

The Recent Evolution of the Church of England's Liturgical Procedures and Canons (B1 to B5A)

A briefing paper from the Liturgical Commission

Preface by the Chair of the Liturgical Commission

In recent months there has been much discussion about the various means by which forms of service are authorized for use in the Church of England. However, institutional memories are short and not many serving members of General Synod have first-hand experience of the 'liturgical business' process. Our current procedures and Canons were shaped significantly by developments and debates in the final decades of the twentieth century, now a largely forgotten history. Therefore, the Liturgical Commission has commissioned a background paper on the recent evolution of liturgical authorization and commendation in the Church of England, researched and written by one of our Commission members, Revd Dr Andrew Atherstone. We are glad to publish it as an information resource for General Synod and the wider Church.

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Executive Summary

This paper provides a narrative overview of the evolution of the Church of England's liturgical procedures and Canons (B1 to B5A) from the 1960s to the present. It surveys eight main developments which shape current practice.

- 1) **The Prayer Book (Alternative and Other Services) Measure 1965** granted the Church of England a limited form of autonomy over its public worship for the first time. The Measure established some key principles and safeguards, including liturgies which are 'neither contrary to, nor indicative of any departure from, the doctrine of the Church of England', the voice of the House of Laity in liturgical authorization, agreement by two-thirds majorities, the consent of local PCCs and 'persons concerned', authorization of liturgies for special occasions by the Convocations or diocesan bishops, and permission for ministers to make 'variations which are not of substantial importance'.
- 2) **The Synodical Government Measure 1969** created the General Synod in 1970. General Synod's Constitution (Article 7) includes additional safeguards before liturgies are authorized, including the possibility of reference to each House of Convocation.

- 3) **The Church of England (Worship and Doctrine) Measure 1974** transferred control of public worship, completely and permanently, from Parliament to General Synod. While maintaining many of the procedures and safeguards of the Alternative and Other Services Measure, the new Measure also established some new principles, including that liturgies must not be contrary to Church of England doctrine 'in any essential matter', an explanation of where that doctrine is to be found, and permission for the Archbishops of Canterbury and York to authorize liturgy for national occasions.
- 4) **General Synod Standing Orders** govern the process of 'liturgical business' at Synod. As currently designed, this involves three main stages: First Consideration, Revision, and Final Approval.
- 5) **Fast-track processes** were created in the 1980s, so that liturgies which were not alternative to authorized forms of service could be introduced without consuming too much time on General Synod's agenda. A typical pattern was a 'take note' debate, followed by 'commendation' by the House of Bishops, beginning with the seasonal resources *Lent, Holy Week, Easter* in 1985.
- 6) **Amendment of the liturgical Canons** took place in the early 1990s, including discussions about whether 'commendation' should be brought within the ambit of General Synod (with prayers commended by simple majority vote) rather than left to the House of Bishops.
- 7) **Authorized experiments under Canon B5A** enabled the Liturgical Commission to 'field test' prayers before bringing them to General Synod for authorization. There was a range of experiments, trialling material for the expanding *Common Worship* library, between 1997 and 2014.
- 8) **Expired authorizations** present a dilemma when prayers in wide parochial use become illegal. This question was addressed in the late 1990s by further amendment of Canon B2, granting discretionary powers to diocesan bishops to permit parishes to continue using unauthorized liturgies for a limited period.
- 9) **Appendices** provide the full text of the key Measures and Canons.

Disclaimers

This briefing paper makes no claims to legal competence and is not an exposition of how the Canons governing the Church of England's liturgical procedures might be interpreted today.¹ It is written by a historian, not by a canon lawyer. Instead, it offers a narrative description of the evolution of the Canons, providing historical context for their formation, development, and use. The story mainly takes place in the final decades of the twentieth century when many of these procedures took their current shape.² Nor does this paper make any claims to comprehensiveness. It seeks to map some of the key points from a complex history without being either too cursory or too detailed.

Sources

The main source collections for this narrative are the published papers of the Church Assembly and the General Synod, and the published minutes of the House of Bishops. These are supplemented by some unpublished papers from the House of Bishops and the Liturgical Commission which, prior to 1993, are now open to public access. Many thanks are due to the staff at Lambeth Palace Library for facilitating the research.

¹ For such an exposition, see Rupert Bursell, *Liturgy, Order and the Law* (Oxford: Clarendon Press, 1996). See also, 'Liturgy: Creation and Control', in Norman Doe, *The Legal Framework of the Church of England: A Critical Study in a Comparative Context* (Oxford: Clarendon Press, 1996), pp. 281-308; 'Public Worship and Liturgical Law', in Norman Doe, *Canon Law in the Anglican Communion: A Worldwide Perspective* (Oxford: Clarendon Press, 1998), pp. 215-40; 'Worship and Liturgy', in Mark Hill, *Ecclesiastical Law* (fourth edition, Oxford: Oxford University Press, 2018), pp. 130-56.

² For overviews of liturgical revision in this period, see R. C. D. Jasper and Paul Bradshaw, *A Companion to the Alternative Service Book* (London: SPCK, 1986); R. C. D. Jasper, *The Development of the Anglican Liturgy 1662-1980* (London: SPCK, 1989); Michael Perham, 'Liturgical Revision 1981-2000', in Paul Bradshaw (ed.), *A Companion to Common Worship* (2 vols, London: SPCK, 2001, 2006), vol. 1, pp. 22-37; David Hebblethwaite, *Liturgical Revision in the Church of England 1984-2004: The Working of the Liturgical Commission* (Joint Liturgical Studies no. 57; Cambridge: Grove Books, 2004).

The Recent Evolution of the Church of England's Liturgical Procedures and Canons (B1 to B5A)

The Prayer Book (Alternative and Other Services) Measure 1965

The continual evolution of Church and State relations during the twentieth century witnessed a gradual transfer of power over Church affairs from Parliament to the Church of England. An early watershed moment was the Church of England Assembly (Powers) Act 1919, often called the 'Enabling Act', which established a procedure for giving parliamentary approval to Measures passed by the Church Assembly, thus giving Measures the same statutory force as Acts of Parliament. In the following decade, however, the House of Commons famously refused on two occasions in 1927-8 to approve a Church Assembly Measure to replace the 1662 Book of Common Prayer with a new version of the liturgy. This resulted in considerable soul-searching and calls for disestablishment.³ To address the crisis, the Archbishops of Canterbury and York launched a Commission on Church and State in 1930, chaired by Viscount Cecil. It reported in 1936, but its proposals were not enacted.

Soon after the Second World War, the Church Assembly set up a new Commission on Church and State to investigate the workings of the establishment, which it believed 'impedes the fulfilment of the responsibilities of the Church as a spiritual society'.⁴ The Commission, chaired by Sir Walter Moberly, made proposals in 1952 concerning the control of worship, the appointment of bishops and the functioning of church courts. The Moberly report bore fruit in the next decade in the Prayer Book (Alternative and Other Services) Measure by which Parliament granted to the Church of England a temporary form of autonomy over its public worship within certain constraints (**see Appendix 1**). The Measure passed through the Church Assembly during 1962-4 and came into force, after parliamentary approval and royal assent, in March 1965. It gave birth to a new set of liturgical Canons (B1 to B5), promulgated in 1969 (**see Appendix 2**). Although the Alternative and Other Services Measure was later repealed, it established some key liturgical procedures and terminology which remain current today.

(i) Alternative Services

For the first time, the Church of England was given power to introduce 'alternative' forms of public worship, based on the familiar services in the Book of Common Prayer. This new power came with six 'safeguards' laid down in the Measure:

³ John Maiden, *National Religion and the Prayer Book Controversy, 1927-1928* (Woodbridge: Boydell Press, 2009); Dan D. Cruickshank, *The Theology and Ecclesiology of the Prayer Book Crisis, 1906-1928* (Cham: Palgrave Macmillan, 2019).

⁴ *Church and State: Being the Report of a Commission Appointed by the Church Assembly in June 1949* (1952, CA 1023), p. 1.

- Authorization was time limited, for a maximum seven years, renewable for a further seven years, after which all services would return to the Book of Common Prayer.
- All prayers had to be ‘neither contrary to, nor indicative of any departure from, the doctrine of the Church of England’ – a phrase repeated four times in the Measure. This phrase previously appeared in the draft Canons of 1947, but originated with the 1936 Church and State report which had proposed a mechanism for introducing new liturgies which were ‘neither contrary to nor indicative of any departure from the fundamental doctrines and principles of the Church of England, as set forth in the Thirty-nine Articles of Religion and the Book of Common Prayer’.⁵
- The House of Laity held a veto on the alternative prayers, which could not be introduced simply by the Convocations of bishops and clergy. This point was emphasised by the Second Church Estates Commissioner (E. L. Mallalieu) when he introduced the Measure in the House of Commons.⁶
- High majorities (two-thirds of those present and voting) were required in each House of each Convocation (Canterbury bishops, York bishops, Canterbury clergy, York clergy) and in the House of Laity. The Archbishop of Canterbury (Michael Ramsey) told the House of Lords: ‘If controversial matters arise, the requirements of two-thirds majorities ensure that they will be solved only by considerable consent and in conformity with the doctrine of our Church.’⁷
- Local consent was required. Alternative services could only be introduced with the agreement of the Parochial Church Council (PCC).
- For the Occasional Offices (such as baptism, marriage, and burial), the people directly concerned (such as the baptism candidates or their parents, wedding couples, and bereaved families) held a veto.

The Measure also permitted a two-year trial of alternative services, in selected churches under the supervision of the diocesan bishop, before they were brought forward for authorization.

⁵ *Church and State: Report of the Archbishops’ Commission on the Relations Between Church and State*, vol. 1, *Report and Appendices* (1936, CA 523), p. 63; Canon XIII in *The Canon Law of the Church of England: Being the Report of the Archbishops’ Commission on Canon Law, Together with Proposals for a Revised Body of Canons* (London: SPCK, 1947), p. 113.

⁶ *Hansard: House of Commons* vol. 707 (23 February 1965), column 299. See also the Moberly report, pp. 32, 70.

⁷ *Hansard: House of Lords* vol. 263 (18 February 1965), column 655.

(ii) Special Occasions

In circumstances for which the Book of Common Prayer made no provision, the Measure permitted the authorization of new services ‘for use on special occasions’, by the two Convocations for their respective provinces or by a diocesan bishop for their diocese. The explanatory memorandum for the Measure gave examples of what was envisaged. Services authorized by the Convocations might be for the consecration of a church, or for the institution and induction of an incumbent. Services authorized in a diocese might be for a local Saint’s Day, or for Plough Sunday, or in connection with a local church society, or to meet a particular need in a particular parish, such as prayers to mark a centenary or a local mining disaster.⁸ Again, these services for special occasions, whether authorized by the Convocations or by a diocesan bishop, had to be ‘neither contrary to, nor indicative of any departure from, the doctrine of the Church of England’. They also had to be ‘reverent and seemly’.

(iii) Ministerial Discretion

The Measure introduced another new principle, of ministerial discretion when leading the liturgy. Of course, ministers had for many years adapted the authorized services in minor ways for their local contexts, but these adaptations were previously illegal. For example, the Judicial Committee of the Privy Council had ruled in the nineteenth century against the ritualist clergyman Alexander Mackonochie:

it is not open to a Minister of the Church ... to draw a distinction, in acts which are a departure from or violation of the Rubric, between those which are important and those which appear trivial. The object of a *Statute of Uniformity* is, as its preamble expresses, to produce ‘an universal agreement in the public worship of Almighty God’, an object which would be wholly frustrated if each Minister, on his own view of the relative importance of the details of the service, were to be at liberty to omit, to add to, or to alter any details of those details. The rule upon this subject has been already laid down by the Judicial Committee in *Westerton v Liddell*, and their Lordships are disposed entirely to adhere to it: ‘In the performance of the services, rites, and ceremonies ordered by the Prayer Book, the directions contained in it must be strictly observed; no omission and no addition can be permitted.’⁹

Archbishop Ramsey referenced this Privy Council ruling when explaining to the House of Lords in 1965 why greater flexibility was needed:

This rigidity of the law means that it is as culpable to alter the psalms or the lessons to meet some urgent circumstances, or to change some archaic phrase in a prayer to meet the needs of a particular congregation, or to

⁸ *Prayer Book (Alternative and Other Services) Measure: Explanatory Memorandum* (1962, CA 1406X).

⁹ Quoted in Bursell, *Liturgy, Order and the Law*, p. 12.

introduce a collect in a central part of the service dealing with some sudden national crisis, as it is to alter the whole structure of a service.¹⁰

Therefore, the Alternative and Other Services Measure granted ministers permission, when leading public worship, to make 'variations which are not of substantial importance'. The original draft Measure had the phrase 'minor variations', and those words remained in the title of the relevant Clause when the final Measure was published. Archbishop Ramsey acknowledged: 'Both terms are imprecise and probably mean much the same', but the longer phrase was chosen because it had been used in a recent Act of Parliament.¹¹ The phrase 'not of substantial importance' was explicitly borrowed from the Consolidation of Enactments (Procedure) Act 1949, which permitted 'corrections and minor improvements' to be made when several pieces of parliamentary legislation were consolidated into one, by means of amendments 'of which the effect is confined to resolving ambiguities, removing doubts, bringing obsolete provisions into conformity with modern practice, or removing unnecessary provisions or anomalies which are not of substantial importance'.¹²

A briefing paper on the Measure for the House of Bishops suggested:

It should be emphasised that the Clause provides a loophole in obeying a statute and should probably therefore be narrowly interpreted rather than widely. Thus it would cover the substitution of an up-to-date word for an ancient one (such as impartially for indifferently) but how far it would go beyond that is very doubtful.¹³

Pressed in the House of Lords on the meaning of the phrase 'not of substantial importance', Archbishop Ramsey replied that 'small variants' were inevitable 'if there is to be any common sense in the behaviour of clergymen'. He gave the example of an incumbent in a mining community in County Durham, who in a missionary context of a church full of people who did not normally attend worship, might vary the Book of Common Prayer collect 'Prevent us, O Lord' into modern English as 'Go before us, O Lord'. The Archbishop admitted that he did not personally see the need for this part of the Measure, preferring an appeal to the *de minimis* principle (that trivial matters do not require legislation), but he nevertheless defended it as an attempt to make explicit that clergy were not breaking the law when they made 'small alterations according to the dictates of common sense'.¹⁴

The Measure also gave ministers permission to introduce new forms of service for 'special occasions', to meet local needs if there was no authorized provision. As

¹⁰ *Hansard: House of Lords* vol. 263 (18 February 1965), column 656. See also, *Church Assembly Report of Proceedings* vol. 44 (7 July 1964), p. 241.

