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A PART REPORT OF THE EPISCOPAL REFERENCE GROUP OF THE FAITH AND
ORDER COMMISSION:

LIVING IN LOVE AND FAITH AND THE DOCTRINE OF MARRIAGE

February 2025

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1. GS 2358, paragraphs 43-44, records the House of Bishops' request for the Episcopal Reference Group of the Faith and Order Commission (ERG) to offer theological advice 'on the nature, role, and creation of doctrine' as it relates to the Living in Love and Faith programme and specifically to the further commendation of the Prayers of Love and Faith (PLF) for 'bespoke' services. Further consideration of doctrinal questions relating to the possibility of relaxing restrictions for Clergy in Same Sex Marriages has also been requested. This paper sets out the status of the ERG's work so far in response to the request.
 2. Substantial reports have been shared with the House of Bishops during the course of 2024 on: distinctions between same-sex marriage, civil marriage and holy matrimony; ecclesiology, unity and differentiation; and the role of conscience and episcopacy. The final versions of this work have been brought together and are made available as GS Misc 1406.
 3. Further work on 'the nature, role, and creation of doctrine' as it relates to the LLF programme is progressing well, but is still in progress. At present, the ERG can make a part report which includes two documents.
 4. The first is a compendium of sources on the Church of England's Doctrine of Marriage. This document catalogues relevant sources from the Reformation to the present day, providing key excerpts along with brief comments to orientate the reader. Whilst it remains under development, this has become a key reference document. We share it as background to the second element of the report. It is offered for reference, not with any expectation of detailed reading and review. The material can be found via this [weblink](#).
 5. The second document, entitled 'Nine Theses about the Doctrine of Marriage' abstracts from the vast array of sources in the compendium the significant finding that 'from the first Prayer Books through to the current LLF process, there is a stable core to the doctrine of marriage that can be enumerated through nine statements.' This theological reflection, which has already been tentatively shared with the House, has been at the core of the ERG's discussions as it considers what advice it can offer the House of Bishops.
 6. In coming to a judgment on whether the PLF are contrary to or indicative of a departure from the doctrine of the Church of England, the ERG is of the view that both text and context are relevant and belong together. The ERG recognises that the PLF in themselves (considered in the light of the Nine Theses), do not characterise the relationship of any given couple as marriage and do not, therefore, impinge directly upon the doctrine of marriage. Nonetheless, the contexts in which the PLF might be used could impinge upon this doctrine. This contextual risk is likely to be higher in a

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bespoke (i.e., standalone) service than in any use of the PLF within existing services. More time and reflection to consider different contexts and liturgical aesthetics would be needed, in consultation with the Liturgical Commission and the whole of the Faith and Order Commission (FAOC), before the ERG would feel confident to advise on the congruence (or otherwise) of the PLF in bespoke services with the Church of England's doctrine of marriage.

7. The ERG's theological reflection is ongoing. We continue to aim to produce a full report for the House of Bishops by its May 2025 meeting. That fuller and more mature reflection will include further material on how 'doctrine can develop or change within the Church of England' (GS 2358 paragraph 44), how that might impinge on the use of PLF in 'bespoke' services and the doctrinal implications of a possible relaxation of restrictions on Clergy in Same Sex Marriages.
8. The ERG, with the whole of FAOC, is aware that proposals for delegated episcopal ministry are being mooted as a correlate to the implementation of the PLF. Any such proposals would have significant ecclesiological implications for the Church of England. We would therefore be glad to do the necessary theological work on any emerging proposals as part of our wider consideration of the PLF, with further updates to be provided to the House at future meetings.

+Robert Innes

Bishop in Europe

Chair of the Faith and Order Commission

on behalf of the Episcopal Reference Group:

+Jonathan Baker

+Jane Steen

+Michael Ipgrave

+Graham Tomlin

+Anderson Jeremiah

+Dagmar Winter

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**A PART REPORT OF THE EPISCOPAL REFERENCE GROUP:
LIVING IN LOVE AND FAITH AND THE DOCTRINE OF MARRIAGE**

ANNEXE A:

Nine Theses about the Doctrine of Marriage

Nine theses about the doctrine of marriage

An ERG working group paper

Preamble

The Episcopal Reference Group (ERG) was asked by the House of Bishops (in a motion later also approved by the General Synod) to prepare a report ‘around the nature of doctrine, particularly as it relates to the doctrine of marriage and the question of clergy in same-sex civil marriages’ (GS 2358). Different members of the ERG, together with the theological advisers, have been working on different aspects of the work in the months since. The full working group report is still expected to be provided to the House of Bishops and subsequently published as a GS Misc document before the July Group of Sessions. One aspect of the work, however, concerning the doctrine of marriage specifically and the relationship of the commended *Prayers of Love and Faith* (PLF) thereto, is capable of forming a discrete ‘part report’ of its own, perhaps sooner than the rest of the paper(s); and the House of Bishops thought it expedient to bring forward that part report sooner than the rest of the paper(s) in order to facilitate some aspects of decision-making that the House of Bishops may be in a position to address early in the New Year. This paper comprises that part report.

Versions of this paper were presented to the College of Bishops on 19th September, to the House of Bishops on 23rd October, and to the LLF working groups on 15th November. On each occasion, comments and questions were received and considered and, in light of them, modest changes made. The paper was also discussed by the Faith and Order Commission (FAOC) and by the ERG on 7th January, though is issued in the name of the ERG only. In providing this part-report for the 20 January 2025 House of Bishops, we have not had sufficient time to add references to substantiate each point made. We intend that the mature version of this paper, when it forms part of the full ERG report later this year, will supply all the necessary supporting evidence.

