between husbands and wives and the bringing up of children in the Christian faith. This is therefore what is emphasised in the *Book of Common Prayer* and in the homily 'Of the State of Matrimony.' At the start of the twenty first century, it was felt that what needed to

be underlined was that the Church of England takes a positive view of sexual activity, hence the wording in *Common Worship*.

6.4.11. The references to family life and to the 'nurturing' as well as the birth of children are intended to emphasise the importance of the link between marriage and family life and to address the situations of those coming to marriage who cannot have children of their own and therefore intend to adopt or foster children, those who have children already, or those who are marrying someone who already has children.

6.4.12. The omission of an explicit reference to bringing up children in the Christian faith is an acknowledgement that not all who come to marriage would feel able to commit themselves to this. The place where the Church of England emphasises the importance of this is instead the service of Thanksgiving for the Gift of a Child and the Baptism service.

6.4.13. The contents of the promises that are made in the *Common Worship* marriage services are very similar to those in the *Book of Common Prayer* service and the language used is likewise similar. Where they differ is that the promise by the bride to obey her husband is normally omitted (though this promise can be made if desired) and in the provision for a mutual exchange of rings accompanied by mutual promises. What these differences mean is that the promises made by the man and the woman are normally symmetrical and this is intended to reflect the current understanding in both the Church and wider society of marriage as an equal partnership between husband and wife.

6.4.14. The fact that *Common Worship* retains the possibility of a wife promising to obey her husband indicates, however, that the Church of England still holds to this idea, which is of course also to be found in the *Book of Common Prayer*. As the Church of England sees it, the promise to obey, while a stumbling block to many today, can be understood in a theologically acceptable way in which the wife's acceptance of her husband's authority does not negate her equal value as a human being before God and in which, in line with Ephesians 5:25-33, the exercise of authority by the husband is not simply for his benefit, but is a form of love exercised for the benefit of his wife and any other members of his family.

## **6.5. The 2002 House of Bishop's report Marriage in Church after Divorce**

6.5.1. In 2002 the House of Bishops produced a report for General Synod on the proposals, which were eventually agreed, to allow divorced people to re-marry in church during the lifetime of a former spouse.

6.5.2 This report emphasises that the Church of England holds a single theology of marriage and a single type of marriage for all, and in the light of this conviction opposes the idea of introducing universal civil marriage to which religious ceremonies in church would be additional. The relevant section of the report runs as follows:

*Another observation made in the course of the recent discussions was that the wedding service in the case of marriage after divorce should be different from that for first marriages. Just as the Church of England holds to one theology of marriage, we believe that there should not be different marriage rites for first and further marriages: in each case the couple will be setting out on a lifelong union, and the rite should reflect that. That is not to say that the officiating minister should not, as he or she feels appropriate, choose to refer to the circumstances in prefatory material, but we judge - as did the Winchester Working Party - that this flexible*

*approach is to be preferred to the attempts that have been made elsewhere to provide different liturgies.*

*Finally, the response of some to this matter has been to argue for universal civil marriage, followed by a religious ceremony for those that desire it. We resist this approach vigorously as we believe that it would be a significant departure from the Church's traditional role in solemnising marriage. As was stated in An Honourable Estate,*

*'The high and demanding doctrine of marriage set out in the formularies of the Church is a description of marriage as God has ordained for all. Whenever two people enter into 'a union permanent and life-long, for better for worse, till death them do part...both in prosperity and adversity, they are entering marriage as understood by the Church.'*

*We also resist the temptation that universal civil marriage would solve the problems that the Church faces in this area. It could not mean that all couples who wished to do so, whatever their history and circumstances, should come for a blessing or a service of prayer and dedication in church following a civil ceremony. There would still be a need for discretion about what is appropriate either in terms of the conduct of that act of worship or whether it should take place at all. If universal civil marriage was followed by church services that looked like marriage in all but name, the credibility of the doctrine of marriage would not be enhanced.*

*The Church needs to uphold its firm conviction that there is one type of marriage for all, and to continue to engage with all those who seek its ministry.<sup>30</sup>*

## **6.6. The 2005 Pastoral Statement on Civil Partnerships**

6.6.1. In the light of the introduction of Civil Partnerships between same-sex couples in December 2005 the House of Bishops issued a 'pastoral statement' on this new development. In this statement the bishops reiterate the Church of England's doctrine with regard to marriage and sexual activity as follows:

