

GENERAL SYNOD

PRIVATE MEMBER'S MOTION: CANON B8

Background note from the Secretary General

The current canonical requirements

1. The canonical requirements in relation to the vesture of ministers during divine service are set out in **Canon B 8**, which reads:

“Of the vesture of ordained and authorized ministers during the time of divine service

1. *The Church of England does not attach any particular doctrinal significance to the diversities of vesture permitted by this Canon, and the vesture worn by the minister in accordance with the provision of this Canon is not to be understood as implying any doctrines other than those contained in the formularies of the Church of England.*
2. *Notwithstanding the provisions of this Canon, no minister shall change the form of vesture in use in the church or chapel in which he officiates, unless he has ascertained by consultation with the parochial church council that such changes will be acceptable: Provided always that in case of disagreement the minister shall refer the matter to the bishop of the diocese, whose direction shall be obeyed.*
3. *At the Holy Communion, the presiding minister shall wear either a surplice or alb with scarf or stole. When a stole is worn, other customary vestments may be added. The epistoler and gospeller (if any) may wear surplice or alb to which other customary vestments may be added.*
4. *At Morning and Evening Prayer on Sundays the minister shall normally wear a surplice or alb with scarf or stole.*
5. *At the Occasional Offices, the minister shall wear a surplice or alb with scarf or stole.”*

Previous consideration of the canonical requirements by the General Synod

2. The canonical requirements have been debated by the General Synod on a number of occasions in recent years: in February 1988, in February 1993, and most recently in November 2002, when the General Synod debated, but failed, to pass a motion from the Diocese of Southwell seeking an amendment to Canon B 8 so that ministers, with the agreement of their church councils, might "dispense with the provisions relating to the vesture of ordained and authorised ministers during the time of divine service."
3. The voting on the motion was as follows:

	For	Against
Bishops	7	24
Clergy	69	118
Laity	98	92

Some background on vesture

4. Some material on the significance and history of clerical vesture was set out for the 2002 debate in GS Misc 679B *The Vesture of Ordained Ministers*. An extract is below.

The meaning of the present canonical requirements

5. The services to which the canonical requirements apply are the Holy Communion, Morning and Evening Prayer on Sundays (either according to *the Book of Common Prayer* or in accordance with the provision contained in Common Worship) and the Occasional Offices. They do not apply to less formal forms of worship, including many of the forms that would be possible within the framework of 'A Service of the Word'. They would also not apply to many forms of worship that the minister might choose to use under Canon B 5.2 on occasions for which no provision is made in *the Book of Common Prayer* or is otherwise approved under the Canons.
6. As to the identity of those to whom the canonical requirements apply, the mandatory provision relating to the Holy Communion applies to 'the presiding minister': it is permissive in relation to 'the epistoller and gospeller'. The (mandatory) provision relating to Morning and Evening Prayer and the Occasional Offices refers only to 'the minister'. If, however, the role of 'the minister' in the case of Morning or Evening Prayer or one of the Occasional Offices is divided between several people, the better legal view is that each of them (if ordained) should comply with the relevant canonical requirement.
7. The legal effect of the word 'normally' in Canon B 8.4 is liable to some misunderstanding. What it allows is a degree of latitude so that the requirement for the minister to wear a surplice or alb with scarf or stole may be dispensed with on particular occasions where the circumstances justify. It does not mean that in certain churches it is lawful for the wearing of such vesture to be dispensed with routinely.¹
8. There may also be some misunderstanding as to what is meant by the statement in Canon B 8.1 that "*the Church of England does not attach any particular doctrinal significance to the diversities of vesture permitted by this Canon ...*" Thus it has been suggested that no doctrinal significance is attached to the wearing of vestments at all.² This is not, in fact, what the Canon means.
9. Its effect is, rather, that no doctrinal significance is attached to the diversities, that is the differences between the forms of vesture permitted by the Canon. Thus the fact that a minister wears one kind of permitted vesture rather than another cannot be taken to demonstrate that he or she holds any doctrines other than those contained in the formularies of the Church of England.
10. The provision is, in other words, concerned to make it clear that, by allowing such latitude as the Canon does in relation to permitted forms of vesture, its enactment did not indicate any alteration in the doctrine of the Church of England.

¹ See A Atherstone, *Clergy Robes and Mission Priorities* (Grove, Transforming Worship series, W 197) page 13..

² See Atherstone, *op cit*, page 12 and M Perham, *Lively Sacrifice: The Eucharist in the Church of England Today* (London, SPCK, 1992) page 83.

The procedure for amending the canonical requirements

11. A draft Amending Canon which sought to modify the requirements of Canon B 8 would constitute Article 7 business for the purposes of the Synod's Constitution and Standing Orders, since it would represent "*provisions touching ... the services or ceremonies of the Church of England or the administration of the Sacraments or sacred rites thereof*".³
12. Before being presented to the Synod for Final Approval, any such draft Amending Canon would accordingly have to be referred to the House of Bishops, which would have power to amend it. It could also be the subject of a formal referral to the Convocations and House of Laity.⁴
13. Such a Canon would "*make provision ... for [a] matter ... to which any of the rubrics contained in the Book of Common Prayer relate*"⁵ and would therefore engage section 3 of the Church of England (Worship and Doctrine) Measure 1974, which would mean that a two-thirds majority was required in each House on Final Approval.