Sources

The prominence of Canon B30.1 in the LLF debates in General Synod over the last two years might incline one to assume that the question of the Church of England’s doctrine of marriage is settled on the basis and in the terms of the Canon alone. This, however, cannot be the case. Canon B30.2 itself refers to the Form of Solemnization of Holy Matrimony in the *Book of Common Prayer* for the fuller elucidation of the doctrine (just as Canon A5 defers the question of doctrine in general to that set forth in the Thirty-Nine Articles, Prayer Book, and Ordinal); while in a liturgical, episcopal, and synodical Church which is itself part of a worldwide Communion, the modern rites used, bishops’ statements and teaching documents, resolutions and decisions of the General Synod and of successive Lambeth Conferences ought to factor also. A companion document (labelled ‘Compendium’ in footnotes) contains excerpts from dozens of official Church of England documents pertaining to the doctrine of marriage covering the last five hundred years.

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The Nine Theses

The Church of England's doctrine of marriage is expressed in its liturgy and law, reflected in episcopal teaching documents and statements, and scrutinised and explored through various commissions and reports. Over the course of nearly 500 years, from the first Prayer Books through to the current LLF process, there is a stable core to the doctrine of marriage that can be enumerated through nine statements, each of which have several further implications and applications. They are as follows:

1. Marriage is the formation of a new unit, the 'one flesh' union of a woman and a man.
2. Marriage is God's gift in creation.
3. Marriage is 'an honourable estate.'
4. Marriage is a sign of the relationship between Christ and the Church.
5. Marriage is for bearing and raising children.
6. Marriage is the proper context for sexual intimacy.
7. Marriage is founded on friendship.
8. Marriage is permanent and lifelong.
9. Marriage is made (a) by the couple's free consent, (b) by contracting words of promise.

While the terminology may differ, it is our contention that all nine statements about marriage would be recognisably 'at home' in the Church of England in both the sixteenth and the twenty-first centuries.

The Nine Theses in more detail

1. Marriage is the formation of a new unit, the 'one flesh' union of a woman and a man

The Church of England believes that a man and a woman become 'joined' in holy matrimony;¹ that they become 'one flesh' sexually, socially, and even in some sense spiritually or mystically.² The husband and wife becoming 'one flesh' is what the Church believes happens in marriage 'over and above' the marriage contract considered from a merely domestic, romantic, legal, economic, and social perspective that wider society and the state would recognise.³ This belief in the *union* effected by marriage is reflected not only in language of 'joining' or 'coming together,' but also in the powerful words declaring the marriage (themselves a quote of Jesus): "What God has *joined together*, let no one put asunder." The joining together – by God – of a man and a woman in marriage creates a new thing, a new unit, a *tertium quid*: a married couple. The union of the man and the woman, to the exclusion of all others on either side, has an ontology of its own that is layered upon its constituent parts: it is this *union* that images the relationship of Christ and his Church (see below), and this union that is blessed.

¹ Preface to BCP Form and Solemnisation of Marriage; see The Church of England Doctrine of Marriage: Sources (aka, Compendium), 2.3.

² Gen 2:4; 1 Cor 6:16; *inter alia*, 'Of the State of Matrimony' in The Second Book of Homilies (Compendium, 2.2.3) ['she is thy body, and made one flesh with thee']; Alternative Service Book, Series 3, 1980 (Compendium, 3.3) ['marriage is...a holy mystery in which man and woman become one flesh' – also in the prefaces in Common Worship]; Common Worship, 2000 (Compendium, 3.4) ['Bless all whom you make one flesh in marriage', 'may N and N, who have been bound together in these holy mysteries, become one in body and soul'].

³ That a 'one flesh' bond is created by marriage is cited as a distinctively Christian perspective that secular people would not recognise in the report, *An Honourable Estate* (1988), §18 (Compendium, 6.10).

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There has been some debate (and not only in the last century) about precisely in what ‘one flesh’ consists and what are its implications (especially in terms of property rights, kindred and affinity, and indissolubility/further marriage),⁴ but even if the understanding of the nature of the ‘unit’ that is created by marriage has been contested and/or developed, it is still a key component of what the Church believes happens or is brought about when consent is given and vows are made. It has sometimes been taught or implied that the couple’s sexual union creates, confirms, or otherwise reflects the ‘one flesh’ union – hence the traditional significance (in terms of the possibility of nullity) of the consummation of a marriage and the sexually exclusive character of the marital bond.⁵

2. Marriage is God’s gift in creation

While marriage undoubtedly has a social, cultural, and political character, the Church of England has consistently believed and taught that marriage is fundamentally not a human artifice, the result of a process of socioeconomic and legal evolution; but originates in God’s initiative, as his gift in creation (with the story of Adam and Eve being considered at least paradigmatic).⁶ It is also specifically exclusive, monogamous marriage that was given in creation, such that other forms of marriage – several of which are contained in the Old Testament – are a falling short of or twisting of God’s original design and good gift.⁷ Two key subsidiary aspects of the Church’s doctrine of marriage flow from the belief that marriage is God’s gift in creation:

- (a) Marriage doesn’t belong to the State (it precedes the state).
- (b) Marriage doesn’t belong to the Church (it is not just for the covenant community).

Instead, marriage belongs to God, and marriage belongs to the whole human race.