*It has always been the position of the Church of England that marriage is a creation ordinance, a gift of God in creation and a means of his grace. Marriage, defined as a faithful, committed, permanent and legally sanctioned relationship between a man and a woman, is central to the stability and health of human society. It continues to provide the best context for the raising of children.*

*The Church of England's teaching is classically summarised in The Book of Common Prayer, where the marriage service lists the causes for which marriage was ordained, namely: 'for the procreation of children, ...for a remedy against sin [and].... for the mutual society, help, and comfort that the one ought to have of the other.'*

*In the light of this understanding the Church of England teaches that 'sexual intercourse, as an expression of faithful intimacy, properly belongs within marriage exclusively' (Marriage: a teaching document of the House of Bishops, 1999). Sexual relationships outside marriage,*

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<sup>30</sup> The House of Bishops, *Marriage in Church after Divorce*, GS 1449, 2002, paragraphs 9-11 at <https://www.churchofengland.org/sites/default/files/2018-11/gs1449-marriage-in-church-after-divorce-report-from-the-hob.pdf>.

*whether heterosexual or between people of the same sex, are regarded as falling short of God's purposes for human beings.<sup>31</sup>*

6.6.2. The legislation introducing Civil Partnerships was silent about whether such partnerships would be sexual in nature. This meant there was an ambiguity about whether those in such partnerships would be living in accordance with the Church's teaching that sexual intercourse should only take place within a marriage between a man and a woman. 'In these circumstances' declares the statement:

*.... it would not be right to produce an authorised public liturgy in connection with the registering of civil partnerships. In addition, the House of Bishops affirms that clergy of the Church of England should not provide services of blessing for those who register a civil partnership.<sup>32</sup>*

6.6.3. The point here is that any authorised liturgy or services of blessing for Civil partnerships could include, and could be understood to include, sexual relationships contrary to the Church's doctrine concerning the relationship between sexual activity and marriage and therefore cannot be permitted.

6.6.4. However, the statement goes on to declare that it is important to bear in mind:

*.... that registered partnerships do allow for a range of different situations- including those where the relationship is simply one of friendship. Hence, clergy need to have regard to the teaching of the church on sexual morality, celibacy, and the positive value of committed friendships in the Christian tradition. 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.<sup>33</sup>*

6.6.5. The point here is that when approached for prayer the clergy will need to make a judgement on how to respond depending on how the relationship of the couple relates to the Church's teaching that on the one hand sexual abstinence is called for outside marriage and on the other hand the positive value attached by the Christian tradition to committed non-sexual friendships between people of the same sex.

6.6.6. Because Civil Partnerships are not necessarily sexual in nature the statement rejects a total ban on the clergy being in them. However, in the light of the requirement for the clergy to live in accordance with the Church's doctrine on marriage and sexual activity and that fact that Civil Partnerships: 'will be widely seen as being predominantly between gay and lesbian people in sexually active relationships' the statement lays down that:

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<sup>31</sup> The House of Bishops, 'Civil Partnerships- A pastoral statement from the House of Bishops of the Church of England,' paras 2-4, at <https://www.churchofengland.org/sites/default/files/2017-11/House%20of%20Bishops%20Statement%20on%20Civil%20Partnerships%202005.pdf>.

<sup>32</sup> 'Civil Partnerships' para 17.

<sup>33</sup> 'Civil Partnerships,' para 18.

*Members of the clergy and candidates for ordination who decide to enter into partnerships must... expect to be asked for assurances that their relationship will be consistent with the teaching set out in Issues in Human Sexuality.*

6.6.7. In specific terms they can expect to be asked for assurances that their relationship, being outside marriage, is of a sexually abstinent nature.

