

**PRESENTATION TO "PEP" -- APRIL 20, 2015**  
**LOOKING TOWARD GENERAL CONVENTION: MARRIAGE**

*--Bruce Robison, Rector of St. Andrew's in the Highland Park neighborhood and a Deputy in the Clerical Order to the 78<sup>th</sup> General Convention of the Episcopal Church this summer in Salt Lake City.*

--The General Convention has been dealing in one way or another with doctrinal definitions and disciplinary standards related to marriage, family, and standards of sexual morality off and on through the 19<sup>th</sup> and 20<sup>th</sup> centuries. Through most of this time the principal focus has been on disciplinary questions related to divorce and the "remarriage" of divorced persons. In the last thirty years or so within that larger train of interest there has been an increasing focus on questions related to homosexuality.

--Without rehearsing a long story, the 76<sup>th</sup> General Convention at Anaheim in 2009 Resolution C-056 said that bishops of dioceses in jurisdictions where "civil unions," "domestic partnerships" or "same-sex marriage" were legal "may provide generous pastoral response to meet the needs of members of this Church," and directed the Standing Commission on Liturgy and Church Music to "develop theological and liturgical resources" for the blessing of "same-gender relationships" for presentation to the 77<sup>th</sup> General Convention in 2012.

--At Indianapolis in 2012 the SCLM presented "I Will Bless You, and You Will Be a Blessing," including a "Liturgy for the Witnessing and Blessing of a Lifelong Covenant." Resolution 2012-A049 approved the use of this liturgy "provisionally," at the discretion of the diocesan bishop, for the blessing of same-sex unions, with the notation that in light of Title I Canon 18 and the rubrics of the Book of Common Prayer such blessings were to be clearly distinguished from Christian marriage.

--At Indianapolis General Convention then also approved Resolution A050, forming a Task Force "to identify and explore biblical, theological, historical, liturgical, and canonical dimensions of marriage" and, in consultation with the SCLM, "to address the pastoral need for priests to officiate at a civil marriage of same-sex couples in states that authorize such," to consult with a wide range of members of the Episcopal Church, and with our Anglican and ecumenical partners, and "to develop tools for theological reflection and norms for theological discussion at a local level."

--The result of this: 7 essays and a "toolkit" curriculum. Over 100 pages, in general (Michael Foley is going to review the content of the arguments a bit more specifically) as a defense and rationale for the trajectory that our church has followed over the past 15 years or so in moving toward an understanding of marriage and family in which traditional themes of sexual difference and gender, procreation, and so on are subordinated to and really replaced by an understanding that is untethered from those "objective" attributes and related instead to the qualitative characteristics of relationship.

--To this Task Force General Convention also, in 2012-D091, referred a resolution to amend Title I Canon 18, the "marriage canon." The Task Force in its report proposes a rather complex revision, really a complete re-writing, but the main points of change include giving permission for clergy to use authorized liturgical forms other than the Marriage Office of the Book of Common Prayer for the solemnization of marriage, replacing terms "man and woman" or "husband and wife" with "the couple" or "the parties," or "two persons," and eliminating language requiring that clergy ascertain that the couple have an understanding of and agreement with the theological teachings about Christian marriage as contained in the language of the Book of Common Prayer.

--It is specifically noted by the Task Force that the proposed revision of I.18 continues to protect the right of clergy "to decline to solemnize or bless any marriage." However, on pg.83 of the report the Task Force recommends that Title I Canon 17, Section 5, be revised. This is sometimes called the "Non-discrimination" canon, and indicates that "no one shall be denied rights, status, or access to an equal place in the life, worship, and governance of this Church because of race, color, ethnic origin, national origin, marital status, sex, sexual orientation, gender identity and expression, disabilities, or age, except as otherwise specified by Canons."

--The Task Force proposes to remove the last phrase in I.17.5, "except as otherwise specified by Canons," which is a phrase that functions specifically in reference to marriage—since many bishops and rectors, for example, may have explicit categorical policies about remarriage of divorced persons (marital status) or the marriage of same-sex couples or (depending on jurisdiction) the blessing of non-marital same-sex unions.

--The effect of removing this last phrase would be to say that while a bishop or priest could on a case-by-case basis decline to officiate for any specific proposed marriage or blessing, without stating a particular reason, no explicit policy related to decisions not to consent to the remarriage of divorced persons or to the blessing of the marriage or union of same-sex couples would be canonically permitted.