¹¹ *Prayer Book (Alternative and Other Services) Measure: Memorandum by the Chairman of the House of Bishops* (June 1964, CA 1406Z), p. 3.

¹² Consolidation of Enactments (Procedure) Act 1949, section 2. For this borrowing, see the speech by the Second Church Estates Commissioner, *Hansard: House of Commons* vol. 707 (23 February 1965), column 300.

¹³ 'Prayer Book (Alternative and Other Services) Measure' (October 1963), p. 4, House of Bishops Documents, Lambeth Palace Library, HB/D/1948-1969.

¹⁴ *Hansard: House of Lords* vol. 263 (18 February 1965), columns 673-4.

examples, the Archbishop of Canterbury suggested mission services, services for local commemorations, children's services, visitation services, and memorial services.¹⁵

All minor variations to authorized services, and all new services to meet local parish needs, had, once again, to be 'reverent and seemly' and 'neither contrary to, nor indicative of any departure from, the doctrine of the Church of England.' To this, the Measure added two further safeguards. If a minister seemed to be overstepping the boundaries of permitted discretion, parishioners could appeal first to the bishop to seek to resolve the disagreement informally, and then to the church courts. As originally drafted, the Measure stated that the disagreement 'may be referred to the Bishop, and the Minister shall obey any such order and direction as the Bishop may give'.¹⁶ However, the final version of the Measure spoke instead of 'pastoral guidance and advice', without prejudice to legal proceedings under the Ecclesiastical Jurisdiction Measure 1963. Archbishop Ramsey explained this revision:

The House of Bishops doubted whether a diocesan ought to possess a legal jurisdiction of this kind in a matter so doubtful and far-reaching. It would give a diocesan power to decide what is or is not a minor variation and what is or is not agreeable to the doctrine of the Church of England. They were concerned lest having acted under this Measure further proceedings under the Ecclesiastical Jurisdiction Measure might seem to be prejudiced. They decided therefore that it was better to deal with such disputes on the basis of pastoral guidance and advice and that it should be made clear that proceedings under the Ecclesiastical Jurisdiction Measure were not thereby prejudiced.¹⁷

A briefing paper for the House of Bishops observed: 'whether or not the variation is minor is a matter of law and not a matter of discretion for the bishop. Only when it has been determined by the appropriate court that a variation is in fact minor has the bishop a discretion but not before.'¹⁸

General Synod's Constitution: Article 7

In parallel with these significant developments in the Church of England's public worship, and its relationship with Parliament, the creation of the General Synod was another watershed moment. The Synodical Government Commission, chaired by Lord Hodson, was appointed by the Archbishops of Canterbury and York in 1964 at the request of the Church Assembly. Its report included draft legislation and led directly to the Synodical Government Measure 1969, which transferred most of the powers and

¹⁵ *Church Assembly Report of Proceedings* vol. 44 (7 July 1964), p. 241.

¹⁶ *Prayer Book (Alternative and Other Services) Measure* (May 1962, CA 1406).

¹⁷ *Prayer Book (Alternative and Other Services) Measure: Memorandum by the Chairman of the House of Bishops* (June 1964, CA 1406Z), p. 3.

¹⁸ 'Prayer Book (Alternative and Other Services) Measure' (October 1963), p. 3, House of Bishops Documents, Lambeth Palace Library, HB/D/1948-1969.

functions of the Convocations of Canterbury and York to the General Synod, thus replacing the Church Assembly. The House of Laity now had an equal say in the governance of the Church.¹⁹

When it came to authorizing liturgies, two-thirds majorities were still required by the Synodical Government Measure, but now in each of the three Houses of the General Synod (Bishops, Clergy, Laity) rather than in each of the five Houses of the Church Assembly (Convocations and Laity). Nevertheless, the Constitution of the General Synod, attached to the Measure, contained additional safeguards which ensured that questions of doctrine and liturgy could be referred back to the separate Convocations. Article 7 of the Constitution begins:

- (1) A provision touching doctrinal formulae or the services or ceremonies of the Church of England or the administration of the Sacraments or sacred rites thereof shall, before it is finally approved by the General Synod, be referred to the House of Bishops, and shall be submitted for such final approval in terms proposed by the House of Bishops and not otherwise.
- (2) A provision touching any of the matters aforesaid shall, if the Convocations or either of them or the House of Laity so require, be referred, in the terms proposed by the House of Bishops for final approval by the General Synod, to the two Convocations sitting separately for their provinces and to the House of Laity; and no provision so referred shall be submitted for final approval by the General Synod unless it has been approved, in the terms so proposed, by each House of the two Convocations sitting as aforesaid and by the House of Laity.²⁰

In other words – under so-called ‘Article 7 business’ – when liturgies are brought for authorization by General Synod, they are sometimes referred back to the old five Houses (requiring agreement by simple majority in each House) before reaching the three synodical Houses for final approval (requiring agreement by two-thirds majority in each House).

Church of England (Worship and Doctrine) Measure 1974

The Prayer Book (Alternative and Other Services) Measure 1965 was always viewed as a temporary provision. It gave the Church of England control over its public worship for 14 years, permission which was due to expire in 1980. Yet the Archbishop of Canterbury told Parliament, ‘perhaps by that time Church and State may together have discovered some new means of legislating for future needs.’²¹

¹⁹ *Synodical Government in the Church of England: Being the Report of a Commission Appointed by the Archbishops of Canterbury and York* (1966, CA 1600).

²⁰ ‘Synodical Government Measure 1969: Constitution of the General Synod’, in *The Public General Acts and Church Assembly Measures 1969* (London: Her Majesty’s Stationery Office, 1970), part II, p. 1724.

²¹ *Hansard: House of Lords* vol. 263 (18 February 1965), column 655.

In November 1965, soon after the Alternative and Other Services Measure came into force, the Church Assembly launched another Church and State Commission to recommend further modifications in the constitutional relationship. Chaired by Professor Owen Chadwick, it focused again on the control of worship and the appointment of bishops. One of the primary recommendations of the Chadwick report, published in 1970, was that 'All matters affecting the worship and doctrine of the Church should become subject to the final authority of the General Synod, with certain safeguards provided.'²² This proposal was debated in diocesan synods during 1971-2, and resulted in the Church of England (Worship and Doctrine) Measure which worked its way through General Synod during 1972-4. The new Measure came into force, after parliamentary approval and royal assent, in December 1974. It was a third watershed moment in the life of the Church of England, transferring control of worship, completely and permanently, from Parliament to the General Synod (except only not granting General Synod power to abolish the Book of Common Prayer).

The new Measure repealed the time-limited Alternative and Other Services Measure but simultaneously built upon it, giving permanence to many of its provisions. The new Measure laid down similar procedures and safeguards for alternative and new liturgies, and borrowed significant phraseology from the earlier Measure (**see Appendix 3**). It gave birth to a new set of liturgical Canons (B1 to B5A), which progressed through General Synod during 1973-75, replacing the previous Canons from the 1960s (**see Appendix 4**). At the same time, the Measure resulted in a new form of doctrinal subscription, the Preface and Declaration of Assent 1975, by which all clergy are required to affirm not only their 'belief in the faith which is revealed in the Holy Scripture and set forth in the catholic creeds and to which the historic formularies of the Church of England bear witness', but also that in public prayer and administration of the sacraments they will 'use only the forms of service which are authorized or allowed by Canon' (see Canon C15).²³ Licensed lay ministers make the same declaration about faith and worship, though without mention of the sacraments. Thus the Worship and Doctrine Measure, as its title indicates, understood the Church of England's liturgies and doctrines to be inseparable.

The Worship and Doctrine Measure, like the Alternative and Other Services Measure, concerned 'forms of service', but the new Measure defined this phrase for the first time to mean 'any order, service, prayer, rite or ceremony whatsoever'. It also brought further evolution of the Church of England's liturgical processes in three areas:

(i) Doctrine

The new Measure reinforced the previous safeguard that alternative and new liturgies must be 'neither contrary to, nor indicative of any departure from, the doctrine of the Church of England'. Yet because liturgy and doctrine are so closely interlinked, this

²² *Church and State: Report of the Archbishops' Commission* (1970, GS 19), p. 64.

²³ *Declaration of Assent: Draft Canon Made in Pursuance of Section 2 of the Church of England (Worship and Doctrine) Measure* (May 1973, GS 116A). See also, *Subscription and Assent to the Thirty-Nine Articles: A Report of the Archbishops' Commission on Christian Doctrine* (1968, CA 1722); 'The Church of England's Declaration of Assent', in Colin Podmore, *Aspects of Anglican Identity* (London: Church House Publishing, 2005), pp. 43-57.

might preclude any liturgical change at all. Therefore, a new phrase was added: 'in any essential matter'.

During the revision of the Measure, it was proposed that the words 'in any essential matter' be struck out because they 'seemed otiose and it would be difficult to decide what matters were essential'. However, with some ambivalence, the Revision Committee decided to retain them. They explained:

Initially we accepted this amendment, but we then changed our minds and reinserted the words. If they were omitted it became equally difficult to determine what issues were or were not contrary to or indicative of any departure from the doctrine of the Church of England. The words 'in any essential matter' ensured that there was a proper degree of flexibility so that new insights into doctrine compatible with the general Anglican approach could be reflected in forms of worship and decisions of the Synod.²⁴

The new words were therefore also added to the 1975 Canons flowing from the Measure, and were explained further in another General Synod memorandum:

They enable the Synod to make small changes in matters which are regarded as doctrinal, provided that the essential doctrines of the Church of England are safeguarded. ... The words used in the present Canons seem to preclude any changes at all, which appears unduly rigid and arguably does not accord with existing practice.²⁵

At the same time, the Worship and Doctrine Measure clarified where the doctrine of the Church of England is to be found. This was left unstated in the earlier 1965 Measure, and in the first draft of the 1974 Measure, but was added at the revision stage after requests at General Synod. Quoting directly from Canon A5, the Measure states:

References in this Measure to the doctrine of the Church of England shall be construed in accordance with the statement concerning that doctrine contained in the Canons of the Church of England, which statement is in the following terms: 'The doctrine of the Church of England is grounded in the holy Scriptures, and in such teachings 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.'

²⁴ *Church of England (Worship and Doctrine) Measure: Report of the Revision Committee* (May 1973, GS 108Y), p. 11.

²⁵ *Draft Canon Made in Pursuance of Section 1 of the Church of England (Worship and Doctrine) Measure: Explanatory Memorandum* (1973, GS 129), pp. 5-6.

(ii) Occasional Offices

The Alternative and Other Services Measure laid down that alternative liturgies could only be used with the consent of the PCC and, when it came to the Occasional Offices, with the consent of the ‘persons concerned’. There was some ambiguity in the framing of the Measure, whether this safeguard concerning the Occasional Offices was *additional* to the PCC’s consent, or *instead of* the PCC’s consent. Some argued it meant the former, not least because the Occasional Offices were congregational services in the church building, so the PCC should have a voice. This was the way in which the Second Church Estates Commissioner explained these safeguards to the House of Commons, for example.²⁶ It was also the way in which General Synod’s Legal Advisory Commission interpreted the 1965 Measure.²⁷ However, the Worship and Doctrine Measure settled the ambiguity in the other direction, making explicit that when it came to the Occasional Offices it was a matter only for the minister and the ‘persons concerned’, not for the PCC.²⁸

(iii) Authorization by Archbishops

Under the Alternative and Other Services Measure, liturgy for special occasions could be authorized by the two Convocations (see Canon B4.1), and by individual bishops for their dioceses (see Canon B4.3), provided no prayers were already authorized. The Worship and Doctrine Measure added a third possibility: authorization by the Archbishops of Canterbury and York for their respective provinces (see Canon B4.2). This was conceived for services of a national rather than a diocesan character, such as National Days of Prayer.²⁹ For example, a Day of Prayer was called by the Archbishops on 30 December 1973 in face of Britain’s national economic and industrial crisis.

There was a long tradition of Archbishops commending or approving special prayers at moments of national celebration or distress, and this continued after 1974 though seldom with any explicit invocation of the Archbishops’ new canonical powers. Most examples in the late twentieth and early twenty-first centuries concerned royal birthdays, jubilees, wedding anniversaries, or funerals.³⁰ When commemorative services were issued after the death of Queen Elizabeth II in September 2022, it was explicitly stated that they were authorized by the Archbishops (Justin Welby and

²⁶ *Hansard: House of Commons* vol. 707 (23 February 1965), column 299.

²⁷ ‘Legal Advisory Commission Annual Report’ (April 1973), in *General Synod Annual Reports* (1973, GS 152), p. 58. For further discussion, see *General Synod Report of Proceedings* vol. 4 (6 November 1973), pp. 680-5.

²⁸ *Church of England (Worship and Doctrine) Measure: Report of the Revision Committee* (May 1973, GS 108Y), p. 6.

²⁹ *Ibid.*, p. 7.

³⁰ *National Prayers: Special Worship since the Reformation*, vol. 3: *Worship for National and Royal Occasions in the United Kingdom, 1871-2016*, edited by Philip Williamson, Stephen Taylor, Alasdair Raffe and Natalie Mears (Church of England Record Society vol. 26; Woodbridge: Boydell Press, 2020).