WILLIAM FITTALL
Secretary General
13 January 2013

EXTRACTS FROM GS Misc 679B

“Some reasons for the wearing of vesture

- 2 Although liturgical dress derives from day dress there has, nonetheless, been unbroken tradition, emerging soon after clergy continued to wear Roman dress for liturgical functions even after Christianity spread to colder climes, which has obliged clergy and other liturgical ministers to wear particular forms of dress when presiding over or taking a distinct role in public worship.
- 3 The ‘fossilisation’ of day dress for liturgical functions is paralleled in other areas of life when particular costume has been retained in special circumstances after it has passed out of daily use (eg the legal profession). There has been academic notice of this in anthropological literature. An accessible digest is to be found in a Grove Booklet (Worship Series, No. 138, ‘Dressing for Worship’ by the Revd Dick Hines).

³ See the definition contained in SO 131.

⁴ See SOs 83 and 86ff.

⁵ See s.1(1)(b) of the Church of England (Worship and Doctrine Measure) 1974. There is a direction in the Book of Common Prayer, on the page immediately before the Order for Morning Prayer, that imposes certain requirements as to the "*Ornaments ... of the Ministers ... at all times of their Ministration*". Although the terms of that direction have been superseded by the provisions of Canon B 8, a Canon amending Canon B 8 would, nevertheless, "*make provision ... for a matter*" (i.e. the nature of the vesture to be worn by ministers) to which that rubric (which continues to be contained in the Book of Common Prayer) relates. It is clear that the direction in question is a ‘rubric’ for the purposes of the 1974 Measure given the definition of ‘rubrics’ in s.5(2) of the Measure.

- 4 Notwithstanding the origin of distinctive vesture (of all types) in the day dress of earlier ages, the custom of clergy wearing distinctive vesture has clearly established an expectation on the part of many people over centuries that clergy will be vested, even if that expectation is no longer as strong or as unquestioned as it once was.
- 5 The reasons which have prompted clergy to wear distinctive robes (as distinct from particular items of vesture associated with particular occasions) include:

(a) The distinctive character of worship

The wearing of vesture has very generally been taken to mark out worship as an activity commanding reverence, stillness and attention to God. However much distanced from ordinary dress, robes are intended to put aside considerations of fashion and style, often in these days the subject of intense interest and discussion. Distinctive vesture aims at focusing attention on the high purpose of worship. Biblical allusion to vesture, particularly in Revelation, influences the wearing of distinctive vesture.

(b) A 'neutral' statement

All clothes make statements. An individual's choice of clothes for a particular context and setting speaks about the person making the choice. The wearing of prescribed garb 'neutralizes' the personality in favour of the role of a leader in worship.

(c) Good order

The distinct role of the vested minister in the context of an act of worship is signalled by the form of vesture worn. Vesture can shape and form the content of an act of worship...Forms of vesture send out signals about the role a vested minister is fulfilling in an act of worship.

- 6 On the other hand it will be recognized that there are circumstances which prompt exceptions to the general rule ...

History, origins and regulation

- 7 The forms of vesture worn by clergy (and others leading worship) are, in origin, stylized forms of day dress in use at different times in history. Eucharistic vestments are, in origin, day dress of late-Roman antiquity; the surplice is an enlargement of the late-Roman tunic (alb) for convenient use over warm (and bulky) undergarments in colder climes, and dates from some centuries later. Additions such as the hood and scarf derive from late-Mediaeval scholarly and clerical garments. Moving to a later era, the clerical collar is derived from an early 19th Century form of lay neckwear (in contrast to the 'clerical' neckwear of the time now familiar as 'preaching bands').
- 8 In the Church of England, the regulation of the vesture to be worn 'in the time of divine service' goes back to the 16th Century when rubrics in the first Prayer Book (1549) and the second Prayer Book (1552) gave specific but significantly differing direction. When the Prayer Book was brought back into use after 1559 ambiguity was introduced by these specific directions being replaced by a general requirement that vesture and ornament

should remain as they were in the second year of Edward VI (which would certainly include eucharistic vestments). This provided the basis for later dispute.

- 9 In the 16th Century the general practice was that the surplice (probably with hood and tippet) and copes in cathedrals were in use even though the text of the ‘ornaments’ rubric theoretically allowed a wider range. The Canons of 1603 built on what was by then the customary use and prescribed the surplice (with permitted addition of academic hood and tippet) and copes in cathedrals. In the context of the 16th and early 17th Centuries the concern was to ensure that the surplice was worn ‘in time of divine service’ against Puritan pressure which would have favoured the gown which was 16th Century walking-out dress for clergy, (and remains in use as Convocation dress), but was distinct from walking-out dress for non-scholarly laity.
- 10 In the 19th Century, disputes arose as to whether the particular requirement in the rubrics of the Prayer Book and Canons of 1603 (favouring the surplice and cope) could be overridden or supplemented by the implications of the rubric referring to the second year of Edward VI, thus sanctioning eucharistic vestments. These heated disputes led to a few instances of the imprisonment of clergy. In that context it is evident that different groups in the Church took the variety of vesture and the occasions on which such vesture is worn to carry doctrinal and theological significance.
- 11 After the Second World War, in the process of revising and codifying Canon Law, Canon B8 made the specific declaration that: *‘the Church of England does not attach any doctrinal significance to the diversities of vesture prescribed by the Canon’* and such vesture was *‘not to be understood as implying any doctrine other than those contained in the formularies of the Church of England’*. That approach was reinforced and incorporated into law by the ‘Vesture of Ministers Measure 1962’. Although individuals and groups within the Church continue to favour certain forms of vesture for particular services reflecting traditions of churchmanship, the Church of England’s declared position since that Measure has been that no doctrinal significance is to be attached to the vesture in use.
- 12 Between the Restoration in 1660 and recent years there has been no significant dissent in the Church of England from the requirement that some form of distinctive vesture should be worn by those officiating at liturgical services. Less formal occasions for prayer, not the ‘statutory services’, have sometimes dispensed with distinctive vesture. From the mid-19th Century the clerical collar has gained acceptance as ‘day dress’ for clergy, without any formal regulation.”