In its belonging to the whole human race, marriage is itself the first ‘society’, and the foundation of political society as a whole.⁸ That marriage is the basis of and a blessing to society, prospering its cohesion and protecting its stability, features particularly prominently in Church reports, representations, and statements in the twentieth and twenty-first centuries, especially when the institution of marriage itself may have seemed to be under threat (for instance, when divorce reform was on the political agenda).⁹

⁴ There is a discussion of this question in The Root Report (1971) §33-34, 94 (Compendium, 6.6), in *No Just Cause* (1984) §51 (Compendium, 6.9); *An Honourable Estate* (1988), §30 (Compendium, 6.10); The Osbourne Report (1989), §152 (Compendium, 6.11); and *Living in Love and Faith* (2020) pp.248-49 (Compendium, 6.17).

⁵ See, for instance, the discussion in *The Church and the Law of Nullity of Marriage* (1955), pp. 11, 30ff (Compendium, §6.3) and *Living in Love and Faith* (2020), p. 28 (Compendium, 6.17).

⁶ See, *inter alia*, Series 3 and The Alternative Service Book, marriage service preface (Compendium, 3.3); Common Worship, marriage service preface (Compendium, 3.4) [‘marriage is a gift of God in creation’]; *Issues in Human Sexuality* (1991), §3.16 (Compendium, 4.2); *Marriage: A Teaching Document* (1999) (Compendium, 4.3); ‘Civil Partnerships: A Pastoral Statement’ (2005), §2 (Compendium, 4.4).

⁷ E.g. *Some Issues in Human Sexuality* (2000), §3.4.75 (Compendium, 6.14).

⁸ Canon B30.1; BCP, Form and Solemnisation of Matrimony, Preface (Compendium, 2.3); Common Worship, preface to marriage service (Compendium, 3.4).

⁹ Examples include *The Church and Marriage* (1952), §4 and Appendix J (Compendium, 4.1); *Issues in Human Sexuality* (1991), §3.25 (Compendium, 4.2); *Marriage: A Teaching Document* (1999), Preface (Compendium, 4.3); ‘Civil Partnerships: A Pastoral Statement’ (2005; similar in 2019 version) §2 (Compendium, 4.4, 4.7), ‘Response of the Church of England to Government Consultation on “Equal Civil

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That marriage is part of God's gift within the natural order is why the Church of England has always recognised the marriages not only of Christian believers but of everyone, and not only of marriages contracted according to Christian rites but secular and other religious rites also. The Church of England has strongly resisted any attempt to define 'Christian marriage' as a separate category to civil marriage,¹⁰ for reasons of theological and pastoral principle, despite some suggesting the Church adopt such a distinction for reasons of changes to State law governing nullity, divorce, and prohibited degrees.¹¹ For the Church of England, marriage is marriage. Christians, however, by virtue of divine revelation, see in the same institution of marriage more than non-Christians see: most especially the 'one flesh' union and the sacramental signification of Christ's relationship with his Church.

The Church has been able to maintain its disavowal of any distinction between civil marriage and marriage as contracted or recognised by the Church on the basis that every man and woman getting married do so with an understanding of (and words to the effect of) its being a lifelong, exclusive, monogamous union of a man and a woman. If that were to change, it is possible that the Church could no longer regard civil marriage as valid. For instance, should a civil marriage no longer involve a promise of lifelong commitment but specify a limited term, the Church has previously indicated the rite would no longer be considered sufficient for a union so contracted to be regarded as a marriage for the Church's purposes.¹² While State law and the civil ceremony still enable a couple whom the Church regards as competent to marry to do so according to the Church's understanding of marriage, the civil marriage is regarded as in every respect as true and valid and holy a marriage as any contracted in a church according to the Church's rite.

The introduction of same-sex marriage in 2014 changed the State's definition of marriage (though meanwhile specifying that the Church of England retains its definition of marriage as one man and one woman)¹³; it did not, however, change the wording or meaning of the civil rite as used by any given man and woman. Any man and woman married according to a civil service

Marriage" (2012), §6 (Compendium, 4.5); Lambeth Conference 1948, Resolution 92 (Compendium, 5.1.5); ARCIC II: Life in Christ (1994), §58-60; *The Church and Marriage* (1935), p.5 (Compendium, 6.1); *The Church and the Law of Nullity* (1955) (Compendium, 6.3); The Root Report (1971), §26, 46, 86, 90 *et passim* (Compendium, 6.6); *An Honourable Estate* (1988), §26ff. (Compendium, 6.10); *Some Issues in Human Sexuality* (2000), §3.4.93 (Compendium, 6.14); and *Men and Women in Marriage* (2013), §15ff. (Compendium, 6.15).

¹⁰ See, *inter alia*, *The Church and Marriage* (1935), Appendix K (Compendium, 4.1); 'Response of the Church of England' (2012), §17-18, Annex §16 (Compendium, 4.5); ARCIC II: Life in Christ, §62 (Compendium, 5.2.2); *Putting Asunder* (1966), §20 and Appendix X, §2 & 10 (Compendium, 6.5); The Root Report (1971) §133-137 (Compendium, 6.6); *An Honourable Estate* (1988), §28, 159, 161-163 *et passim* (Compendium, 6.10); 'Marriage in Church After Divorce' (2002), §10 (Compendium, 6.13.1); *Men and Women in Marriage* (2013), §42-43 (Compendium, 6.15).