Stephen Cottrell) under Canon B4.2.³¹ In May 2023, under the same Canon, the Archbishop of Canterbury authorized the liturgy for the coronation of King Charles III, for use at Westminster Abbey.³²

Other examples of the use of Canon B4.2 are rare. In 1977 the Archbishops (Donald Coggan and Stuart Blanch) authorized a short funeral rite for use in crematorium chapels.³³ This was published as a service booklet, alongside a Roman Catholic rite, by the Cremation Society of Great Britain.³⁴ However, when the period of authorization expired on 31 December 1981 it was not renewed because the House of Bishops took the view that it was 'not suitable for authorisation under Canon B4' and that the provision in the *Alternative Service Book* (ASB) was now preferable.³⁵

The only other explicit use of Canon B4.2 was in 1984 when the Archbishops (Robert Runcie and John Habgood) formally authorized prayers for Remembrance Sunday. Forms of service for this occasion had been in use since the First World War and had evolved into an ecumenical enterprise. The liturgy had been most recently revised in 1968, published by SPCK and distributed with the assistance of the Catholic Truth Society and the Free Church Federal Council. For many years the service booklets had announced that the service was 'commended for general use' by the Archbishops of Canterbury, York, and Wales, the Cardinal Archbishop of Westminster, and the Moderator of the Free Church Federal Council. However, in 1984 the service was modestly revised, with fresh hymns and a small adjustment in the prayers from 'thou' to 'you'. All the other commending authorities agreed to the changes, but the Secretary-General of the General Synod (Derek Pattinson) advised that so far as the Church of England was concerned it should be formally authorized.³⁶ The new SPCK service booklets therefore carried an explanatory note: 'The Archbishops of Canterbury and York have approved these forms of service under Canon B4 for use in any cathedral or church or elsewhere in their respective Provinces.'³⁷

Standing Orders and Liturgical Business

In General Synod discussions, 'forms of service', 'prayers', and 'liturgies' have often been used interchangeably, almost as synonyms. The words 'liturgy' and 'liturgical' do

³¹ 'Guidance for Prayer and Worship: The Death of Her Majesty the Queen' (September 2022), <https://www.churchofengland.org/remembering-her-majesty-queen/resources-and-liturgy-death-hm-queen>.

³² *The Authorised Liturgy for the Coronation Rite of His Majesty King Charles III: For Use on Saturday 6th May 2023, 11:00am, at Westminster Abbey: Commissioned and Authorised by the Most Reverend and Right Honourable Justin Welby, The Archbishop of Canterbury* (2023).

³³ House of Bishops Minutes, 8 November 1976, HB(76)M4.

³⁴ *Funeral Service Approved by the Archbishops of Canterbury and York: For Use in Crematorium Chapels* (Maidstone: Cremation Society of Great Britain, 1979).

³⁵ House of Bishops Minutes, 19 May 1983, HB(83)M2. See also, 'A Funeral Service for Use in Crematorium Chapels', House of Bishops Documents, HB(82)18; House of Bishops Minutes, 24-26 May 1982, HB(82)M2.

³⁶ Derek Pattinson to Robert Runcie, 16 August 1984, Lambeth Palace Library, RUNCIE/MAIN/1984/283.

³⁷ *A Service for Remembrance Sunday* (London: SPCK, 1984), p. 9.

not appear in the Worship and Doctrine Measure, but the process for authorizing prayers and other similar material under Canon B2 is known in the General Synod Standing Orders as 'liturgical business'. The Standing Orders are a constantly evolving body of rules governing synodical procedures. Those relating to 'liturgical business' have been frequently modified over the decades, sometimes extensively, to help the process to run more smoothly. There was a major overhaul in 1972-3, for example, in the early years of the Synod.³⁸ In 1987 the liturgical Standing Orders were revamped again, following advice from the Liturgical Commission, bringing an end to the tradition of long and technical debates during which prayers could be revised line by line on the floor of Synod, work which was most efficiently done in committee.³⁹ All the Standing Orders were remodelled during 1992-5, including further simplification of the liturgical authorization process.⁴⁰ After the publication of *Common Worship*, the Liturgical Commission again asked for a review of the Standing Orders, which led to further refinement in 2004.⁴¹ As one chair of the Standing Orders Committee observed when introducing their latest report to Synod, 'like the painting of the Forth Bridge, this task is never over'.⁴²

The authorization process, as envisaged by the current Standing Orders, follows three main stages:

- (i) First Consideration (previously called 'General Approval'): draft prayers are brought to General Synod by the House of Bishops for general discussion. If at least half the Synod agrees for the prayers to move forward for authorization, they are sent to a Revision Committee.
- (ii) Revision: revised prayers return to General Synod for a more detailed debate. General Synod may then choose to send the prayers back to the Revision Committee for further work, or forward to the House of Bishops for the next stage of authorization. The revision process is adjourned if there are requests for a doctrinal report on the proposed prayers.
- (iii) Final Approval: final forms of the prayers are returned to General Synod by the House of Bishops. If two-thirds of each House agree, as required by the Worship and Doctrine Measure, the prayers are authorized for use.

The Liturgical Commission, a permanent Commission of the General Synod, does not have a formal role during the authorization process. However, the Liturgical Commission advises the House of Bishops on liturgy before it is brought to General

³⁸ *Third Report by the Standing Orders Committee* (June 1972, GS 100); *General Synod of the Church of England: Standing Orders 1973, as adopted on 21st February 1973* (1973, GS 150).

³⁹ 'Suggestions for a Revision of General Synod Standing Orders Governing Liturgical Business', Liturgical Commission Documents, LitCom(86)17; *Twenty-Fifth Report of the Standing Orders Committee* (September 1987, GS 796).

⁴⁰ See especially, *Thirty-Second Report of the Standing Orders Committee* (June 1994, GS 1125).

⁴¹ *Thirty-Eighth Report of the Standing Orders Committee* (2004, GS 1534).

⁴² *General Synod Report of Proceedings* vol. 26 (8 July 1995), p. 65.

Synod, and in practice usually drafts that liturgy and revises it on behalf of the House. According to its constitution, the four functions of the Liturgical Commission are:

- To prepare forms of service at the request of the House of Bishops for submission to that House in the first instance.
- To advise on the experimental use of forms of service and the development of liturgy.
- To exchange information and advice on liturgical matters with other provinces of the Anglican Communion and other Christian Churches both in the British Isles and abroad.
- To promote the development and understanding of liturgy and of its use in the Church.⁴³

The primary responsibilities of the Liturgical Commission are therefore preparatory, advisory, consultative, and educative.

Fast Track Processes: 'Commendation'

It was widely assumed after the publication of the *Alternative Service Book* in 1980, the climax of two decades of energetic debate, that the pace of liturgical reform would then slow down. On the contrary, however, a raft of new liturgical materials continued to be developed throughout the 1980s, expanding on the range of the ASB, including new seasonal resources and prayers for particular pastoral situations. The challenge, therefore, was how to authorize these prayers without consuming too much of General Synod's limited time. The long synodical debates of the previous decade were not remembered fondly. Most notoriously, during the authorization process in 1978-9 for the ASB's Holy Communion liturgy, the Revision Committee had received 1,030 proposed amendments, and another 170 amendments were dealt with on the floor of General Synod during a mammoth debate spread over two Groups of Sessions.⁴⁴ The chair of the Steering Committee (Colin Buchanan) reckoned that General Synod deserved a place in the *Guinness Book of Records*, but observed: 'This process, I would say, is unique on the earth's surface. There is no other Church which does it in this way.'⁴⁵ 'The horror stories of the liturgical revision of the late 1970s are part of Synod folklore', another speaker later noted.⁴⁶ There was little appetite to continue to

⁴³ 'Liturgical Commission of the General Synod', in *Quinquennial Review of the Constitutions of the Bodies Answerable to the Synod Through the Archbishops' Council* (February 2000, GS 1376), pp. 57-8.

⁴⁴ *Holy Communion Series 3 Revised: Report of the Revision Committee* (January 1979, GS 364X), p. 1.

⁴⁵ *General Synod Report of Proceedings* vol. 10 (6 July 1979), p. 911.

⁴⁶ *General Synod Report of Proceedings* vol. 22 (14 November 1991), p. 932.

dedicate space on the agenda for liturgical debates, especially when the Church of England had other more pressing concerns.

To solve this dilemma, the chair of the Liturgical Commission (Professor Douglas Jones) brought an idea to the House of Bishops in 1983 for a new streamlined authorization process. In his paper, entitled 'An Alternative Method of Authorizing Lesser Liturgical Proposals', he noted:

There is great impatience both in General Synod and outside with the cumbrous method of introducing and revising liturgy. The move to diminish the time devoted to debate in Synod is also gathering momentum. We shall soon be in the situation where there is a disposition to resist or postpone liturgical proposals because there is genuinely inadequate time for them or because they create a reaction of tedium.⁴⁷

Professor Jones drew a distinction between 'basic liturgical material' provided by the Book of Common Prayer and the ASB, and 'occasional material of lesser intrinsic importance' where the minister was 'free to resort to private enterprise'. Without changing the Canons or Standing Orders, a new process could therefore be envisaged, making use of Canon B4 instead of Canon B2. In Jones's words:

- (1) The Liturgical Commission, under orders from the House of Bishops, would make its proposals in the form of a report. This report would go first to the House of Bishops simply for their agreement that it is ready to be submitted to the General Synod.
- (2) The report would be debated in General Synod. This would be the only opportunity of members to make proposals both in relation to general principle and detail. The report would be received or not received.
- (3) The proposals would then be revised, in the light of the debate, by the Liturgical Commission.
- (4) The proposals would be finally submitted to the House of Bishops who would have the last word.
- (5) The Archbishops would authorise the use of the services in their provinces for a given period (Canon B4).⁴⁸

Secretary-General Pattinson welcomed this proposal as a way to involve General Synod in the preparation of new services 'in a general way ... without setting in motion the full Synodical machinery', although he also pointed out that under Canon B4 the Archbishops had the power to authorize forms of service for which no provision was made in the Book of Common Prayer without any synodical consultation. Jones, however, cautioned:

⁴⁷ Douglas D. Jones, 'An Alternative Method of Authorizing Lesser Liturgical Proposals: Memorandum by the Chairman of the Liturgical Commission', House of Bishops Documents, HB(83)8.

⁴⁸ Ibid.

The great and overwhelming merit of this proposal is simplification. Of course by Canon B4 it is possible to by-pass Synod *altogether*. That in my opinion would be a capital error. We want to involve Synod and are in the happy position to be able to offer the degree of involvement suggested above.

Furthermore, Jones observed, this alternative method of authorization would not be appropriate for prayers which were theologically controversial, such as those being brought forward in 1983 for 'The Reconciliation of a Penitent'. He noted: 'There should be no suspicion that this is an easier road for proposals that have not been able to win through the more complex process.'⁴⁹

The House of Bishops endorsed this streamlined liturgical process in January 1983, though acknowledging that the most appropriate synodical procedure would need to be considered on a case-by-case basis.⁵⁰ The first liturgies brought forward by this new route were *Lent, Holy Week, Easter*, seasonal prayers from Ash Wednesday to Pentecost. However, there was a legal difficulty which the House of Bishops and the Liturgical Commission had not anticipated – if the Archbishops authorized *Lent, Holy Week, Easter* under Canon B4.2 then all other forms of service used on those occasions would be illegal. Canon B5.2 permits ministers to use forms of service they consider suitable, but only if no prayers are authorized for those occasions under Canon B2 or Canon B4. Many local churches already had their own customary forms of service for the Easter season, so the Bishop of Birmingham (Hugh Montefiore) warned the House of Bishops that they would be making a 'grave error' by proceeding under Canon B4.⁵¹ The House of Bishops therefore adopted a different procedure – not mentioned in the Canons – to 'commend' the prayers for use at the discretion of local ministers. The prayers would thus remain officially 'unauthorized' but would receive a form of public backing by the House of Bishops.

The process for *Lent, Holy Week, Easter* followed this new streamlined process:

- October 1984, the Liturgical Commission brought their draft report (including draft texts) for consideration by the House of Bishops, who agreed for it to be debated at General Synod.⁵²
- February 1985, General Synod expressed their opinions in a 'take note' debate.⁵³
- Spring 1985, the Liturgical Commission revised the texts in light of the debate and of comments received from individual General Synod members.⁵⁴

⁴⁹ Ibid.

⁵⁰ House of Bishops Minutes, 26-27 January 1983, HB(83)M1.

⁵¹ Hugh Montefiore, 'Services for Use in Lent, Holy Week and Easter' (29 September 1984), House of Bishops Documents, HB(84)32(a).

⁵² *Lent, Holy Week, Easter: A Report by the Liturgical Commission* (1984, GS 643); House of Bishops Minutes, 3 October 1984, HB(84)M3.

⁵³ *General Synod Report of Proceedings* vol. 16 (13 February 1985), pp. 182-200.

⁵⁴ *Lent, Holy Week, Easter: A Report by the Liturgical Commission* (1985, GS 643X).

- June 1985, the revised texts returned to the House of Bishops, who agreed to 'commend' them for use.⁵⁵

The published volume, *Lent, Holy Week, Easter* (1986), included a prefatory explanation by the Archbishop of Canterbury:

These Services and Prayers have been commended by the House of Bishops of the General Synod and are published with the agreement of the House. Under Canon B4 it is open to each Bishop to authorize, if he sees fit, the form of service to be used within his diocese. He may specify that the services shall be those commended by the House, or that a diocesan form of them shall be used. If the Bishop gives no directions in this matter the priest remains free, subject to the terms of Canon B5, to make use of the Services as commended by the House.⁵⁶

This explanation was attached, almost *verbatim*, to all subsequent texts commended by the House of Bishops.

On the same day in June 1985 that *Lent, Holy Week, Easter* was commended, the House of Bishops also agreed to commend *Services of Prayer and Dedication after Civil Marriage*.⁵⁷ These had followed a different route. During the 1970s, many dioceses had developed their own forms of prayer for couples who had been remarried after divorce, for use either in church or in the couple's home following a registry office wedding. This provision was queried in *Marriage and the Church's Task* (1978), the report of the Archbishops' Marriage Commission, and was frequently discussed during the wide-ranging General Synod debates on marriage and divorce in the late 1970s and early 1980s.⁵⁸ In February 1981, General Synod agreed that these services of prayer and dedication should continue and asked the Liturgical Commission 'to prepare forms of service available for use on such occasions at the discretion of the bishop and the incumbent'.⁵⁹ At the request of the House of Bishops, the Liturgical Commission produced a draft form of service in 1984, after comparing the various diocesan models already in circulation. It noted: 'This is not intended necessarily to replace the existing forms, which are as numerous as the dioceses, but to set a standard and provide as much flexibility as possible.'⁶⁰ Again, one of the advantages of the House of Bishops commending these prayers, rather than seeking to authorize them, was that local diocesan forms could continue. The draft prayers were circulated to General Synod for information but not formally debated.

⁵⁵ House of Bishops Minutes, 4 June 1985, HB(85)M2.

⁵⁶ *Lent, Holy Week, Easter: Services and Prayers* (London: Church House Publishing, 1986).

⁵⁷ House of Bishops Minutes, 4 June 1985, HB(85)M2.

⁵⁸ *Marriage and the Church's Task: The Report of the General Synod Marriage Commission* (1978, GS 363), pp. 82-4. For the broader context, see Ann Sumner Holmes, *The Church of England and Divorce in the Twentieth Century: Legalism and Grace* (London: Routledge, 2016).