--A first cautionary and general critique, from my point of view, is to note that unlike the earlier report on marriage by the Theology Committee of the House of Bishops, there is no effort reflected in these essays or in the curriculum to include contrarian voices: no "point-counterpoint." In 2009 Resolution C-056 included a specific provision to "**honor the theological diversity of this Church,**" but in the work of the Task Force divergent perspectives are acknowledged only in rhetorical straw-man constructions, "while some have maintained X, we now understand Y," etc. The report simply does not include the voices of those Episcopalians, other Anglicans, and/or others in the wider Christian community who might, as a "minority report," argue that the definitions and content *presently* found in the canons of this Church and in the directions, rubrics, prayers, and other liturgical texts of the Marriage Office are in fact congruent with the teachings of Scripture, the Catechism of the Book of Common Prayer, and of the long-standing and historic teachings of the wider church regarding marriage, family, and sexual morality--and so are not improved (but are instead diminished) by the proposals of the Task Force.

-- I would also note as that while the resolution that constituted this Task Force specifically directed wide consultation with Anglican Communion and ecumenical partner churches, the final report **does not include any substantial material from any such consultations**, mentioning only that at least one member participated in The Anglican Colloquium of the North American Academy of Liturgy and that there had been a "review" of "resources on marriage" produced by other denominational bodies.

--In addition to the work of the Task Force on Marriage, the **Standing Commission on Liturgy and Church Music** is proposing in its report to General Convention a series of resolutions to authorize the use of additional liturgical texts, including a revised and expanded version of the 2012 Provisional Liturgy and three additional forms, including one that is a "gender neutral" service based on the Marriage Office in the 1979 Book of Common Prayer. (While the SCLM notes that provisions of the current canon allowing any member of the clergy to decline to officiate at any marriage will continue to apply in the context of the Blessing of Same Sex Unions or, in jurisdictions where it is permitted, the Blessing of the Marriage of Same Sex Couples, the liturgies themselves are being presented not as *provisional*—

apparently meaning that while priests and bishops would continue to have discretion about their own use of these liturgies, the specific authorization of the diocesan bishop would no longer be required.)

In this context there is also a proposal for a first-reading of an Amendment to Article X of the Constitution of the Episcopal Church, which some in fact have interpreted as permitting General Convention to “authorize” for use in the whole Church only liturgical materials other than those of the Book of Common Prayer or of provisional texts intended as a part of a revision of the Book of Common Prayer.

--So, in conclusion: while the report from the Task Force on Marriage does not, like earlier reports and resolutions, state an intention to “honor the theological diversity of this Church” by including in any substantial way the voices and perspectives of, for example, those who believe that the Church is in error when it endorses and claims to pronounce God’s blessing upon behavior that they understand to be forbidden to God’s people in both the Old and New Testaments--and when it constitutes a definition of Christian marriage in a way that is not in conformity with the definition Jesus himself used in Mark 10 and Matthew 19 and with the teachings about Christian marriage that continue to be stated explicitly in the Marriage Office (BCP 422 et seq.) and the Catechism of the Book of Common Prayer (BCP 861). Since it does not seem to be the case that any revisions to the BCP are being proposed, we will be in a situation for many years into the future where canonical practice will diverge from the specific language of the BCP.

--I believe there may also be some real energy at Convention—perhaps most of all in the House of Bishops, and across the board in terms of what we usually call “theological orientation”—related to the proposal to remove the *provisional* nature of authorization of liturgical texts--and to resist the removal of the canonical exception in Canon 1.17.5 (the “non –discrimination” canon).

There are a small number of bishops who have declined to authorize the use of the Provisional Liturgy in this triennium, and I believe there may be some “collegial” energy toward preventing any further fracturing of our already-fractured church, even by many bishops and deputies who are themselves supportive of the Blessing of the marriages of same-sex couples. Perhaps there will be the thought that there still should be room and time for Springfield and Central Florida and Northern Indiana and Dallas and Albany and several others to find their own way, without additional external pressure. I also think that many will resist the effort especially to remove the canonical exception in 1.17.5—by a number of bishops--because they will want to maintain some clarity of differentiation around the issue of marriage of same-sex couples, and even more because they will want to respect the diversity of approach and individual discretion about remarriage after divorce.