¹¹ The Church of England's position is different to the Roman Catholic position, which in some respects does admit of two categories of marriage: that contracted between two baptised Christians is an indissoluble sacrament, while that involving one or two unbaptised persons is capable of dissolution in certain circumstances. Since the Council of Trent, the Roman Catholic Church has also required the presence of a priest for validity of form – though the *Tametsi* decree explicitly acknowledged that all marriages, including clandestine marriages, made with free consent were valid and true marriages but forbade, on the basis of the Church's authority, any future nuptials to be contracted without a priest as witness.

¹² E.g. *The Church and Marriage* (1952), §7 (Compendium, 4.1); *The Church and Marriage* (1935), §20, 52, 70 (Compendium 6.1).

¹³ Marriage (Same Sex Couples) Act 2013, 1 (3).

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since 2014 should, therefore, still be regarded as validly married in the eyes of the Church: the nature of what such a couple are doing when they exchange consent and promises is unaffected by the wider legal change and social context.

Any distinction, therefore, between marriage contracted in a register office and a marriage contracted in church, or between civil marriage and holy matrimony, ought from an Anglican perspective to be considered theologically specious, not to mention pastorally damaging. That is not to foreclose the question of whether the Church of England could permit its licensed ministers to contract a same-sex marriage; but it is to say that doing so on the basis of a purported distinction between the institutions of civil marriage and holy matrimony would be unsound.

3. Marriage is ‘an honourable estate’

Marriage is an ‘honourable estate’ (*Book of Common Prayer*); ‘a way of life made holy by God’ (*Common Worship*). Marriage, that is, has God’s explicit sanction and endorsement as a holy vocation and whole-life calling in which to serve God and neighbour, not only in creation but in the Christian dispensation also (hence the significance of Christ’s blessing a wedding at Cana). The nuptial blessing is premised upon marriage being an honourable estate which God has created and hallowed: it is a pronouncement and calling down of the grace that God has attached to the institution of marriage to *this particular marriage* now being made and witnessed.

Of course, marriage is *an*, not *the* honourable estate (singleness and avowed celibacy are others); but as a holy estate it ought not be viewed only as a concession to human weakness, but as ‘a good’ in itself, quite apart from ‘the goods’ that subsist within it. It might be noted, however, that marriage is an honourable estate that belongs to temporality (in the new creation there will be no marriage); whereas singleness is an honourable estate that has an eschatological character.

4. Marriage is a sign of the relationship between Christ and the Church

The Church of England has always believed marriage to be theologically significant (in the strict sense of the term). Marriage is a sign of the truth of the gospel: when we see and experience human marriage, something is being revealed to us, among us, and in us about spiritual mysteries. For that reason, though (with one exception – a single sentence in the 1549 Homily ‘Against Swearing and Perjury’) you will not find Church of England law, liturgy, or official teaching describe marriage as ‘a sacrament’, what the Church believes about marriage is certainly *sacramental* in a broader sense. Marriage is a sign of a sacred thing;¹⁴ it is an icon of the relationship between Christ and the Church.¹⁵ Marriage reveals or images the mystical union of Christ and the Church and illumines the character of God’s love for his people. For both these reasons, the ‘sacramental’ significance of marriage lies behind its exclusive and permanent character.

¹⁴ BCP, Form and Solemnisation of Matrimony, Prayers (Compendium, 2.3); ‘An Alternative Form of Solemnization of Matrimony’, The 1928 Prayer Book, prayer after blessing (Compendium, 3.1).

¹⁵ To say that *marriage* is a sign of the relationship between God and his people, Christ and the Church, is not to say, of course, that *every particular marriage* reflects that relationship well. Just as sin can so disfigure the Eucharist that a given celebration may fail to be the Lord’s Supper (1 Corinthians 11:20-21), so too an abusive marriage fails to be a sign of Christ’s union with or love for the Church.

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5. Marriage is for bearing and raising children

The Church of England has believed and taught over the centuries that one of the things marriage is *for* is to have children and raise them in love and stability and in the fear of the Lord;¹⁶ to keep the church and world populated in obedience to the creation mandate. In the Prayer Book, the first cause for which marriage was ordained by God is, “for the procreation of children, to be brought up in the fear and nurture of the Lord, and to the praise of his holy Name”; while in *Common Worship*, marriage is similarly described as “given as the foundation of family life in which children are [born and] nurtured.”

6. Marriage is the proper context for sexual intimacy

The Church of England has always believed and taught that sex is for marriage, and marriage is for sex. God’s gift of sex was given to a married couple – it follows ‘leaving’ one’s childhood home and ‘cleaving’ to one’s spouse. To consent to marry is “to have and to hold” one’s lover, to belong bodily one to another, to “worship” one’s spouse “with my body.” Marriage was ordained, the Prayer Book says, “for a remedy against sin, and to avoid fornication,” or as *Common Worship* expresses it, “the gift of marriage brings husband and wife together in the delight and tenderness of sexual union.” Sex belongs by God’s design and commandment within an exclusive, loving, faithful, permanent covenanted relationship, ‘forsaking all others.’ Sex instantiates, reflects, and strengthens the ‘one flesh’ union.