⁵⁹ *General Synod Report of Proceedings* vol. 12 (24 February 1981), pp. 118-33.

⁶⁰ *Marriage: Services of Prayer and Dedication after Civil Marriage: A Report from the Liturgical Commission* (1984, GS Misc 193).

'Commendation' soon became a familiar, speedy, route for introducing new Church of England prayers. For a decade, between 1983 and 1993, no liturgies were brought to General Synod for authorization, because commendation was preferred by the House of Bishops. Sometimes the prayers were not brought to General Synod for debate at all, cutting out that step of the commendation process. A request for additional liturgical resources came next from hospital and hospice chaplains. The *Alternative Service Book* included 'The Funeral of a Child' and 'Prayers after the Birth of a still-born Child or the Death of a newly-born Child', but hospital chaplains asked for a more specific pastoral provision which combined these elements – a funeral service for those grieving the loss of a child near birth (whether through miscarriage, stillbirth, or neonatal death). Likewise, *Ministry to the Sick*, authorized by General Synod in 1982, offered prayers for the sick in expectation of healing and recovery, but hospice chaplains asked for prayers better suited to hospice ministry. In response, the Liturgical Commission drafted two adapted liturgies – *Funeral Service for a Child Dying near the Time of Birth* and *Ministry at the Time of Death* – mostly a compilation of previously authorized material. These were brought to the House of Bishops for initial consideration in October 1988,⁶¹ revised in the light of episcopal comments, and then brought back to the House of Bishops in January 1989 when they were 'commended' for use.⁶² Service booklets were published by Church House Publishing on behalf of General Synod.⁶³

The fifth liturgical resource 'commended' by the House of Bishops was *The Promise of His Glory*, seasonal prayers from Advent to Candlemas, a companion volume to *Lent, Holy Week, Easter*. It was brought into circulation in quick time:

- June 1990, the Liturgical Commission brought their draft report (including draft texts) for consideration by the House of Bishops.⁶⁴
- July 1990, General Synod expressed their opinions in a 'take note' debate.⁶⁵
- October 1990, the revised texts returned from the Liturgical Commission to the House of Bishops who agreed to commend them for immediate use from Advent 1990.⁶⁶

Thus, the whole process, from first consideration by the House of Bishops to their commendation of the prayers, took less than four months.

However, commendation for *The Promise of His Glory* revealed some of the complexities in deciding which types of prayers should be authorized by General

⁶¹ House of Bishops Minutes, 18 October 1988, HB(88)M3.

⁶² House of Bishops Minutes, 17 January 1989, HB(89)M1.

⁶³ *Funeral Service for a Child Dying Near the Time of Birth* (London: Church House Publishing, 1989); *Ministry at the Time of Death* (London: Church House Publishing, 1991).

⁶⁴ *The Promise of His Glory: Services and Prayers for the Season from All Saints to Candlemas: A Report by the Liturgical Commission* (1990, GS 907); House of Bishops Minutes, 19-20 June 1990, HB(90)M2.

⁶⁵ *General Synod Report of Proceedings* vol. 21 (8 July 1990), pp. 588-622.

⁶⁶ House of Bishops Minutes, 16 October 1990, HB(90)M3.

Synod under Canon B2, and which types of prayers could be commended by the House of Bishops. There were legal anxieties especially over some of the Liturgical Commission's eucharistic material in *The Promise of His Glory*, such as seasonal proper prefaces, and the new seasonal collects and lectionary. The Legal Adviser to General Synod (Brian Hanson) told the House of Bishops that this material 'cannot lawfully be used as proposed in the report (except as a service in draft form under Canon B5A) without authorisation or approval from the General Synod, and that "commendation" by the House of Bishops is not sufficient.'⁶⁷ He explained that 'commendation' was only possible if the proposed variations were 'not of substantial importance', and observed:

I entirely accept that the words 'not of substantial importance' should be given a broad construction, that the test is very much one of degree, and that it would certainly cover the use of some seasonal material. On the other hand, I also consider that there are some parts of the service of Holy Communion, such as the Eucharistic Prayer, the Confession and the Creed, which are of central or major importance and where the test should be applied rather more strictly than elsewhere. Moreover, where a number of variations to Rite A are proposed as a 'package', they must in my view be looked at as a whole. Thus even if each one individually might fall within the bounds of Canon B5 paragraph 1 that will not necessarily be true of their cumulative effect ...⁶⁸

Moreover, in Hanson's opinion, because the seasonal collects and lectionary were substantially different to those in the *Alternative Service Book*, they also could not be regarded as a minor variation. In his advice to the House of Bishops, he concluded:

Finally, I should perhaps repeat the basic legal principles enshrined in Canon Law namely that, subject to the discretion under Canon B5 paragraph 1:

- (a) a minister of the Church of England may use only the authorised forms of service;
- (b) the only body which is permitted to authorise alternative forms of service for occasions for which the BCP or the General Synod has made provision, is the General Synod itself; and
- (c) the Canons also envisage that it is the General Synod, and not any other body, which will approve collects and lectionaries.

If the House considers that this legal framework is too restrictive for the 1990s, I can only advise that the proper course is not to extend any exceptions beyond their legitimate boundaries but to address the underlying problem and consider the possibility of amending Canon Law.⁶⁹

⁶⁷ 'The Promise of His Glory: Legal Considerations' (May 1990), House of Bishops Documents, HB(90)19.

⁶⁸ Ibid.

⁶⁹ Ibid.

Nevertheless, the Liturgical Commission were eager to see *The Promise of His Glory* in circulation as quickly as possible, without the delays involved in authorization by General Synod. Therefore, they decided to revise the prayers in line with parameters set by the Legal Adviser, to enable commendation.⁷⁰ When it came to publication, the calendar and lectionary appeared as a separate appendix, with a note explaining that they required 'full Synodical authorization' before use.⁷¹

There were similar dilemmas over *Patterns for Worship*, another package of prayers developed by the Liturgical Commission.⁷² It offered a wide range of resources in the style of a liturgical 'directory' with multiple options, aimed at increasing flexibility and brevity in forms of worship, as requested especially by those ministering in urban contexts or among children and families. The report, with draft texts, was first brought to the House of Bishops in June 1989, and then General Synod was invited to express their opinions in a 'take note' debate in February 1990.⁷³ However, the House of Bishops declined to move ahead with commendation because of concerns that much of *Patterns for Worship* should be authorized by General Synod under Canon B2, particularly penitential, creedal and eucharistic material, and a new outline structure called 'A Service of the Word', designed as an alternative to Morning and Evening Prayer. Nevertheless, *Patterns for Worship* proved so popular in the parishes that by 1992 it was acknowledged at the House of Bishops that it was 'putting strain on the limits of freedom which is being taken under Canon B5'.⁷⁴ The House of Bishops therefore agreed to commend some of the prayers, while at the same time initiating the General Synod authorization process for *A Service of the Word*, including confessions and absolutions, and for *Affirmations of Faith*.⁷⁵ Authorization was complete by November 1993, so *Patterns for Worship* could be formally published by Church House Publishing, though all the eucharistic material from the original report was deleted.⁷⁶

Much of the material from these six commended resources – *Lent, Holy Week, Easter* (1985), *Prayer and Dedication Following Civil Marriage* (1985), *Funeral Service for a Child Dying near the Time of Birth* (1989), *Ministry at the Time of Death* (1989), *The Promise of His Glory* (1990), and *Patterns for Worship* (1992) – was later integrated into the *Common Worship* library from 2001. For example, the seasonal material was revamped and expanded as *Common Worship: Times and Seasons* and *Common Worship: Festivals*, on which there was a 'take note' debate in General

⁷⁰ 'The Promise of His Glory (GS 907): Report by the Liturgical Commission' (September 1990), House of Bishops Documents, HB(90)40.

⁷¹ *The Promise of His Glory: Services and Prayers for the Season from All Saints to Candlemas* (London: Church House Publishing / Mowbray, 1991), p. 369.

⁷² *Patterns for Worship: A Report by the Liturgical Commission* (1989, GS 898).

⁷³ House of Bishops Minutes, 19-20 June 1989, HB(89)M2; *General Synod Report of Proceedings* vol. 21 (22 February 1990), pp. 260-308.

⁷⁴ 'Proposed Introduction of Parts of "Patterns for Worship" to the General Synod for Authorisation', House of Bishops Documents, HB(92)2.

⁷⁵ House of Bishops Minutes, 27-28 October 1992, HB(92)M3; 'Proposed Second Edition of Patterns for Worship', House of Bishops Documents, HB(92)44.

⁷⁶ *Patterns for Worship* (London: Church House Publishing, 1995).

Synod in July 2004 before commendation by the House of Bishops.⁷⁷ *Common Worship* is thus an amalgam of ‘authorized’ and ‘commended’ texts.⁷⁸

Sometimes the Liturgical Commission published proposals for variations to authorized liturgy which were neither commended nor authorized. The *Alternative Service Book* was strongly criticised for its lack of inclusive language, referring frequently to ‘man’, ‘men’, ‘mankind’, ‘sons’ and ‘brothers’, when meaning all people. The Liturgical Commission began to address these questions in *Making Women Visible* (1988), which was debated by General Synod in July 1989.⁷⁹ The report made detailed suggestions for how the ASB text might be varied, but declared it was ‘unwise to be in too much haste in seeking formal authorisation for this material’.⁸⁰ Instead, in the view of the Commission, these variations in language did not need synodical approval but could be freely introduced using the ministerial discretion allowed in Canon B5. Nevertheless, it warned that a liturgical text like the Nicene Creed was ‘too important to be covered by an appeal to Canon B5’, so the traditional translation ‘and was made man’ must not be modified to ‘and became human’.⁸¹ The Liturgical Commission in 1987 also published unauthorized traditional language versions of the authorized ASB collects, for use at the minister’s discretion under Canon B5.⁸² The texts were not offered to the House of Bishops for commendation.

The House of Bishops’ decision about whether to commend prayers, or to invite General Synod to authorize them, sometimes hinged upon legal advice. When the Liturgical Commission drafted *A Form for the Reconciliation of a Penitent* in the early 1980s, the Legal Adviser (Brian Hanson) argued that it could not be authorized under Canon B4, but only by General Synod under Canon B2, because it was a modern language alternative to the pattern of auricular confession and ministerial absolution found in the Book of Common Prayer’s order for the Visitation of the Sick.⁸³ The prayers passed successfully through the early authorization stages, but because they were theologically controversial they fell at the ‘final approval’ stage in February 1983 when the necessary two-thirds majority was not achieved in the House of Laity:

	Ayes	Noes
House of Bishops	35	6
House of Clergy	157	49
House of Laity	124	75. ⁸⁴

⁷⁷ *Common Worship: Times and Seasons / Common Worship: Festivals; Report by the Liturgical Commission* (June 2004, GS 1549); *General Synod Report of Proceedings* vol. 35 (13 July 2004), pp. 386-409.

⁷⁸ See also, *Material for Commendation by the House of Bishops* (May 1999, GS 1370); *Liturgical Material Commended by the House of Bishops* (February 2000, GS Misc 594).

⁷⁹ *General Synod Report of Proceedings* vol. 20 (8 July 1989), pp. 496-539.

⁸⁰ *Making Women Visible: The Use of Inclusive Language with the ASB: A Report by the Liturgical Commission* (1988, GS 859), p. vii.

⁸¹ *Ibid.*, p. 4.

⁸² *The Collects, Traditional Language: For Use with Holy Communion Rite B* (London: Church House Publishing, 1987).

⁸³ *Legal Aspects Concerning ‘A Form for the Reconciliation of a Penitent’: Note by the Legal Adviser* (January 1983, GS Misc 169).

⁸⁴ *Alternative Services: A Form for the Reconciliation of a Penitent* (1982, GS 530); *General Synod Report of Proceedings* vol. 14 (8 February 1983), pp. 47-75. A few months earlier *The*

Four years later, in a Private Members' Motion, General Synod asked the House of Bishops to reintroduce the rejected liturgy for authorization 'at the earliest opportunity'.⁸⁵ The House of Bishops, however, declined to do so, partly because of the controversy it was likely to generate.⁸⁶ When the Legal Adviser changed, the legal advice changed. Brian Hanson retired in 2001 after 26 years in the role, and his successor, Stephen Slack, shortly afterwards advised that liturgies for the reconciliation of a penitent were not in fact alternative to the Book of Common Prayer and therefore did not need authorization by General Synod.⁸⁷ As a result, after a 'take note' debate at General Synod in July 2004, the liturgies were commended by the House of Bishops for use at ministerial discretion under Canon B5 – the same rapid procedure pioneered for *Lent, Holy Week, Easter* two decades earlier.⁸⁸

Amending the Canons, 1990-3

The Alternative and Other Services Measure 1965 allowed for a two-year trial of draft forms of service, before they were brought for formal authorization, though this power was never used.⁸⁹ When its successor, the Worship and Doctrine Measure 1974, was being drafted, the Liturgical Commission proposed a new method 'for the trial use of services on a very limited scale'.⁹⁰ This possibility was written into the 1974 Measure:

The General Synod may provide by Canon that where a form of service is in course of preparation with a view to its submission to the General Synod for approval by the Synod under Canon, the archbishops may authorise that service in draft form to be conducted by a minister in the presence of a congregation consisting of such persons only as the archbishops may designate.

This was conceived by the drafters to mean 'the private use of such services', usually with the permission of the diocesan bishop also, and that 'public use' of experimental liturgies would remain 'contrary to law and to the declaration of assent'.⁹¹ The Measure gave birth to a new Canon – Canon B5A ('Of authorisation for the use of a service in

Blessing of the Oils also fell at the 'final approval' stage in the House of Laity: *General Synod Report of Proceedings* vol. 13 (9 November 1982), pp. 750-63.

⁸⁵ *General Synod Report of Proceedings* vol. 18 (10 and 12 November 1987), pp. 822-9, 1063-9.

⁸⁶ 'Reintroduction of GS 530 (Reconciliation of a Penitent), the 'Knight Motion': Report by the Liturgical Commission', House of Bishops Documents, HB(88)24.

⁸⁷ 'Reconciliation and Restoration: Note by the Legal Adviser' (April 2003), in *Common Worship: Initiation Services (Rites on the Way and Reconciliation and Restoration): Report by the Liturgical Commission* (June 2004, GS 1546), p. 6.

⁸⁸ *General Synod Report of Proceedings* vol. 35 (12 July 2004), pp. 303-20.