## **6.7. Men and Women in Marriage**

6.7.1. The report *Men and Women in Marriage* was produced by the Church of England's Faith and Order Commission and published in 2013. It was published with the agreement of the House of Bishops and commended for study. As the Archbishops explain in their foreword, the document:

*... sets out to explain the continued importance of and rationale for the doctrine of the Church of England on marriage as set out in The Book of Common Prayer, Canon B30, the Common Worship Marriage Service and the teaching document issued by the House in September 1999.<sup>34</sup>*

6.7.2. The report takes as its starting point the words of the House of Bishops Statement of 2005 previously noted:

*... marriage is a creation ordinance, a gift of God in creation and a means of his grace. Marriage, defined as a faithful, committed, permanent and legally sanctioned relationship between a man and a woman, is central to the stability and health of human society. It continues to provide the best context for the raising of children.<sup>35</sup>*

6.7.3. On marriage as 'a gift of God in creation it states that:

*The teaching of Jesus on marriage began with creation: 'he who created them at the beginning made them male and female, and said, "Therefore a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh"' (Matthew 19.4-5 (ESV)).*

*In calling it a gift of God, we mean that it is not simply a cultural development (though it has undergone much cultural development) nor simply a political or economic institution (though often embedded in political and economic arrangements). It is an expression of the human nature which God has willed for us and which we share. And although marriage may fall short of God's purposes in many ways and be the scene of many human weaknesses, it receives the blessing of God and is included in his judgment that creation is 'very good' (Genesis 1.31). In calling it a gift of God in creation, we view marriage within its wider life-context: as an aspect of human society and as a structure of life that helps us shape our journey from birth to death.<sup>36</sup>*

6.7.4. On marriage as a social institution it notes that:

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<sup>34</sup> Faith and Order Commission, *Men and Women in Marriage* (London: CHP, 2013), p.v.

<sup>35</sup> *Men and Women in Marriage*, p.1.

<sup>36</sup> *Men and Women in Marriage*, pp.2-3.

... both married and unmarried have a stake in the health of marriage as a factor in the health of society. In the words of the Common Worship Marriage Service, marriage 'enriches society and strengthens community.'<sup>37</sup>

6.7.5. It then further notes that:

*Certain basic structural features make marriage the flexible and supportive social institution it is. It is an alliance outside the close family circle (technically called 'exogamy'), so that a partnership of natural kinship-groups is formed in transmitting human life to new generations. It is undertaken for the full length of a couple's life. And it is an exclusive commitment of one man and one woman.*<sup>38</sup>

6.7.6. On marriage and parenthood, the report declares:

*When we marry, we commit the procreative power of our own sex to an exclusive relation with a life-partner of the opposite sex. We open ourselves to parenthood in and through the partnership we enjoy as a couple, and that may be true even of a couple who, for whatever reasons, have no prospect of actually having children. 2*

*This was emphasized by the Lambeth Conference in 1930, when it affirmed the 'duty of parenthood as the glory of married life', not meaning that the married partnership was subordinated to parenthood, but that the two complemented and crowned each other.<sup>5</sup> We are (potentially or actually) parents as we are wife and husband, not parents on the one hand and husband or wife on the other. Any children we may have are 'ours' together, not 'yours and mine' separately, ours both through the biological bond and through the bond of family love that springs from the partnership, each bond strengthening the other.<sup>39</sup>*

6.7.7. It further adds that:

*The good of offspring, the service of marriage to the transmission of the human race, goes far beyond simple biological reproduction. Parents initiate the care, education and equipment of their children for the moral and spiritual tasks of life, bringing them up, as The Book of Common Prayer expresses it, 'in the fear and nurture of the Lord and to the praise of his holy Name'.*

*Marriage thus plays a central role in the transmission of human culture and the life of the church itself. Not less significant is the emotional education that parents convey to their young children not only by the comfort offered as they learn to inhabit their bodies and by patient affection in the tumultuous stresses of growing up, but also in the way they live out before the children the strength of a shared life in coping with disagreements and disappointments. These various goods rely in different ways on the complementary gifts of men and women.<sup>40</sup>*

6.7.8. On the good of marital faithfulness, the report comments:

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<sup>37</sup> *Men and Women in Marriage*, p.5.

<sup>38</sup> *Men and Women in Marriage*, p.6.

<sup>39</sup> *Men and Women in Marriage*, pp.7-8.

<sup>40</sup> *Men and Women in Marriage*, p.11.