7. Marriage is founded on friendship

Friendship and all its fruits have been considered the bedrock of the Christian doctrine of marriage since the early Church (most especially taught by Augustine). The homily ‘Of the State of Matrimony’ (1563) begins with the striking and simple statement that marriage “is instituted of God, to the intent that man and woman should live lawfully in a perpetual friendship.” True friendship in marriage is the “mutual society, help, and comfort, that the one ought to have of the other, both in prosperity and adversity”; the covenant of love, comfort, honour, and keeping one-another “in sickness and in health.” It is the love and support of the other which is solemnly promised in the vows and on which each spouse can rely through the highs and lows of life together. Marriage is, of course, far more than friendship: but it can never be *less* than friendship.¹⁷

8. Marriage is permanent and lifelong

The Church has always believed and taught that marriage is by its nature lifelong – that the covenant being entered in marriage is “till death do us part.” On the lifelong *intention* and basic *character* of marriage, the Church of England has been constant and uncompromising; even if the Church’s view of indissolubility and its pastoral response to marriage breakdown has varied (see below).

¹⁶ Canon B30.1; BCP, Form and Solemnisation of Matrimony, Preface (Compendium, 2.3); The First and Second Books of Homilies (Compendium, 2.2.2, 2.2.3); Series 3 (1977) and The Alternative Service Book (1980), Preface (Compendium, 3.3); Common Worship, Pastoral Introduction, Preface to Marriage Service (Compendium, 3.4)

¹⁷ The First and Second Books of Homilies, Book II, 18: ‘Of the State of Matrimony’ (Compendium, 2.2.3); Marriage: A Teaching Document from the House of Bishops of the Church of England (Compendium, 4.3).

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9. Marriage is made (a) by the couple's free consent, (b) by contracting words of promise

The two interdependent factors of *consent* and *covenant* have remained the Church's understanding of how a marriage is made. It is therefore the couple themselves that are the ministers of marriage, for it is they only that give the consent and make the promises – the presence of a priest or registrar (or even witnesses) is not *theologically* necessary. The Church has long been an arm of the state in performing the legal functions of conducting preliminaries, witnessing the marriage, and registering the marriage, and has customarily done so within an act of worship we call a wedding. But the marriage itself is effected by the consent of one to another to be married (provided they are free to marry);¹⁸ with the vows reflecting the understanding of *to what* the espoused are consenting.

For that reason, the Church historically recognised as true marriage (albeit irregularly contracted) what we customarily call 'common law' marriages, by which a couple married each other without any public and legally notarised rite. The Church has for many centuries cooperated with the State in demanding that all marriages be made legally in public with witnesses, official declarations, documentation and other bureaucracy. None of this, however, belongs to the *doctrine* of what marriage *is*. Strictly theologically, marriage is made only by consent and contracting words of promise; sealed by sexual consummation.

Areas of development and shifting emphases

Despite considerable continuity and stability, however, there have been shifts in emphases, implications, and discipline within several of these nine areas.

Shifts concerning indissolubility (thesis 8)

While the belief that marriage is permanent and lifelong [thesis 8] has remained constant, the Church of England has debated whether marriage is indissoluble (and whether, therefore, divorced persons with a living former spouse ought to be able to contract a further marriage, and if so, using the Church's rite) ever since the Reformation. The weight of opinion in the Church has shifted variously over the centuries; but in the course of the twentieth century, the Church first moved towards an explicit and rigorous indissolubilist position (reflected in Lambeth Conference resolutions [1920, Resolution 67] and Acts of Convocation [Convocation Regulations – York (1938) and Canterbury (1957)]), before moving gradually from mid-century onwards to one in which – by a logic of pastoral accommodation, subject to the discretion of parish priests following discrete enquiries about the particular circumstances, and with conscience clause exemptions for all clergy – the Church was willing to bless, and then even solemnise, the further marriages of divorced persons with a former spouse still living.

There are some reasons for regarding this shift as equivalent to a change in doctrine:

- Several of the arguments in favour of indissolubility were strongly worded in terms of the authority of Christ himself.
- Indissolubility was seen by many as an aspect of the very nature of marriage as understood in the Western Christian tradition: because the couple become 'one flesh'

¹⁸ Henrican Canons (Compendium, 1.4); BCP, Form and Solemnisation of Matrimony, Proclamation (Compendium, 2.3); Common Worship, Preface to Marriage Service (Compendium, 3.4).

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and because the man and the woman coming together have been joined together by God, it follows that marriage must possess a permanent, irreversible ontology.

There are other factors, however, which favour understanding this shift as a change in discipline or simply of pastoral approach, rather than doctrine:

- Indissolubility and the possibility of divorce and further marriage has been subject to debate and to churches' different approaches since antiquity; not least because of differing interpretations of the exception clause in Matthew's Gospel (Matthew 19:9) and the 'Pauline Privilege' in 1 Corinthians 7:12-16. The Church of England during the Reformation considered (and Archbishop Thomas Cranmer favoured) permitting divorce (with freedom to contract further marriage – in church) in certain circumstances.
- The Church of England after the Reformation never regarded marriage – even of two baptised persons – as 'a sacrament' in the manner of the Roman Church.
- Church of England ministers have, in fact, solemnised further marriages in every century; indeed, if a divorce were granted by an Act of Parliament, incumbents were *obliged* to marry the divorced person until a conscience clause exemption was granted in 1857. Church of England clergy have, moreover, never been legally disbarred from solemnising the marriages of persons whose previous marriages the State has dissolved, and in every generation, ministers have exercised that right. What changed in the late twentieth century was the guidance that Bishops asked their clergy to adhere to (and the repeal of the 1938/1957 Acts of Convocation that, by a moral authority only, forbade the use of the Church's marriage liturgy for those with a former spouse still living).
- It remains the case that the Church's doctrine is that marriage is *by its nature* lifelong – that permanence unto death is an essential aspect of what marriage is and must be taken to be by any couple consenting thereto (the Canon on marriage did not therefore need to be amended in order to enable a change in discipline).