⁸⁹ *The Future Course of Liturgical Revision: Report by the Standing Committee* (June 1973, GS 161), p. 15.

⁹⁰ *Draft Canon Made in Pursuance of Section 1 of the Church of England (Worship and Doctrine) Measure: Explanatory Memorandum* (1973, GS 129), p. 6.

⁹¹ *Church of England (Worship and Doctrine) Measure: Report of the Revision Committee* (May 1973, GS 108Y), p. 7.

draft form') – expressed in identical terms. Specific permission from the relevant Archbishop was required on each occasion when experimental liturgy was used. These powers were seldom exercised, and only on a small scale. For example, some of the material in *Patterns for Worship* was trialled in 1988, with archiepiscopal sanction under Canon B5A, 'in urban parishes of varying traditions and regional locations'.⁹²

However, when *The Promise of His Glory* was brought to the House of Bishops in 1990 they faced a dilemma. As already narrated, the Legal Adviser warned that some of the material needed authorization by General Synod under Canon B2, but the Liturgical Commission wanted the prayers in circulation as soon as possible. One feasible way forward, outlined by Secretary-General Pattinson, was for the Archbishops to authorize the material immediately under Canon B5A so that parishes could use it straight away, while it worked its way through the synodical authorization process. However, the Secretary-General advised against this course of action and observed to the House of Bishops:

The wording of this Canon is very restrictive and clearly not intended to cover general use over an extended period. Any widespread use of its provisions would certainly give rise to criticism, and if every application were to be subject to individual scrutiny by the Archbishop concerned the burden would become intolerable.⁹³

Therefore, the Archbishops agreed that a few designated parishes could experiment with the calendar and lectionary proposals in *The Promise of His Glory*, but they did not give wider permissions.⁹⁴

Provoked by these discussions, the House of Bishops in June 1990 asked the General Synod Standing Committee 'to consider initiating proposals, possibly through an amendment of Canon B5A, to broaden the scope for the authorised experimental use of draft forms of service.'⁹⁵ Their desire, as the House of Bishops later expressed it, was 'to allow greater freedom in the experimental use of proposed liturgies'.⁹⁶ This request stimulated a wide-ranging synodical discussion in the early 1990s about the future of liturgical renewal in the Church of England, and a full review of the liturgical Canons and procedures.

The Liturgical Commission raised some key questions in its report for General Synod, *The Worship of the Church as it Approaches the Third Millennium* (1991). Looking ahead to life after the *Alternative Service Book*, it called for a review of authorization processes if the new library of liturgical texts (what was to become *Common Worship*) was to be ready in time for publication on New Year's Day 2001. The report observed:

⁹² *Patterns for Worship: A Report by the Liturgical Commission* (1989, GS 898), p. vi.

⁹³ 'The Promise of His Glory (GS 907): Authorisation or Commendation for Use: Note by the Secretary-General' (June 1990), House of Bishops Documents, HB(90)19.

⁹⁴ Liturgical Commission Minutes, 24 July 1990, LitCom(90)M3.

⁹⁵ House of Bishops Minutes, 19-20 June 1990, HB(90)M2.

⁹⁶ House of Bishops Minutes, 17-18 June 1992, HB(92)M2.

The provisions of the Worship and Doctrine Measure, the Canons and the Standing Orders of Synod rightly safeguard the Church against hasty and doctrinally unsound liturgical decisions, and give a large say in such matters to the Church's elected representatives. But a common assumption at the time they were framed was that liturgical revision on the scale of the 1960s and 1970s was a once in a lifetime event: once we had a new prayer book the flow of business would sharply decrease. Instead, as this paper outlines, the Synod could face an immense amount of liturgical business in the five years before 1997, business which has not been 'invented' by an industrious and restless Commission but which has been undertaken in response to pastoral need. This is the same kind of pastoral need which is seen all over the world, and has produced new and larger prayer books in most of the major provinces of the Anglican Communion. It is a need expressed in the reports handled by Synod on Urban Priority Areas, Rural Areas, *Children in the Way*, Adult Discipleship, all of which contain demands about the Church's worship.

Such a volume of work going through the present liturgical business procedure of Synod will either bring the whole process into disrepute or, if the Synod deals properly with it, prevent any other synodical work being done. The Commission is convinced that, without altering the provisions of the Worship and Doctrine Measure, some kind of change needs to be made. One way forward might be to establish a 'core', or the heart of the apple of Church of England liturgy, which would need the full liturgical business procedure of Synod, and a flesh and skin which went through a lighter procedure.⁹⁷

The 'core', the Liturgical Commission suggested, might include the structure of the Holy Communion service, eucharistic prayers, confessions and absolutions, affirmations of faith, the Lord's Prayer, and controversial themes like prayer about the departed or prayer at the offertory. The main services in the Pastoral Offices would also be considered 'core'. On the other hand, the 'flesh' might include 'all the seasonal and resource material not in any of the sensitive areas listed above, all the Daily Prayer material, and other services to meet special pastoral needs'.⁹⁸ The 'skin' meant the packaging and publishing of the material, including different combinations of 'authorized' or 'commended' prayers.

Over the previous seven years, since 1984, this less sensitive seasonal and resource material had been through a 'commendation' process by the House of Bishops, but the Liturgical Commission believed this procedure should be brought under the aegis of the General Synod itself. It proposed:

A possible alternative procedure for flesh and skin items might be: publication for discussion and circulation to every member of Synod,

⁹⁷ *The Worship of the Church as it Approaches the Third Millennium: A Report by the Liturgical Commission on its Past Five Years' Work and Some Options for the Way Ahead for Worship after 2000* (1991, GS Misc 364), p. 21.

⁹⁸ *Ibid.*, p. 22.

informal discussion at a meeting chaired by the chairman of the Commission, following which they would be 'laid on the table' of Synod. If there was a list of signatures of, say, 100 members requesting discussion of any item, that item would go through a shortened form of the liturgical business procedure. It seems to the Commission better to have some connection with the full Synod for all approved material, rather than to use the only current alternative procedure, of commendation by the House of Bishops, which some would question, especially in the case of material which is alternative to the BCP.⁹⁹

In discussions with the Legal Adviser, the Liturgical Commission suggested that commendation by General Synod should be by a simple majority, rather than the two-thirds majorities required for authorization. Prayers might be commended for a limited period (perhaps two or three years) before being brought for the full authorization process under Canon B2. Commendation by General Synod would thus become, in effect, a temporary form of authorization.¹⁰⁰ The Liturgical Commission also hoped for a new synodical mechanism for deciding which liturgical material might be 'commended' and which should be fully authorized, perhaps by an extension of the 'designation' procedure used for Article 7 business.¹⁰¹ The Legal Adviser drafted a new Canon to transfer the commendation process from the House of Bishops to General Synod, but he acknowledged that there was no provision for commendation under the Worship and Doctrine Measure, so 'room for manoeuvre without amending legislation is very limited'.¹⁰²

Similar possibilities were raised by the General Synod Standing Committee in their report, *Liturgy: The Next Steps* (1991). They asked for an expression of views on the broad question: 'are the present procedures for liturgical authorisation and, more generally, the Canons governing public worship appropriate or adequate for this decade and beyond?'¹⁰³ They observed that the process of 'commendation' by the House of Bishops had been created in recent years as 'a "lighter" and informal procedure' for 'supplementary and seasonal material', as a result of General Synod's reluctance to repeat the time-consuming liturgical business of the late 1970s. But they also acknowledged: 'There has been some criticism of this way of proceeding since it gives no place in the process to the Houses of Clergy and Laity.'¹⁰⁴ Therefore, the Standing Committee suggested, there might be good reasons for changing the liturgical business Standing Orders, 'possibly allowing for two procedures: a full one for "core" material and a lighter one for seasonal and resource material, including a mechanism for determining when each procedure would apply'.¹⁰⁵

⁹⁹ *Ibid.*, p. 22.

¹⁰⁰ 'The Liturgical Canons B1 to B5A: A Note by the Legal Adviser' (10 September 1991), Liturgical Commission Documents, LitCom(91)25.

¹⁰¹ Liturgical Commission Minutes, 18 September 1991, LitCom(91)M2.

¹⁰² 'The Liturgical Canons B1 to B5A: A Note by the Legal Adviser' (10 September 1991), Liturgical Commission Documents, LitCom(91)25.

¹⁰³ *Liturgy: The Next Steps: Report by the Standing Committee* (November 1991, GS 989), p. 2.

¹⁰⁴ *Ibid.*, p. 3.

¹⁰⁵ *Ibid.*, p. 4.

In a wide-ranging debate on the reform of worship in November 1991, General Synod asked the Standing Committee to bring forward proposals for the revision of the liturgical Canons, 'so as to achieve the increased flexibility within an ordered framework called for by the House of Bishops'. Following an amendment from the floor, they also agreed that any proposals must be 'consistent with the Church of England (Worship and Doctrine) Measure 1974'.¹⁰⁶ This made explicit that the revised Canons should not require returning to Parliament to amend the 1974 Measure, but should continue to operate within its existing framework. Since the Canons derived their legitimacy from the Measure, and were largely drafted in the very language of the Measure, this restricted the degree of reform which was feasible. It immediately ruled out the prospect of a new Canon on 'commendation', for example.

Canons B1 to B5A had already been modified three times since they were first issued. In 1975 a new Canon B4A was inserted, concerning calendars and lectionaries.¹⁰⁷ Next, in 1978 and 1986, new words were added to Canon B2, explaining who was responsible for selecting ordination and confirmation liturgy if more than one option was authorized.¹⁰⁸ The major review of 1992-3 led to several further changes (**see Appendix 4**). Notably:

- To the clause in Canon B1 which explains that every minister must use authorized forms of service (except when exercising ministerial discretion under Canon B5), a new sentence was added: 'It is the minister's responsibility to have a good understanding of the forms of service used and he shall endeavour to ensure that the worship offered glorifies God and edifies the people.' This amendment was intended, according to a briefing to the House of Bishops, to emphasise that ministerial responsibilities extend beyond 'mere compliance with the letter of the law'.¹⁰⁹
- The phrase 'form of service' had been defined in the Worship and Doctrine Measure as 'any order, service, prayer, rite or ceremony whatsoever', but it was now defined more broadly in the Canons to include collects, lectionaries and 'any other matter to be used as part of a service'.

Authorized Experiments, 1993-2014

During the canonical amendments of 1992-3, the most sweeping change concerned Canon B5A on experimental liturgy. The original version, couched exactly in the words of the Worship and Doctrine Measure, was replaced with a new, broader text:

¹⁰⁶ *General Synod Report of Proceedings* vol. 22 (14 November 1991), pp. 907-46.

¹⁰⁷ *Church of England (Worship and Doctrine) Measure: Draft Canon B4A* (1975, GS 260).

¹⁰⁸ *Draft Amending Canon No. 6* (1978, GS 377A); *Draft Amending Canon No. 10* (1986, GS 615B).

¹⁰⁹ 'Proposed Revision of Liturgical Canons' (May 1992), House of Bishops Documents, HB(92)27.

Where a form of service has been prepared with a view to its submission to the General Synod for approval by the Synod under Canon B2, the Archbishops after consultation with the House of Bishops of the General Synod may, prior to that submission, authorise such form of service for experimental use for a period specified by them on such terms and in such places or parishes as they may designate.

This enabled the Archbishops to authorize experimental liturgy not just for specific occasions but for regular and repeated use in a parish over a number of months. It opened possibilities for more thorough ‘field-testing’ of liturgy, not least for seasonal collects and lectionaries which could only be trialled over a longer period. With this wider power came two new safeguards. First, the Archbishops had to consult the House of Bishops. Second, in line with Canon B3, experimental liturgy required the local consent of the PCC or, in the case of the Occasional Offices, of ‘the persons concerned’.

Another two safeguards were proposed at the revision stage but were both rejected by the Revision Committee. One suggestion was that experimental liturgy should be explicitly subject to ‘the same doctrinal safeguards’ as all other authorized liturgy – that is, ‘neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter’. However, the Revision Committee decided not to write these words into the new Canon, on the following grounds:

the proposal presupposed that anything authorised experimentally would inevitably come before the Synod for authorisation under Canon B2 and that it would satisfy the provisions of that Canon. However, if it was submitted for authorisation it would be for Synod to decide whether the requirements of Canon B2, which included doctrinal safeguards, then applied to that service. It was not to be expected that any service authorised for used under Canon B5A would be doctrinally suspect; but the proper test would be when that service was submitted for authorisation under Canon B2.¹¹⁰

It was also proposed that the new Canon B5A should include a fixed time limit for experiments, but the Revision Committee rejected this idea:

for example, flexibility was needed when the matter was not a particular service but related to seasonal material, or a lectionary which would run for a number of years. Also it might be argued that a service or liturgical matter could not be brought to the General Synod for approval until that time limit had expired.¹¹¹

¹¹⁰ *Draft Amending Canon No. 17: Revision Committee Report* (January 1993, GS 1020Y), pp. 9-10.

¹¹¹ *Ibid.*, p. 10.

Canon B5A was used to field test liturgical material for *Common Worship*. In the largest experiment, each diocese was invited to nominate 20 parishes (approximately 880 parishes in total across the Church of England) to trial the revised marriage and funeral liturgies for three months between October and December 1997.¹¹² During 1997-8 the same parishes were invited to trial draft eucharistic prayers, though only 230 parishes (26%) sent feedback on the prayers to the Liturgical Commission.¹¹³ In a similar way, a new weekday lectionary was trialled during 2003-4 in 566 parishes nominated by diocesan bishops.¹¹⁴ Feedback questionnaires were returned by 125 of the experimental parishes (22%), which helped shape the work of the Revision Committee as the lectionary worked its way through the General Synod authorization process.¹¹⁵ The Liturgical Commission also pursued similar experiments outside the parameters of Canon B5A. *Common Worship: Daily Prayer* did not need authorization since it already fitted within the rubrics of *A Service of the Word*. A 'preliminary edition' was published and widely distributed in January 2002, with a questionnaire seeking feedback by June 2003, and then a 'definitive edition' was published after a 'take note' debate at General Synod.¹¹⁶

In February 2008, General Synod asked the House of Bishops to commission new eucharistic prayers 'for use on occasions when a significant number of children are present or when it is otherwise pastorally appropriate to meet the needs of children present'.¹¹⁷ In response, the Liturgical Commission drafted two such prayers, which were trialled, under Canon B5A, in 713 designated parishes and congregations between January and June 2010. Feedback was received from over 250 clergy (35%) and over 800 congregation members (children and adults), in light of which the prayers were further revised before being returned to the House of Bishops in December 2010. They then entered the authorization process at General Synod during 2011-12.¹¹⁸ A similar process was followed for new baptismal texts in accessible language, which began as a request from General Synod to the House of Bishops in February 2011.¹¹⁹ When the House of Bishops were content that the drafts produced by the Liturgical Commission were 'sufficiently mature', they were sent for experimental use in 510 parishes between December 2013 and April 2014. Questionnaires were returned by 163 parishes (32%) which enabled the Liturgical Commission to make further revisions

¹¹² *Pastoral Rites: Responses from the Experimental Parishes* (June 1998, GS Misc 531).