*The 'hallowing and right direction of natural instincts and affections' is how Anglicans in recent generations have expressed the second of the three goods, the good of faithfulness. This balances, but does not deny, an emphasis upon the turbulence of human instincts expressed in the classical phrase, used in The Book of Common Prayer, 'remedy for sin'. It is not only sexual instincts that are in view here, but those of competition and censorious judgment, which may contribute to anti-social dynamics in the personality that can poison male-female relations.*

*The disciplines of marital faithfulness help bring these to order. They provide a way of sanctification and moral development, and draw from the partnership of male and female a capacity for each to take responsibility for the other, a responsibility from which it is too easy to shy away. Contrasting contributions, when seen through the eyes of a close affection, can be opportunities for each to make good what the other lacks, over time and throughout life, and turn mutual frustration into mutual help.<sup>41</sup>*

6.7.9. Finally, on marriage as sign of the saving work of God in Christ the report states:

*The Epistle to the Ephesians (5.32) describes marriage as a 'mystery' applied to Christ and the Church, and this word, translated into Latin as sacramentum, was generally understood to mean a concrete sign of God's saving work for humanity. In expressing the third good in the marriage service as 'the mutual society, help, and comfort, that the one ought to have of the other, both in prosperity and adversity', The Book of Common Prayer also referred to this biblical passage. The Common Worship service elaborates: 'as man and woman grow together in love and trust, they shall be united with one another in heart, body and mind, as Christ is united with his bride, the Church'.*

*The encounter of man and woman in marriage affords an image, then, of the knowledge and love of God, to which all humans are summoned, and of the self-giving of the Son of God which makes it possible.<sup>42</sup>*

## **6.8. The 2014 Pastoral Guidance on Same Sex Marriage**

6.8.1. In 2014 the House of Bishops produced pastoral guidance in light of the introduction of same-sex civil marriages. In this guidance it stated that '*same sex weddings in church will not be possible*' and that as in the case of Civil Partnerships: '*Services of blessing should not be provided. Clergy should respond pastorally and sensitively in other ways.*'<sup>43</sup>

6.8.2. It added that because: 'Getting married to someone of the same sex would... clearly be at variance with the teaching of the Church of England,' the House of Bishops:

*... is not, therefore, willing for those who are in a same sex marriage to be ordained to any of the three orders of ministry. In addition it considers that it would not be appropriate conduct*

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<sup>41</sup> *Men and Women in Marriage*, p.12.

<sup>42</sup> *Men and Women in Marriage*, p.13.

<sup>43</sup> House of Bishops, 'Pastoral Guidance on Same Sex Marriage,' paras 19 and 21 at <https://www.churchofengland.org/news-and-media/news-and-statements/house-bishops-pastoral-guidance-same-sex-marriage>.

*for someone in holy orders to enter into a same sex marriage, given the need for clergy to model the Church's teaching in their lives.<sup>44</sup>*

## **6.9. The 2019 Pastoral Statement on Civil Partnerships for same sex and opposite sex couples**

6.9.1. In 2019 Civil Partnerships were made available to opposite sex as well as same-sex couples. In the light of this development the House of Bishops issues a further pastoral statement in which it reiterated the Church of England's traditional doctrine of marriage

*It has always been the position of the Church of England that marriage is a creation ordinance, a gift of God in creation and a means of his grace. Marriage, defined as a faithful, committed, permanent and legally sanctioned relationship between a man and a woman making a public commitment to each other, is central to the stability and health of human society. We believe that it continues to provide the best context for the raising of children, although it is not the only context that can be of benefit to children, especially where the alternative may be long periods in institutional care.*

*The Church of England's teaching is classically summarised in The Book of Common Prayer, where the marriage service lists the causes for which marriage was ordained, namely: 'for the procreation of children, ...for a remedy against sin [and]... for the mutual society, help, and comfort that the one ought to have of the other.'*

*In the light of this understanding the Church of England teaches that "sexual intercourse, as an expression of faithful intimacy, properly belongs within marriage exclusively" (Marriage: a teaching document of the House of Bishops, 1999). Sexual relationships outside heterosexual marriage are regarded as falling short of God's purposes for human beings.<sup>45</sup>*

6.9.2. The bishops also repeated the 2005 guidance with regard to clergy not blessing Civil Partnerships and to the requirement for clergy to live in away consistent with the teaching of *Issues in Human Sexuality* and they concluded by saying:

With opposite sex civil partnerships, and with those for same sex couples, the Church's teaching on sexual ethics remains unchanged. For Christians, marriage – that is the lifelong union between a man and a woman, contracted with the making of vows – remains the proper context for sexual activity. In its approach to civil partnerships the Church seeks to uphold that standard, to affirm the value of committed, sexually abstinent friendships and to minister sensitively and pastorally to those Christians who conscientiously decide to order their lives differently.<sup>46</sup>

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<sup>44</sup> 'Pastoral Guidance on Same Sex Marriage, paras 26-27.