In sum, it would be anachronistic to suggest that the Church of England was previously clearly and univocally committed to an indissolubilist doctrine and equally clearly renounced that doctrine in the late twentieth century. For centuries it has been a locus of debate and an area of some ambiguity and flexibility. The weight of opinion within that debate has certainly shifted over the last half century; but the Church's approach to divorce and further marriage in that time (and before) has consistently been framed as one of pastoral accommodation to those whose actual marriages have failed rather than a fundamental change in what the Church believes is the nature of the marriage covenant itself.

Emphasis on marriage imaging the quality of Christ's love (thesis 4)

That marriage is a sign of the relationship between Christ and the Church [thesis 4] has likewise remained constant, but the precise nature of the analogy (if analogy is quite the right word) between husband and wife and Christ and the Church has been contested in one respect and shifted in emphasis in another.

The implication of marriage imaging the relationship between Christ and the Church that the husband is 'head' of the wife and that the wife owes obedience to her husband has never been directly disavowed, but has certainly moved from being considered normative to being considered but one possible and legitimate interpretation of the nature of the relationship that some – but not all – couples may choose to express liturgically. In the *Book of Common Prayer*,

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the bride vows to obey her husband (an undertaking which is not reciprocated in the bridegroom's vow); while the homily following the marriage quotes from the New Testament's 'household codes' (including Ephesians 5:22, Colossians 3:18, and 1 Peter 3:1) to enjoin obedience or submission on the part of the wife (see also the 1563 homily 'Of the State of Matrimony'). Reflecting changing views of the place and status of women in the nineteenth and early twentieth centuries, the 1928/Series 1 rite omitted the bride's vow to obey entirely. It returned, however, as an option in the *Alternative Service Book* and remains an option in the *Common Worship* rite (similarly, the 'Giving away' is also retained as an option). Because the vow of obedience remains an option in Church of England marriage services, it would be difficult to argue that there was an unequivocal repudiation of an earlier teaching about wives' obedience (and making such a repudiation would be controversial and difficult given the New Testament Scriptures often quoted in support of such a view). There has, however, certainly been a shift in emphasis and in weight of opinion and belief, such that the 'default' in the liturgy has changed to that of a more egalitarian understanding of the couple's relationship. Developments in understanding the order/power relationship between the marriage partners has likewise affected interpretations of the implications of the doctrine of 'one flesh' [thesis 1], though without compromising its fundamental insight that marriage forms some sort of new social, sexual, kinship unit that has a discrete spiritual ontology over and above a mere private contract between consenting adults.

On the question of what about Christ and the Church is imaged in marriage, there is an detectable shift in emphasis in the twentieth and twenty-first centuries from the signification of *mystical union* (faith-union of the Church with Christ imaged by the one flesh union of husband and wife), to the signification of the *quality of Christ's love* for the Church – electing, faithful, exclusive, permanent – imaged by the quality of love the spouses are called to have for one another.

In the Prayer Book preface, marriage is given to "signify[ing] unto us the mystical union that is betwixt Christ and his Church." In a later prayer in during the service, the minister addresses God "who hast consecrated the state of Matrimony to such an excellent mystery, that in it is signified and represented the spiritual marriage and *unity betwixt* Christ and his Church..." In other words, it is the *mystical union* of Christ the bridegroom with his bride the Church of which marriage is a sign.

In twentieth- and twenty-first century liturgies and teaching documents, while marriage is still held to be a sign of the relationship between Christ and the Church, its being a sign of *mystical union*, while retained, is somewhat downplayed in favour of an emphasis on marriage signifying the *quality of Christ's love* for his people. Take, for instance, *Issues in Human Sexuality* (1991), which says, "A true marriage *reflects Christ's own love for us*. He too gave himself to others 'for better, for worse, till death.'" Or in *Marriage: A Teaching Document* (1999): "It is important that those who marry know the full extent of what they are doing. And Christians believe that that requires an understanding of the love that God has shown mankind in Christ, a love which marriage is called to reflect." This changed emphasis can be detected in the Common Worship rite: marriage is described in blessings after the marriage variously as "a sign of your faithful love to us in Christ," or more generally still, "a sign of Christ's love," "a sign of your love", "a sign of your eternal love"; while marriage being a sign of *the union* of Christ with the Church is noticeably absent – apart from a reference in the proper preface that can be used in a Eucharistic wedding ("you have made the union between Christ and his Church a pattern for the marriage between husband and wife"). One aspect of this imaging function of marriage, in

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terms of the quality of love on which it depends, is its exclusivity and fidelity. It is a precious aspect of the doctrine of election, salvation, and the Church that God freely chose to take to himself *one* bride: Israel in the Old Testament, Christ the Church in the New. Human marriage is to be an *exclusive, faithful* bond – because that is what God’s love for his people is like.¹⁹

This shift – which is a shift in emphasis and not a replacement of one idea for the other, with both ideas reflecting the teaching of both the Bible and the Christian tradition – serves to background somewhat the theological significance of specific acts of sexual intercourse and sexual differentiation. If lovemaking is about creating or confirming (in the consummation of the marriage) or expressing ‘one flesh’ union – the way in which woman, taken ‘out of man’ is ‘knit...together’ with man²⁰ – then it is a particular kind of sexual act that carries particular theological significance from a Christian perspective. A shift in emphasis towards the quality of love rather than the one-flesh union being the essence of the Christ-Church, bridegroom-bride analogy places less weight upon the specific contours of a couple’s physical relationship. At the same time, this same shift foregrounds *moral* qualities that can and do characterise many same sex relationships as well as heterosexual. This shift in emphasis, therefore, has served to narrow the conceptual distance, theologically speaking, between opposite-sex and same-sex married couples.