¹¹³ *Draft Eucharistic Prayers: Responses from the Experimental Parishes* (June 1999, GS Misc 562).

¹¹⁴ *Weekday Lectionary and Amendments: Report by the Liturgical Commission* (October 2003, GS 1520), p. 5

¹¹⁵ *Weekday Lectionary and Amendments: Report of the Revision Committee* (June 2004, GS 1520Y), p. 2.

¹¹⁶ *Common Worship: Daily Prayer, Preliminary Edition: Note by the Liturgical Commission* (October 2001, GS Misc 658); *Common Worship: Daily Prayer: Report by the Liturgical Commission* (January 2003, GS 1490); *General Synod Report of Proceedings* vol. 34 (25 February 2003), pp. 157-66.

¹¹⁷ *General Synod Report of Proceedings* vol. 39 (13 February 2008), pp. 201-20.

¹¹⁸ *Additional Eucharistic Prayers: Report by the Liturgical Commission* (May 2011, GS 1822).

¹¹⁹ *General Synod Report of Proceedings* vol. 42 (9 February 2011), pp. 176-95.

to the texts before they were brought to General Synod for authorization during 2014-15.¹²⁰

Expired Authorizations

Authorization of liturgy under the Alternative and Other Services Measure 1965 was strictly time limited, to a maximum seven years, renewable for a maximum of another seven years. Although the Worship and Doctrine Measure did not have this restriction, General Synod continued to impose time limits on new liturgy until the mid-1990s. This was designed to ensure that alternative liturgies were not set in stone, but also raised the dilemma of what to do when authorization expired.

The Series 1 liturgy for Holy Communion, originally authorized in 1966, permitted parishes to use the Book of Common Prayer without keeping strictly to the original 1662 text. Popular variations included a Summary of the Law instead of the Ten Commandments, an Old Testament lesson alongside the Epistle and Gospel, omitting the long exhortation, varying the words of the intercessions, sharing the Peace, and inserting the Lord's Prayer or the Agnus Dei before the distribution of Holy Communion. But authorization for Series 1 Holy Communion expired in 1980 with the arrival of the *Alternative Service Book*, so this way of using the Book of Common Prayer became illegal despite its popularity. In February 1984, a proposal from the House of Bishops to re-authorize these variations under Canon B2 was agreed by General Synod, but by such a narrow margin in the House of Laity that it was clear they would have no prospect of achieving a two-thirds majority at the 'final approval' stage.¹²¹ A different route was necessary. *The Worship of the Church* (1985), a report by General Synod's Standing Committee, promised to find ways to accommodate those in the Church of England who were 'Prayer Book people' while not being 'Prayer Book fundamentalists'.¹²²

Several solutions were mooted at the House of Bishops and the Liturgical Commission. One possibility was to vary the effect of the Book of Common Prayer rubrics, a power granted by the Worship and Doctrine Measure. Another idea was to amend Canon B2 to allow General Synod to legitimize variations in authorized forms of service, with a Code of Practice from the House of Bishops outlining which variations they would be willing to sanction. But these solutions required all the formal stages of 'legislative business' and 'liturgical business' at General Synod, and the House of Bishops were reluctant to embark on 'such a public and potentially controversial procedure'.¹²³ Instead they settled on a simpler way forward, by recourse to Canon B5, passing the following resolution in January 1988:

¹²⁰ 'Summary of Feedback Following Experimental Use of Texts', in *Christian Initiation: Additional Texts in Accessible Language: Report by the Liturgical Commission* (June 2014, GS 1958), pp. 11-13.

¹²¹ *General Synod Report of Proceedings* vol. 15 (29 February 1984), pp. 247-73.

¹²² *The Worship of the Church: A Report by the Standing Committee* (October 1985, GS 698), p. 25.

¹²³ 'Customary Variations in the Use of the Book of Common Prayer: Report of Sub-Group of the House', House of Bishops Documents, HB(88)3.

that the House of Bishops is agreed in regarding the continued use, where well established, of any form of service which has, at any time since 1965, been canonically authorised (notwithstanding the fact that such authorisation was not renewed after it lapsed) as not being of 'substantial importance', within the meaning of Canon B5.4.¹²⁴

This resolution deliberately placed emphasis not on a minister's freedom to introduce such forms of service, but on a parish's freedom to retain such forms where they were already 'well established'. The resolution was formally read into the *General Synod Report of Proceedings* by Archbishop Runcie, in response to questions at General Synod in February 1988.¹²⁵ According to this interpretation of Canon B5, once Church of England prayers were authorized they would always henceforth be permitted in the places where they had become established, even if authorization lapsed.

Nevertheless, the 1988 House of Bishops resolution did not have canonical force. The same question recurred in the following decade, when authorization of the *Alternative Service Book* was due to expire, replaced by *Common Worship*. Some parishes were reluctant to make the change immediately, not least because of the financial burden of buying new service books. However, continued use of the ASB would be a breach of Canon Law, and would force ministers to break their public declaration to use 'only the forms of service which are authorized or allowed by Canon'. The solution was a further revision of Canon B2, which granted power to diocesan bishops to permit the continued use of a previously authorized form of service, if parishes requested it, for a maximum period of three years, renewable for another two years (**see Appendix 5**). This was intended to enable parishes to move at their own liturgical pace. As the Bishop of Peterborough (Ian Cundy) put it when introducing the Amending Canon to General Synod in February 1998: 'Do we make provision for the gentle decline of the ASB into graceful old age or should a summary execution take place on 1 January 2001 when its authorisation comes to an end?'¹²⁶ The Amending Canon was approved almost unanimously, though there were concerns that it exceeded the powers granted by the Worship and Doctrine Measure and so should instead have been an Amending Measure.¹²⁷ Since the arrival of *Common Worship*, liturgy authorized by General Synod under Canon B2 no longer comes with a specific time-limit – the usual phrase now is 'until further resolution of the Synod', in effect in perpetuity or until explicitly revoked. However, power of episcopal discretion to permit liturgies with expired authorization remains part of the Canon, intended as 'a permanent provision ... for similar situations in the future'.¹²⁸

¹²⁴ House of Bishops Minutes, 26 January 1988, HB(88)M1.

¹²⁵ *General Synod Report of Proceedings* vol. 19 (8 February 1988), pp. 48-50.

¹²⁶ *General Synod Report of Proceedings* vol. 29 (10 February 1998), p. 38.

¹²⁷ *General Synod Report of Proceedings* vol. 29 (11 February 1998), pp. 152-3. For discussion of this point, including consultation with the Home Office, see *Draft Amending Canon No. 22: Revision Committee Report* (October 1998, GS 1278Y), p. 4.

¹²⁸ *Draft Amending Canon No. 22: Revision Committee Report* (October 1998, GS 1278Y), p. 3.

Appendices: Key Texts

Appendix 1: Prayer Book (Alternative and Other Services) Measure 1965

Appendix 2: Canons B1 to B5, as promulgated in 1969

Appendix 3: Church of England (Worship and Doctrine) Measure 1974

Appendix 4: Canons B1 to B5A, as amended between 1975 and 1993

Appendix 5: Canon B2 additional text, 1999

Appendix 1

Prayer Book (Alternative and Other Services) Measure

1965

Text from *The Public General Acts and Church Assembly Measures 1965* (London: Her Majesty's Stationery Office, 1966), part II, pp. 1819-23

A Measure passed by the National Assembly of the Church of England to authorise the use by way of experiment of alternative forms of Service deviating from the Book of Common Prayer and the use of forms of Service for use on special occasions; and to authorise minor variations in public prayer and for purposes connected therewith.

1. Approval of forms of Service for experimental use

(1) In the case of any of the forms of Service prescribed by the Book of Common Prayer it shall be lawful to use in any Cathedral or Church, or other place where the form of Service may be used, in accordance with the provisions of this Measure, such form or forms of Service alternative to the form of Service so prescribed, and deviating (whether by way of addition, omission, substitution or otherwise) from the form of Service so prescribed, as may be approved by the Convocations of Canterbury and York for experimental use, every such form of Service being in their opinion neither contrary to, nor indicative of any departure from, the doctrine of the Church of England.

(2) An approval of a form of Service given under this section shall be required for each form of Service and shall not have effect for the purposes of this section unless the form of Service is approved by both Convocations in the same terms with a majority in each House of each Convocation of not less than two-thirds of those present and voting, and is agreed to by the House of Laity with a majority of not less than two-thirds of those present and voting.

(3) An alternative form of Service approved under this section may be used only during the period stated in the approval which period shall not exceed seven years from the date of the approval. Provided that:

- (a) if a majority of not less than two-thirds of those present and voting in each House of each Convocation and in the House of Laity so resolve the aforesaid period may from time to time be extended or renewed for further periods to be stated in the resolution not exceeding in the case of any one period seven years;
- (b) no period from which a form of Service alternative to the form of Service prescribed by the Book of Common Prayer is approved under this section shall continue beyond the expiry of fourteen years from the date of the coming into

effect of the first approval of a form of Service alternative to the form of Service so prescribed.

(4) An approval of a form of Service given under this section may be revoked or an approved form of Service may be varied or replaced by another form of Service alternative to the same form of Service prescribed by the Book of Common Prayer in the same manner, and subject to the same conditions, as applied to the original approval, but no such variation or replacement shall extend the period during which the form of Service may be used as prescribed by the foregoing provisions of this section.

2. Preliminary trial of draft forms of Service

(1) For the purpose of giving a preliminary trial to a form of Service which is under consideration by the Convocations of Canterbury and York with a view to approval being given thereto under section one of this Measure, a draft of the said form of Service, approved by the Convocations of Canterbury and York, may, subject to the provisions of this Measure, be used for a period or periods of trial

(a) in any Cathedral with the approval of the Dean and Chapter or the Cathedral Chapter, as the case may be; and

(b) subject to the control and supervision of the Bishop of the Diocese in such Church or Churches or other place or places where the relevant form of Service prescribed by the Book of Common Prayer may be used as he may arrange with the approval in each case of the incumbent of the benefice.

(2) In the case of any of the forms of Service prescribed by the Book of Common Prayer, a draft approved under this section may be used either before or after the first approval under section one of this Measure of a form of Service alternative to the form of Service to which that draft relates, but shall not be used after the expiry of any of the following periods:

(a) two years from the date of the first use of that draft;

(b) sixteen years from the date of the first use of the first draft approved under this section relating to that form of Service;

(c) fourteen years from the date of the first approval under section one of this Measure of a form of Service alternative to the form of Service to which the draft relates.

(3) The Convocations of Canterbury and York may revoke the approval of any draft form of Service or may vary or replace an approved draft form of Service but not so as to extend the period or periods of trial authorised by the foregoing provisions of this section.

3. Consent of Parochial Church Council and others concerned

A form or draft of a form of Service approved under either section one or section two of this Measure may not be used in any Cathedral which is a parish church or in any Church in a parish without the agreement of the Parochial Church Council of the parish or in any Guild Church without the agreement of the Guild Church Council, or in the case of Services known as Occasional Offices if any of the persons concerned objects beforehand to its use.

4. Forms of Service approved by Convocations or Ordinary for use on occasions not provided for in Prayer Book

(1) It shall be lawful to use in any Cathedral or Church or elsewhere forms of Service approved by the Convocations of Canterbury and York for use within their respective provinces on occasions for which no provision is made in the Book of Common Prayer, being forms of Service which in both words and order are in their opinion reverent and seemly and neither contrary to, nor indicative of any departure from, the doctrine of the Church of England.

(2) It shall be lawful to use in any Cathedral or Church or elsewhere forms of Service which, subject to any regulations made from time to time by the Convocation of the Province, may be approved by the Ordinary for use to meet circumstances for which no provision is made in the Book of Common Prayer or by the Convocations under sub-section (1) of this section, being forms of Service which in the opinion of the Ordinary in both words and order are reverent and seemly and are neither contrary to, nor indicative of any departure from, the doctrines of the Church of England.

5. Minor variations in the conduct of public prayer

Subject to the provisions of this Measure the Minister may in his discretion make and use variations which are not of substantial importance in any form of Service prescribed by the Book of Common Prayer or authorised for use under this Measure according to particular circumstances.

6. Forms of Service for use on occasions not otherwise provided for

Subject to the provisions of this Measure and to any regulations made from time to time by the Convocation of the Province, the Minister may on occasions for which no provision is made in the Book of Common Prayer or under section four of this Measure use forms of Service considered suitable by him for those occasions.

7. Provisions applicable to Services authorised by section 5 or 6 of this Measure

(1) All forms of Service and all variations in forms of Service used or made under the provisions of section five or six of this Measure shall be reverent and seemly and shall be neither contrary to, nor indicative of any departure from, the doctrine of the Church of England.

(2) If any question is raised concerning the observance of the provisions of the foregoing sub-section or whether a variation in a form of Service is of substantial importance or not it may be referred to the Bishop in order that he may give such pastoral guidance and advice as he may think fit, but such reference shall be without prejudice to the matter in question being made the subject matter of proceedings under the Ecclesiastical Jurisdiction Measure 1963.

8. Use of Services authorised by this Measure deemed to be ordered by lawful authority

The forms of Service which are authorised by this Measure or which are authorised or enjoined by the exercise of the powers or authorities set out in section ten of this Measure shall be the forms of Service which are ordered by lawful authority within the meaning of the Clerical Subscription Act 1865.

9. Interpretation

In the Measure, except in so far as the context otherwise requires:

- 'Book of Common Prayer' means the Book annexed to the Act of Uniformity 1662 and entitled 'The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church according to the use of the Church of England together with the Psalter or Psalms of David pointed as they are to be sung or said in Churches and the Form and Manner of Making Ordaining and Consecrating Bishops, Priests and Deacons';
- 'Cathedral' means a Cathedral or Collegiate Church in which the Book of Common Prayer is required by the Act of Uniformity 1662 to be used;
- 'Church' means any Parish Church, Chapel or other place of public worship which is not a Cathedral and in which the Book of Common Prayer is required by the Act of Uniformity 1662 to be used;
- 'Guild Church' means a church in the City of London designated and established as a Guild Church under the City of London (Guild Churches) Acts 1952 and 1960.