<sup>45</sup> The House of Bishops, 'Civil Partnerships – for same sex and opposite sex couples. A pastoral statement from the House of Bishops of the Church of England,' paras 7-9 at <https://www.churchofengland.org/sites/default/files/2020-01/Civil%20Partnerships%20-%20Pastoral%20Guidance%202019%20%282%29.pdf>.

<sup>46</sup> 'Civil Partnerships – for same sex and opposite sex couples.' para 35.

## **6.10. Summarising the Church of England's Doctrine of Marriage**

6.10.1. A careful study of Canon B30 and other material on marriage and human sexuality produced by the Church of England during the twentieth and twenty-first centuries shows that it has not departed from the basic doctrine of marriage found in the historic formularies of the Church of England. Like the homily on marriage in *The Second Book of Homilies*, what is said in this more recent material sometimes restates what is said in the formularies in different words and sometimes it supplements it in order to address issues that are important at a particular time. However, what it does not do is reject the basic doctrine concerning marriage found in the formularies. Rather, it has remained consciously loyal to it.

6.10.2. This means that we can say that the Church of England has a consistent doctrine regarding marriage that is found in the historic formularies and that has continued to be re-affirmed by the Church of England to the present day. This doctrine can be summarised as follows.

- There is only one kind of marriage and one theology of marriage.
- Marriage is a state of life ordained by God himself at creation as such it is a way of life that applies to all people at all times and everywhere. Any state of life that does not accord with the form of marriage ordained by God is not marriage.
- It is a serious vocation to which some, but not all, human beings are called by God. Those who are called to enter into it must do so with due thought and reverence for its God-given character. Marriage and singleness are two ways of life, neither of which is necessarily more holy than the other.
- It is a sexually exclusive relationship entered into for life between one man and one woman, who are not married to anyone else, and who are not close blood relatives.
- It is a relationship of 'perpetual, friendly fellowship' that is not a dominical sacrament in the same way as Baptism or the Lord's Supper, but is a sign pointing to the loving union that exists between Christ and his Church and a means of grace through which a husband and wife can grow as the people God created them to be.
- It is a relationship that provides the sole proper context for sexual intercourse and which has as one of its key purposes the procreation and nurturing of children to be the next generation of God's people.
- Clergy are free to be either married or single depending on the particular vocation to which God calls them, but they must live in a godly way in either vocation.

## **7. What would be contrary to, or indicative of a departure from, this doctrine?**

7.1. The following would be contrary to, or indicative of a departure from, this doctrine as summarised above.

- Teaching that there can be more than one form or theology of marriage.

- Teaching that marriage is a human invention that human societies consequently have the right to modify as they see fit.
- Teaching that marriage is a sacrament in the same way as the two dominical sacraments of Baptism and the Lord's Supper.
- Teaching that people can be married in a way that does not correspond to the form of marriage ordained by God (including being married to some one of the same sex).
- Teaching that it is not contrary to God's will to engage in sexual activity outside marriage.
- Teaching that the procreation and the nurture of children is not a central purpose of marriage.
- Teaching that marriage is a superior vocation to singleness or vice versa.
- A form of ecclesiastical discipline that permits the liturgical marking of non-marital relationships as if they were marriages (including both Civil Partnerships and same-sex civil marriages).
- A form of ecclesiastical discipline that permits the blessing of sexual relationships outside marriage as if these were not contrary to the will of God for his human creatures and therefore sinful.
- A form of ecclesiastical discipline that means that clergy are not free to marry.
- A form of ecclesiastical discipline that says that clergy are free to enter into sexual relationships outside marriage.

7.2. What this means is that if anything in the revised form of *Prayers of Love and Faith*, or the proposed Pastoral Guidance accompanying it, includes one or more of the ten points just listed it will be contrary to clause (g) of the motion passed by Synod and, in the case of forms of prayer, also contrary to Canon B5.3 and therefore open to legal challenge.

Martin Davie