Broader understanding of procreation/fruitfulness (thesis 5)

Marriage has always been considered to be ordered towards having and raising children [thesis 5]. There has, however, been a noticeable shift in tone and teaching in this area.

In the early twentieth century, because procreation was believed to be one of the causes for which God ordained marriage, the Church of England and the Anglican Communion expressed strong condemnation of contraception within marriage: if marriage is *for procreation* (among other things), preventing conception is to oppose a purpose of marriage. By the late 1950s, however, the position of the Church of England and Anglican Communion on contraception changed such that the Church now taught that Christian married couples could in good conscience decide to limit or delay conception by artificial means. The acceptance of contraception did not mean the Church no longer regarded procreation as part of its understanding of what marriage is for – but it did substantially qualify its centrality or importance. It now became a case more of, ‘Marriage is the *right context* in which to conceive and raise children,’ rather than, ‘Marriage is *for* conceiving and raising children.’

Although the Church has (following Scripture) always recognised childless marriages whether for reason of age, disability, or infertility as true and perfectly valid marriages (the Prayer Book even directed the omission of the prayer for conception where the woman is ‘past childbearing’), a second pastoral impetus behind a development in language and emphasis on this point concerns the Church’s increasing desire to be sensitive about involuntary childlessness, adoption, and couples marrying who already have children (whether together or from a previous relationship). These pastoral considerations have led the Church in its liturgy

¹⁹ The shift in emphasis on the signification of marriage towards the quality of God’s love rather than the mystical union of husband and wife/Christ and the Church may be linked with the Church’s move from an indissolubilist position towards allowing the possibility of further marriage after divorce. It would be hard to establish a causal link, but the chronology is suggestive. If marriage most especially images *the union* of Christ and the Church, that lends more credence to the indissolubilist position; if, however, it images the *quality of love*, then when that love is lacking, the ‘death’ of the marriage could be recognised.

²⁰ Qu. from the third prayer after the marriage in the BCP Form and Solemnization.

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and in bishops' teaching and statements to somewhat move away from language of procreation specifically towards language of raising children and family life more generally,²¹ with language of the 'fruitfulness' of the married relationship sometimes being interpreted and applied more abstractly or inclusively.²²

These two factors combined – the acceptance of contraception and a shift in emphasis to raising children rather than necessarily *conceiving* them within marriage – has profoundly impacted the place of sex within the Church's understanding of marriage, and thereby narrowed the ethical and theological conceptual distance between an opposite-sex couple and a same-sex couple. If 'good sex' in marriage is no longer *necessarily* open to procreation, the grounds on which good sex relies on sex differentiation have, at least, to change – it cannot be predicated simply of the responsibility to reproduce. What's more, if the Church wants to say that *raising* children in love and security rather than necessarily *conceiving* children is what is actually important about this aspect of marriage, then the distance between a married man and woman with their naturally-conceived children and that of a man and a man with their adopted children is at least somewhat qualified. Both couples are being 'fruitful' in an expanded sense.

For the Church therefore still to uphold that a married *man and woman* is the right arrangement for bringing up children without pivoting back to emphasising natural conception, it has to make that argument on other grounds. This is what we find. It is only in the last thirty or forty years that we find the argument from male and female psychological and social *complementarity* in bishops' teaching documents and pastoral statements. It first comes in *Issues* (though is anticipated in earlier Reports), where it speaks of men and women being "diverse in their emotional, mental and spiritual lives, their way of experiencing and responding to reality" – which difference it believes is instantiated in marriage to the benefit of society. It is the core argument made in the submission to the government consultation on equal marriage in 2014: "The uniqueness of marriage – and a further aspect of its virtuous nature – is that it embodies the underlying, objective, distinctiveness of men and women." In that document, and in the FAOC report from around the same time, *Men and Women in Marriage*, the possibility of biological procreation is but *an aspect of* (and not a *necessary aspect of*) male-female difference and complementarity.

This shift to emphasize psychological complementarity itself should be recognised as a development of the doctrine of marriage – though (importantly) not one that has made its way into liturgy or canon law. Of course, the Church has always held men and women to be different (and historically has taught that the relationship between a husband and wife is *ordered* in a certain way), but we do not find in Church of England official materials male/female psychological and social complementarity as a rationale for why marriage is the union of a man and a woman before the late twentieth century. Here correlation must at least be linked to

²¹ For instance, the 'Pastoral Introduction' in the *Common Worship* rite says "Marriage is intended by God to be a creative relationship... [for husband and wife] to share in the care and upbringing of children." There is no reference to conception or procreation anywhere in the *Common Worship* marriage service, while '[born and]' may be omitted from the Preface in which marriage is described as "the foundation of family life in which children are [born and] nurtured." This is unlike the BCP rite which, though it allows the omission of a prayer for "procreation of children" when the bride is "past child-bearing", nonetheless does not allow vary its prefatory material on what marriage is *for*, which is "for the *procreation* of children" (emphasis added).

²² Cf. The Osbourne Report (1989), §153ff. (Compendium, 6.11); *Rites Relating to Marriage* (2011), §1.18 (Compendium, 5.1.13) and *Living in Love and Faith* (2020), pp. 17, 29, 33-34 *et passim* (Compendium, 6.17).