10. Savings

Nothing in this Measure shall prejudice or limit

- (a) the use of any form of Service from time to time enjoined or authorised by any enactment or by Order in Council, Royal Warrant or Royal Proclamation; or
- (b) the powers of the Bishop and the Archbishop respectively to appease diversity and resolve doubts pursuant to the provision in the Book of Common Prayer entitled 'Concerning the Service of the Church'.

11. Commencement and extent

(1) This Measure shall come into operation on such day as the Archbishops of Canterbury and York shall jointly determine, and their determination of that day shall be notified in the London Gazette.

(2) This Measure shall extend to the whole of the provinces of Canterbury and York except for the Channel Islands: Provided that this Measure may be applied to the Channel Islands as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, or either of them, in accordance with those Measures.

12. Short title

This Measure may be cited as the Prayer Book (Alternative and Other Services) Measure 1965.

Appendix 2

Canons B1 to B5, as promulgated in 1969

Text from *The Canons of the Church of England: Canons Ecclesiastical Promulgated by the Convocations of Canterbury and York in 1964 and 1969* (London: SPCK, 1969)

B1 Of conformity to the Book of Common Prayer, except as may be ordered by lawful authority

1. Every minister shall follow the use and observe the orders, rites, and ceremonies prescribed in the Book of Common Prayer, as well in public prayer and reading of holy Scripture as in administration of the sacraments, and none other, except so far as shall be ordered by lawful authority.
2. The forms of service which are authorized by or under the four next following Canons or which are authorized or enjoined by the exercise of the powers or authorities set out in the next paragraph of this Canon shall be the forms of service which are ordered by lawful authority within the meaning of the Clerical Subscription Act, 1865; and any reference in this Canon or any other Canons to lawful authority shall be construed in this manner.
3. Nothing in the said Canons or this Canon shall prejudice or limit:
 - (a) the use of any form of service from time to time enjoined or authorized by any enactment or by Order in Council, Royal Warrant, or Royal Proclamation; or
 - (b) the powers of the bishop and the archbishop respectively to appease diversity and resolve doubts pursuant to the provision in the Book of Common Prayer entitled 'Concerning the Service of the Church'.

B2 Of the approval of forms of service for experimental use

1. It shall be lawful for the Convocations of Canterbury and York to approve for experimental use within their respective provinces in any cathedral or church, or other place where the forms of service may be used, such forms of service alternative to the forms of service prescribed by the Book of Common Prayer and deviating (whether by way of addition, omission, substitution, or otherwise) from the forms of service so prescribed as in their opinion are neither contrary to, nor indicative of any departure from, the doctrine of the Church of England.
2. An approval of a form of service given under this Canon shall be required for each form of service and shall not have effect for the purposes of this Canon unless the form of service is approved by both Convocations in the same terms

with a majority in each House of each Convocation of not less than two-thirds of those present and voting, and is agreed to by the House of Laity with a majority of not less than two-thirds of those present and voting.

3. The periods during which such forms of service may be used, and the powers to renew and extend the periods and to revoke, vary, and replace the forms of service, shall be those prescribed by the Prayer Book (Alternative and Other Services) Measure, 1965.
4. A form of service approved under this Canon may not be used in any cathedral which is a parish church or in any church in a parish without the agreement of the parochial church council of the parish or in any guild church without the agreement of the guild church council, or in the case of services known as Occasional Offices if any of the persons concerned objects beforehand to its use.

B3 Of the preliminary trial of draft services

1. For the purpose of giving a preliminary trial to a form of service which is under consideration by the Convocations of Canterbury and York with a view to approval being given thereto under Canon B2, the said Convocations may approve a draft of the said form of service for use within their respective provinces for a period or periods of trial:
 - (a) in any cathedral with the approval of the dean and the chapter or the cathedral chapter, as the case may be: and
 - (b) subject to the control and supervision of the bishop of the diocese, in such church or churches, or other place or places where the relevant form of service prescribed by the Book of Common Prayer may be used, as he may arrange with the approval in each case of the incumbent of the benefice.
2. The times and periods at or during which such drafts of forms of service may be used, and the powers to revoke, vary, and replace the drafts, shall be those prescribed by the Prayer Book (Alternative and Other Services) Measure, 1965.
3. A draft of a form of service approved under this Canon may not be used in any cathedral which is a parish church or in any church in a parish without the agreement of the parochial church council of the parish or in any guild church without the agreement of the guild church council, or in the case of services known as Occasional Offices if any of the persons concerned objects beforehand to its use.

B4 Of forms of service approved by the Convocations or the Ordinary for use on certain occasions

1. The Convocations of Canterbury and York may approve within their respective provinces forms of service for use in any cathedral or church or elsewhere on occasions for which no provision is made in the Book of Common Prayer, being forms of service which in both words and order are in their opinion reverent and seemly and neither contrary to, nor indicative of any departure from, the doctrine of the Church of England.
2. The Ordinary, subject to any regulations made from time to time by the Convocation of the province within which his jurisdiction lies, may approve for use in any cathedral or church or elsewhere forms of service to meet circumstances for which no provision is made in the Book of Common Prayer or by the Convocations under paragraph 1 of this Canon, being forms of service which in the opinion of the Ordinary in both words and order are reverent and seemly and are neither contrary to, nor indicative of any departure from, the doctrine of the Church of England.

B5 Of the discretion of the minister in conduct of public prayer

1. The minister may in his discretion make and use variations which are not of substantial importance in any form of service prescribed by the Book of Common Prayer or authorized for use under the four last foregoing Canons according to particular circumstances.
2. Subject to any regulations made from time to time by the Convocation of the province, the minister may on occasions for which no provision is made in the Book of Common Prayer or under the last preceding Canon use forms of service considered suitable by him for those occasions.
3. All variations in forms of service and all forms of service used or made under this Canon shall be reverent and seemly and shall be neither contrary to, nor indicative of any departure from, the doctrine of the Church of England.
4. If any question is raised concerning the observance of the provisions of the last preceding paragraph or whether a variation in a form of service is of substantial importance or not, it may be referred to the bishop in order that he may give such pastoral guidance or advice as he may think fit, but such reference shall be without prejudice to the matter in question being made the subject-matter of proceedings under the Ecclesiastical Jurisdiction Measure, 1963.

Appendix 3

Church of England (Worship and Doctrine) Measure 1974

Text from *The Public General Acts and General Synod Measures 1974* (London: Her Majesty's Stationery Office, 1975), part II, pp. 1885-9

A Measure passed by the General Synod of the Church of England to enable provision to be made by Canon with respect to worship in the Church of England and other matters prescribed by the Book of Common Prayer, and with respect to the obligations and forms of assent or subscription to the doctrine of the Church of England; to repeal enactments relating to the matters aforesaid; and for purposes connected therewith.

1. Provision by Canon for worship in the Church of England

(1) It shall be lawful for the General Synod

- (a) to make provision by Canon with respect to worship in the Church of England, including provision for empowering the General Synod to approve, amend, continue or discontinue forms of service;
- (b) to make provision by Canon or regulations made thereunder for any matter, except the publication of banns of matrimony, to which any of the rubrics contained in the Book of Common Prayer relate;

but the powers of the General Synod under this subsection shall be so exercised as to ensure that the forms of service contained in the Book of Common Prayer continue to be available for use in the Church of England.

(2) Any Canon making any such provision as is mentioned in subsection (1) of this section, and any regulations made under any such Canon, shall have effect notwithstanding anything inconsistent therewith contained in any of the rubrics in the Book of Common Prayer.

(3) The General Synod shall provide by Canon

- (a) that decisions as to which of the forms of service authorised by or approved under Canon are to be used in any church in a parish or in any guild church shall be taken jointly by the incumbent and the parochial church council or, as the case may be, by the vicar of the guild church and the guild church council; and
- (b) that in case of disagreement and so long as the disagreement continues, the forms of service to be used in that church shall be those contained in the Book of Common Prayer unless other forms of service so approved were in regular use therein during at least two of the four years immediately preceding the date

when the disagreement arose and the said council resolves that those other forms of service shall be used either to the exclusion of, or in addition to, the forms of service contained in the said Book.

This subsection shall not apply in relation to a cathedral which is a parish church nor to any part of a cathedral which is a parish church.

(4) Subsection (3) of this section shall not apply in relation to any of the services known as occasional offices, but, in the case of those services, other than the Order of Confirmation, the General Synod shall provide by Canon that where more than one form of service is authorised by or approved under Canon for use on any occasion, the decision as to which form of service is to be used shall be made by the minister who is to conduct the service, but that if any of the persons concerned objects beforehand to the use of the service selected by the minister and he and the minister cannot agree as to which form is to be used, the matter shall be referred to the bishop of the diocese for his decision.

(5) Without prejudice to the generality of subsection (1) of this section, the General Synod may make provision by Canon

(a) for empowering the Convocations, the archbishops and the bishops of dioceses to approve forms of service for use on occasions for which no provision is made by forms of service contained in the Book of Common Prayer or approved by the General Synod or the Convocations under Canon;

(b) for empowering any minister to make and use minor variations in the forms of service contained in the said Book or approved by the General Synod, Convocation, archbishops or bishop under Canon and to use forms of service considered suitable by him on occasions for which no provision is made by any such form of service.

(6) The General Synod may provide by Canon that where a form of service is in course of preparation with a view to its submission to the General Synod for approval by the Synod under Canon, the archbishops may authorise that service in draft form to be conducted by a minister in the presence of a congregation consisting of such persons only as the archbishops may designate.

(7) In the prayers for or referring to the Sovereign or other members of the Royal Family contained in any form of service authorised for use in the Church of England, the names may be altered, and any other necessary alterations made, from time to time as the circumstances require by Royal Warrant, and those prayers as so altered shall be used thereafter.

2. Assent or subscription to doctrine

(1) It shall be lawful for the General Synod to make provision by Canon with respect to the obligations of the clergy, deaconesses and lay officers of the Church of England to assent or subscribe to the doctrine of that Church and the forms of that assent or subscription which may include an explanatory preface.

(2) In this section 'lay officers' means licensed lay workers, readers, lay judges of consistory or provincial courts, and lay holders of other offices admission to which is for the time being regulated by Canon.

3. Majorities required for final approval of Canons under section 1 or 2 and things done thereunder

No Canon making any such provision as is mentioned in section 1(1) or 2(1) of this Measure shall be submitted for Her Majesty's Licence and Assent unless it has been finally approved by the General Synod with a majority in each House thereof of not less than two-thirds of those present and voting; and no regulation under any Canon made under the said section 1(1) nor any approval, amendment, continuance or discontinuance of a form of service by the General Synod under any such Canon shall have effect unless the regulation, the form of service or the amendment, continuance or discontinuance of a form of service, as the case may be, has been finally approved by the General Synod with such a majority as aforesaid in each House thereof.

4. Safeguarding of doctrine

(1) Every Canon or regulation making any such provision as is mentioned in section 1(1) of this Measure, every form of service or amendment thereof approved by the General Synod under any such Canon and every Canon making any such provision as is mentioned in section 2(1) of this Measure shall be such as in the opinion of the General Synod is neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.

(2) The final approval by the General Synod of any such Canon or regulation or form of service or amendment thereof shall conclusively determine that the Synod is of such opinion as aforesaid with respect to the matter so approved.

(3) Where provision is made by Canon by virtue of section 1(5) of this Measure, the Canon shall provide for requiring the forms of service and variations approved, made or used thereunder to be neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.

5. Interpretation

(1) References in this Measure to the doctrine of the Church of England shall be construed in accordance with the statement concerning that doctrine contained in the Canons of the Church of England, which statement is in the following terms: 'The doctrine of the Church of England is grounded in the holy Scriptures, and in such teachings 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.'

(2) In this Measure the following expressions have the meanings hereby assigned to them:

- 'the appointed day' means the day appointed under section 7(2) of this Measure;
- 'Book of Common Prayer' means the Book annexed to the Act of Uniformity 1662 and entitled 'The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church according to the use of the Church of England together with the Psalter or Psalms of David appointed as they are to be sung or said in Churches and the Form and Manner of Making, Ordaining and Consecrating Bishops, Priests and Deacons', as altered or amended by any Act or Measure or in accordance with section 1(7) of this Measure;
- 'church' includes any building or part of a building licensed by the bishop for public worship according to the rites and ceremonies of the Church of England;
- 'form of service' means any order, service, prayer, rite or ceremony whatsoever, including the services for the ordination of priests and deacons and the consecration of bishops and the catechism or form of instruction before confirmation;
- 'guild church' means a church in the City of London designated and established as a guild church under the City of London (Guild Churches) Acts 1952 and 1960;
- 'incumbent' includes
 - (a) a curate licensed to the charge of a parish or a minister acting as priest-in-charge of a parish in respect of which rights of presentation are suspended; and
 - (b) a vicar in a team ministry to the extent that the duties of an incumbent are assigned to him by a scheme under the Pastoral Measure 1968 or his licence from the bishop;
- 'rubrics' of the Book of Common Prayer include all directions and instructions contained in the said Book, and all tables, prefaces, rules, calendars and other contents thereof.

6. Amendments, repeals, transitional provisions and savings

(1) Section 3 of the Submission of the Clergy Act 1533 (which provides that no Canons shall be contrary to the Royal Prerogative or the customs, laws or statutes of this realm) shall not apply to any rule of ecclesiastical law relating to any matter for which provision may be made by Canon in pursuance of this Measure.

(2) The enactments specified in Schedule 1 to this Measure shall have effect subject to the amendments set out in that Schedule, being amendments consequential upon the preceding provisions of this Measure.

(3) The Acts and Measures specified in Schedule 2 to this Measure are hereby repealed to the extent specified in column 3 thereof.

(4) Schedule 3 to this Measure, which contains transitional provisions and savings, shall have effect, but nothing in the said Schedule shall be taken as prejudicing section 38 of the Interpretation Act 1889 as applied by the Interpretation Measure 1925.

7. Short title, commencement and extent

(1) This Measure may be cited as the Church of England (Worship and Doctrine) Measure 1974.

(2) This Measure shall come into force on such day as the Archbishops of Canterbury and York may jointly appoint: Provided that the powers to make Canons in pursuance of this Measure shall be exercisable before the appointed day, but no such Canon shall come into operation before the appointed day.

(3) This Measure shall extend to the whole of the provinces of Canterbury and York except the Channel Islands, but may be applied to the Channel Islands as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957 or either of them in accordance with those Measures.

Appendix 4: Canons B1 to B5A, as amended between 1975 and 1993

Texts from *Amending Canon No.3 (Worship)* (1975, GS 129C); *Church of England (Worship and Doctrine) Measure: Draft Canon B4A* (1975, GS 260); *Draft Amending Canon No. 6* (1978, GS 377A); *Draft Amending Canon No. 10* (1986, GS 615B); *Draft Amending Canon No. 17: As Amended at the Final Drafting Stage* (1993, GS 1020D)

B1. Of conformity of worship

1. The following forms of service shall be authorised for use in the Church of England:
 - (a) the forms of service contained in the Book of Common Prayer;
 - (b) the shortened forms of Morning and Evening Prayer which were set out in the Schedule to the Act of Uniformity Amendment Act 1872;
 - (c) the form of service authorised by Royal Warrant for use upon the anniversary of the day of the accession of the reigning Sovereign; and
 - (d) any forms of service approved under Canon B2 or Canon B4 subject to any amendments so approved, [**1993 amends:** *any form of service approved under Canon B2 subject to any amendments so approved to the extent permitted by such approval;*]
[1993 adds:
 - (e) *any form of service approved under Canon B4 subject to any amendments so approved, to the extent permitted by such approval;*
 - (f) *any form of service authorised by the Archbishops under Canon B5A, to the extent permitted by such authorisation.*
2. Every minister shall use only the authorised services aforesaid, except so far as he may exercise the discretion allowed to him by Canon B5. [**1993 amends:** *Every minister shall use only the forms of service authorised by this Canon, except so far as he may exercise the discretion permitted by Canon B5. It is the minister's responsibility to have a good understanding of the forms of service used and he shall endeavour to ensure that the worship offered glorifies God and edifies the people.*]
[1993 adds:
 3. *In this Canon the expression 'form of service' shall be construed as including:*
 - i. the prayers known as Collects;*
 - ii. the lessons designated in any Table of Lessons;*
 - iii. any other matter to be used as part of a service;*
 - iv. any Table of rules for regulating a service;*
 - v. any Table of Holy Days which expression includes 'A Table of all the Feasts' in the Book of Common Prayer and such other Days as shall be included in any Table approved by the General Synod.*

B2. Of the approval of forms of service

1. It shall be lawful for the General Synod:
 - (a) to approve forms of services for use in the Church of England and to amend any form of service approved by the General Synod under this Canon;
 - (b) to approve the use of any such form of service for a limited period, or without limit of period;
 - (c) to extend the period of use of any such form of service and to discontinue any such form of service;and any form of service or amendment thereof approved by the General Synod under this Canon shall be such as in the opinion of the General Synod is neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.
2. Any approval, amendment, continuance or discontinuance of any form of service shall not have effect unless the form of service or the amendment, continuance or discontinuance thereof is finally approved by the General Synod with a majority in each House thereof of not less than two-thirds of those present and voting.

[1993 adds:

3. *In this Canon the expression 'form of service' has the same meaning as in Canon B1.*

B3. Of the form of service to be used where alternative forms are authorised

1. Decisions as to which of the forms of service authorised by Canon B1, other than the services known as occasional offices, are to be used in any church in a parish or in any guild church shall be taken jointly by the minister and the parochial church council or, as the case may be, by the vicar of the guild church and the guild church council. In this Canon 'church' includes any building or part of a building licensed by the bishop for public worship according to the rites and ceremonies of the Church of England.
2. If there is disagreement as to which of the said forms of service are to be used in any such church, then, so long as the disagreement continues the forms of service to be used in that church shall be those contained in the Book of Common Prayer unless other forms of service authorised by Canon B1 were in regular use therein during at least two of the four years immediately preceding the date when the disagreement arose and the parochial church council or guild church council, as the case may be, resolves that those other forms of service shall be used either to the exclusion of, or in addition to, the forms of service contained in the said Book.

3. The foregoing paragraphs of this Canon shall not apply in relation to a cathedral which is a parish church nor to any part of a cathedral which is a parish church.
4. Where more than one form of any of the services known as occasional offices, other than the Order of Confirmation, is authorised by Canon B1 for use on any occasion the decision as to which form of service is to be used shall be made by the minister who is to conduct the service, but if any of the persons concerned objects beforehand to the use of the service selected by the minister and he and the minister cannot agree as to which form is to be used, the matter shall be referred to the bishop of the diocese for his decision.

[1978 adds:

5. *Where more than one form of service of ordination of deacons or priests, or of the ordination or consecration of a bishop, is authorised by Canon B1 for use, the decision as to which form of service is to be used shall be made by the bishop or archbishop, as the case may be, who is to conduct the service [1986 adds: and, where more than one form of service of confirmation is so authorised, the decision as to which service is to be used shall be made by the bishop or archbishop, as the case may be, who is to conduct the service after consulting the minister of the church where the service is to be held.*

[1993 adds:

6. *In this Canon the expression 'form of service' has the same meaning as in Canon B1.*

B4 Of forms of service approved by the Convocations, Archbishops or Ordinary for use on certain occasions

1. The Convocations of Canterbury and York may approve within their respective provinces forms of service for use in any cathedral or church or elsewhere on occasions for which no provision is made in the Book of Common Prayer or by the General Synod under Canon B2, being forms of service which in both words and order are in their opinion reverent and seemly and neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.
2. The archbishops may approve forms of service for use in any cathedral or church or elsewhere in the provinces of Canterbury and York on occasions for which no provision is made in the Book of Common Prayer or by the General Synod under Canon B2 or by the Convocations under this Canon, being forms of service which in both words and order are in their opinion reverent and seemly and are neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.

3. The Ordinary, subject to any regulations made from time to time by the Convocation of the province within which his jurisdiction lies [**1993 deletes this clause**], may approve forms of service for use in any cathedral or church or elsewhere in the diocese on occasions for which no provision is made in the Book of Common Prayer or by the General Synod under Canon B2 or by the Convocation or archbishops under this Canon, being forms of service which in the opinion of the Ordinary in both words and order are reverent and seemly and are neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.

[1993 adds:

4. *In this Canon the expression 'form of service' has the same meaning as in Canon B1.*

[1975 inserts, and 1993 deletes:

B4A Of the approval of Collects, Lectionaries and Table of Rules to Order the Service

1. *It shall be lawful for the General Synod:*

(a) to approve new forms of the prayers known as collects, or any of them, for use in any service approved under Canon B2 or Canon B4 and to amend any form of collect approved by the General Synod under this Canon;

(b) to approve the use of any such form of collect for a limited period or without limit of period;

(c) to extend the period of use of any form of collect so approved and to discontinue any such form;

and any form of collect or amendment thereof approved by the General Synod under this Canon shall be such as in the opinion of the General Synod is neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.

2. *It shall be lawful for the General Synod:*

(a) to approve Tables of Lessons for use in any service approved by the General Synod under Canon B2 and to amend any such Table approved by the General Synod under this sub-paragraph;

(b) to approve a Table of Rules for regulating the Service when two Holy Days fall upon the same day or their Proper Services otherwise fall together, or when necessary for any other reason, and to amend any such Table approved by the General Synod under this sub-paragraph;

(c) to approve the use of any such Table as is mentioned in sub-paragraph (a) or (b) of this paragraph for a limited period or without limit of period;

(d) to extend the period of use of any such Table so approved and to discontinue any such Table.

In this paragraph 'Holy Day' means the Day set out in 'A Table of all the Feasts' in the Book of Common Prayer and such other Days as the General Synod considers should be included in any Table of Rules approved under this paragraph.

3. Any approval, amendment, continuance or discontinuance of any form of collect, or of any such Table as is mentioned in sub-paragraph (a) or (b) of paragraph 2 of this Canon, shall not have effect unless the form of collect or the Table, or the amendment, continuance or discontinuance thereof, is finally approved by the General Synod with a majority in each House thereof of not less than two-thirds of those present and voting.

B5 Of the discretion of the minister [1993 amends: *ministers*] in conduct of public prayer

1. The minister [1993 adds: *who is to conduct the service*] may in his discretion make and use variations which are not of substantial importance in any form of service authorised by Canon B1 according to particular circumstances.
2. Subject to any regulation made from time to time by the Convocation of the province [1993 deletes this clause], the minister [1993 adds: *having the cure of souls*] may on occasions for which no provision is made in the Book of Common Prayer or by the General Synod under Canon B2 or by the Convocation, archbishops, or Ordinary under Canon B4 use forms of service considered suitable by him for those occasions [1993 adds: *and may permit another minister to use the said forms of service.*]
3. All variations in forms of service and all forms of service used under this Canon shall be reverent and seemly and shall be neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter.
4. If any question is raised concerning the observance of the provisions of the last preceding paragraph or whether a variation in a form of service is of substantial importance or not [1993 amends: *the provisions of this Canon*], it may be referred to the bishop in order that he may give such pastoral guidance or advice [1993 amends: *pastoral guidance, advice or directions*] as he may think fit, but such reference shall be without prejudice to the matter in question being made the subject-matter of proceedings under the Ecclesiastical Jurisdiction Measure, 1963.

[1993 adds:

5. *In this Canon the expression 'form of service' has the same meaning as in Canon B1.*

B5A Of authorisation for the use of a service in draft form

1. Where a form of service is in course of preparation with a view to its submission to the General Synod for approval by the Synod under Canon B2, the archbishops may authorise that service in draft form to be conducted by a minister in the presence of a congregation consisting of such persons only as the archbishops may designate.

[1993 deletes the whole of Canon B5A, and inserts a new text:

B5A Of authorisation of forms of service for experimental periods

1. *Where a form of service has been prepared with a view to its submission to the General Synod for approval by the Synod under Canon B2, the Archbishops after consultation with the House of Bishops of the General Synod may, prior to that submission, authorise such form of service for experimental use for a period specified by them on such terms and in such places or parishes as they may designate.*
2. *Where any form of service has been authorised under paragraph 1 of this Canon for experimental use and it is proposed that it shall be used in any church the requirements of Canon B3 shall apply.*
3. *In this Canon the expression 'form of service' has the same meaning as in Canon B1.*

Appendix 5

Canon B2 additional text, 1999

Text from *Draft Amending Canon No. 22: As Amended by the General Synod at the Final Drafting Stage* (1999, GS 1278C)

Paragraph 2A

- (1) It shall be lawful for the bishop of a diocese or other Ordinary of the place, on request made in accordance with sub-paragraphs (5) and (6) below on behalf of a parish or place of worship of a kind specified in sub-paragraph (5)(a) below, by notice in writing to approve the continued use in the parish or place of worship, for such period as shall be specified in the notice, any form of service:
 - (a) the use of which has ceased to be approved by the General Synod by virtue of the expiry of any limited period imposed under paragraph 1(b) above; or
 - (b) the use of which has ceased to be approved by the General Synod by virtue of the expiry of any period of extension granted under paragraph 1(c) above; or
 - (c) which has been discontinued under paragraph 1(c) above.
- (2) Approval under sub-paragraph (1) above for the continued use of a form of service on a request made on behalf of a parish shall either:
 - (a) apply to all places of worship in the parish in question; or
 - (b) be limited in its application to such place or places of worship in the parish as may be specified in the notice.
- (3) Where a bishop or other Ordinary has approved the continued use of a form of service under sub-paragraph (1) above he may, on a request made on behalf of the parish or place of worship concerned in accordance with sub-paragraph (5) and (7) below, by notice in writing extend (on one occasion only) the period of continued use of the form of service for such further period as shall be specified in the notice.
- (4) The period of continued use referred to in sub-paragraphs (1) and (3) above shall commence on the date on which the use of the form of service in question ceases or ceased to be approved by the General Synod or on the expiry of the original period of continued use, as the case may be.
- (5) A request for approval under sub-paragraph (1) above for the continued use of a form of service or for an extension under sub-paragraph (3) shall be made:
 - (a) in the case of a place of worship which is in an extra-parochial place or in respect of which a clerk in Holy Orders is licensed under section 2 of the Extra-Parochial Ministry Measure 1967, by the minister concerned; and
 - (b) in any other case, by the minister and parochial church council concerned acting jointly.
- (6) A request for approval under sub-paragraph (1) above for the continued use of a form of service shall not be made after the expiry of the period of twelve

months following the date on which the use of the form of service has ceased to be approved by the General Synod and the period for which approval is given shall not exceed three years.

- (7) A request for an extension under sub-paragraph (3) above of a period of continued use for a further period shall not be made after the expiry of the original period and the further period shall not exceed the original period or two years, whichever is the less.

Paragraph 2B

- (1) Paragraph 2A above (except sub-paragraphs (2) and (5) and with the omission from sub-paragraphs (1) and (3) of references to the Ordinary) shall apply to forms of service used in a cathedral church as it applies to forms of service used in a parish, with the following adaptations.
- (2) Where Part I of the Cathedrals Measure 1999 applies in relation to the cathedral church, for references to a request on behalf of a parish or place of worship there shall be substituted references to the request of the Chapter with the consent of the dean.
- (3) Where the Cathedrals Measure 1963 continues to apply in relation to a cathedral church in accordance with section 38(3) of the said Measure of 1999, for references to a request on behalf of a parish or place of worship there shall be substituted references to the request of the following bodies acting jointly, namely:
- (a) the administrative body; and
 - (b) the dean or provost as the case may be; and also
 - (c) in the case of a parish church cathedral for the parish of which there is a parochial church council whose functions have not been transferred to the administrative body in pursuance of a section 12(1), that council.
- In this sub-paragraph 'administrative body' and 'parish church cathedral' have the same meanings as in the Cathedrals Measure 1963.
- (4) In relation to the cathedral church of Christ in Oxford, for references to a request on behalf of a parish or place of worship there shall be substituted references to the request of the Dean and Canons.

Paragraph 2C

In the case of a request in respect of a cathedral church or a place of worship which is in an extra-parochial place, the request shall only be made after consultation with the representatives of persons over the age of sixteen years who worship regularly therein.

Paragraph 3

In this Canon the expression 'form of service' has the same meaning as in Canon B1 and the reference in paragraph 2A(5)(b) above to the minister shall, where there is no minister, be construed as a reference to the rural dean.