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causality: as the Church has emphasised biological procreation less in its teaching of what marriage is, it has emphasised social and psychological complementarity of men and women more.

Social and psychological complementarity of men and women, however, is a far more subjective, generalised, and therefore less secure basis for defining marriage in exclusively heterosexual terms. For two men or two women may complement each other's personalities, interests, strengths and weaknesses just as well as any given man and a woman. What is more, since same-sex couples have now for many years been able to adopt children and have proven to be good parents, the psychological complementarity argument for raising children no longer seems as persuasive as it might have to some in the past. *Procreation* being an intrinsic part of marriage obviously requires sex differentiation; but the move of the Church to emphasize *complementarity* apart from sexual reproduction has brought same-sex couples into closer proximity with what the Church has been teaching marriage is about.

Shift towards unitive function of sex (thesis 6)

Closely related to the previous point, there has been development in the doctrine that sex is for marriage. In the Prayer Book,

[Marriage] was ordained for a remedy against sin, and to avoid fornication; that such persons as have not the gift of continency might marry, and keep themselves undefiled members of Christ's body.

Marriage was given, that is, to provide for *sex without sin*.

Again, to a great degree, this aspect of the Church's doctrine has been consistently upheld. Even in the last 18 months, the House of Bishops has answered several Synod questions with a version of the traditional answer that marriage is the proper context for sexual intimacy ('proper' here having a technical meaning of where it *belongs*).

There has, nonetheless, been development in this area. Even a century ago, in the marriage rite in the 1928 deposited Prayer Book (which then became Series 1), this second 'cause' of marriage was reframed in a positive key. It was now cast in terms of what sex in marriage *did* rather than what sex in marriage *prevented*. Instead of 'a remedy against sin, and to avoid fornication,' marriage was given 'in order that the natural instincts and affections, implanted by God, should be hallowed and directed aright' (the language that then comes into Canon B30).

While even that positive framing implicitly teaches that sex outside of marriage is somehow unholy and misdirected, it is part of a trajectory over the last hundred years towards emphasising what we might call the *unitive function of sex*: the way in which the intimacy, joy, and service of sex binds a couple closer together.

This, in fact, is the framing given to this cause of marriage in the *Common Worship* preface:

The gift of marriage brings husband and wife together in the delight and tenderness of sexual union and joyful commitment to the end of their lives.

Or the alternative preface:

[Marriage] is given, that with delight and tenderness they may know each other in love, and, through the joy of their bodily union, may strengthen the union of their hearts and lives.

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Sex is for ‘bringing the husband and wife together’ in delight, joy, and commitment – it is spoken of as akin to the glue of the relationship. Although the unitive function and joy-giving potential of sexual intimacy was not unknown or unexpressed before the twentieth century (indeed, it is a theme found in the Song of Songs), the near eclipse in the Church’s liturgy and law of the language of restraining sexual sin by language instead of properly directing sexual desire is noticeable and noteworthy.

This is not to say the Church has *changed* its doctrine of marriage in this respect: sex is still for marriage and marriage for sex – but the shift in emphasis away from prevention of the sin of fornication to the strengthening of a covenanted relationship is significant. If sex in marriage is less about sin-prevention and more about its enjoyment and unitive function in the relationship – a development in emphasis that sits very well with the acceptance of contraception – then the sex lives of committed couples other than one-man one-woman marriage start increasingly to seem to participate in that ‘good’ of marriage.

In these several ways, therefore, the Church’s doctrine of marriage may not have changed, but there has been development in terms of its framing, emphases, and implications. Several of those developments have served to narrow the conceptual distance between an opposite-sex and same-sex couple’s relationship, considered ethically and theologically. Even raising the question of same sex marriage in the Church of England would have been conceptually impossible without these shifts and developments having taken place.

Conclusion

The story of the doctrine of marriage in the Church of England over the last five hundred years, therefore, is one of a high degree of consistency and stability, and yet with some significant developments in understanding and emphasis *within the envelope* of continuity reflected in Canon B30 and the Prayer Book tradition.

The ERG, in consultation with FAOC and the Liturgical Commission, intend next to consider whether and how that doctrinal ‘envelope’ has been altered or enlarged with the commendation of the PLF; whether it is now already a big enough envelope to accommodate some of the other changes that are sought by many within the Church (such as the use of the PLF in bespoke services and a change in discipline regarding clergy and same sex marriage) or whether the Church would need an explicitly bigger doctrinal envelope for them; and to begin to consider what kind of size and shape ‘envelope’ could be created if the Church discerned and resolved that it wanted same-sex marriage to be included therein also. It ought to be acknowledged at this juncture that the great majority of those within the Church of England who would like the doctrine and discipline of the Church to expand in such a way that it can accommodate same sex marriage do not deny nor wish to dilute or overturn the doctrine of marriage thus expressed in the nine theses above, but to adjust certain aspects of it to be inclusive of same sex unions. It would not be fair or accurate, therefore, to cast the Church’s current disagreement as simply a binary contest between those who wish to defend the Church’s doctrine of marriage and those who disbelieve it. Rather, the dispute concerns whether the Church’s doctrine of marriage is already, or may legitimately become, spacious enough to include same sex couples in its ambit. Some believe the necessary adjustment to be modest and to be following and flowing organically from an established trajectory in the Church’s moral, pastoral, and theological treatment of marriage over the last century or so; others believe such an ‘adjustment’ would in fact be to tear the ‘envelope’ of a God-given institution.