

On CANON XXI

A paper in preparation for the Diocese of Fredericton Fall 2018 Town Halls
by the Rt. Rev. David Edwards
10 September 2018

The main purpose of the town halls is to help us to shape thoughts ready for the discussions at Diocesan Synod. The Council of General Synod (CoGS) has asked each diocese to make a response about the upcoming vote at General Synod concerning the proposed changes to [Canon XXI](#) (often known as the Marriage Canon).

The text of this Canon can be found on the Anglican Church of Canada website at https://www.anglican.ca/wp-content/uploads/221_canon_XXI.pdf

The text of the amendment to Canon XXI passed at the 2016 General Synod, is as follows:

General Synod 2016 Resolution - Resolution Number A051-R2 - Subject: Amendment to Canon XXI (On Marriage in the Church)

Moved by: The Ven. Harry Huskins Seconded by: Ms. Cynthia Haines-Turner

Be it resolved that this General Synod:

1. Declare that Canon XXI (On Marriage in the Church) applies to all persons who are duly qualified by civil law to enter into marriage.

2. Make the following consequential amendments to Canon XXI:

(a) in paragraph 2 of the Preface, delete the words “of the union of man and woman in”;

(b) in paragraph 4 of the Preface, substitute the words “the parties to the marriage” for the “husband and wife”;

(c) in section 16 a) of the Regulations, substitute “the parties to the marriage” for “a man and a woman”;

(d) in section 17 b) of the Regulations, substitute “the parties to the marriage” for “husband and wife”.

3. Add the following to section 11 of the Regulations

(e) A minister may only solemnize a marriage between persons of the same sex if authorized by the diocesan bishop.

4. Declare that this resolution shall come into effect on the first day of January after being passed by General Synod at Second Reading.

Source: Submitted By: The Commission on the Marriage Canon

Does this motion contain within it any financial implications? Yes NO

EXPLANATORY NOTE/BACKGROUND PROCEDURE FOR ADOPTION (D) In accordance with section 11(c)(i) of the Declaration of Principles, an amendment to a Canon dealing with doctrine, worship or discipline must be approved by a two-thirds majority in each Order voting at two successive sessions of General Synod.

It has been recommended that everyone read the report *This Holy Estate* which was prepared for the 2016 General Synod and is available on the website of the Anglican Church of Canada (https://www.anglican.ca/wp-content/uploads/Marriage_Canon_REPORT_15Sept22.pdf) as well as on our 2018 synod session page. (In asking you to read this, I would note that it is recognized, even by the authors, that the brief for the writing of the document was tightly circumscribed by the 2013 General Synod. Essentially the brief was to make a case for change in Canon XXI, with regard to same sex marriage. There were complicated reasons for this which arose on the floor of the 2013 Synod in Ottawa.)

As you are probably aware an initial vote about this matter was taken at the General Synod of 2016. The first reading was passed by a majority vote in all three Orders (laity, clergy and bishops) by the required two thirds majority in each. The same motion now moves to a second reading; again it needs a two thirds majority in each Order if it is to be enacted. The motion can be amended from the floor of Synod. It is far from clear whether the motion will be presented as is, in an amended form or not at all.

One of the important things to recognize during our discussions is that we are not being asked to discuss issues pertaining to the nature of human sexuality. The matter before the General Synod concerns marriage between those of the same gender.

It is important to remember that no matter which way any possible vote in 2019 goes, those who feel they have “lost” will experience hurt and upset. As with other occasions when this matter has arisen it is likely that people will conclude that they can no longer remain as part of the Anglican Church of Canada. This is extremely regrettable, but likely to be a sad reality.

A great deal of ink has been spilt on this issue and we have been unable to reach any kind of resolution. It is my observation that one of the main reasons for this is that each side in the debate begins in a different place, therefore resolution is difficult to obtain. The following is a generality, but I think is correct in essence. Those who would vote “Yes” for same sex marriage tend to begin from a human rights perspective, whereas the “No” voters begin with scripture and doctrine. People generally sit on a spectrum between these two points.

Neither group can easily see a justification for those in the other group beginning where they do. What it means in practice is that each tends to pass the other in discussion as though on a parallel track.

The difficulty is that no matter which side of the discussion a person is on these issues strike at deeply held beliefs, consequently peoples' emotions are quickly engaged, leading to a lack of understanding. For those who would say "No" to a change in Canon XXI, scripture has often been their guiding principle for decades; to step away from that, for them, is bound up with identity. It reduces the Word of God, calling into question a way of believing which has been definitive for them. On the other hand, those who would say "Yes" also see the issue as having to do with identity. To refuse the sacrament of marriage to someone who is same sex attracted is to deny their identity.

It is difficult for people to understand how an opposite view to theirs (their view being so basic to who they are) can be legitimate. Is it possible to accept a view that we disagree with as valid? In other words, on a matter like this can we say that we do not know enough to be definitive? Is it possible to live together within the tension?

We have managed to do this before and it has become such a commonplace that most of us do not know we are doing it. Back in the days of the Reformation one major factor which prevented the Protestants from coming together was the way in which they viewed what happened at the Eucharist. On one side there were the Calvinists led by Zwingli and later Calvin who believed the Lord's Supper was a memorial of the death of Christ. On the other hand, the Lutherans, led by Luther and later Melancthon and Bucer, eventually concluded that although the substance of the bread and wine does not change (as in transubstantiation, the belief that the bread actually turns into the body of Christ and the wine his blood), the presence of Christ somehow enters the elements and feeds the soul of the recipient.

For several decades during the Protestant Reformation there were attempts to bring both sides together on this matter, with no success. During the early days of the Church of England it was decided that both views were acceptable. The High Church Party essentially believed in "real presence", while the Puritans were memorialists. Although in Canada we tend towards the "high church" view, there are many memorialists among us. On this issue, which was divisive 400 years ago we now live together. Who is right?

This argument was based around scriptural understanding. The questions ranged around what Jesus meant by the words he used at the Last Supper. Was he speaking literally, figuratively or saying something else entirely. There has been no resolution of this discussion. Those who hold opinions on this matter would cling to their position as being correct, but the Anglican Church has not been definitive. Can that be a way forward on the issue of same sex marriage in church?

As you might have gathered from this paper my purpose is to try to chart a way in which we can move forward together, emphasizing the imperatives of the Mission of God which has been given to the Church. I am deeply committed to this as I am to the authority of scripture. There is another element which also comes into play and has its roots in the words of Jesus. In John 17, Jesus prays for his future disciples, the Church down the ages, that we will be one. Additionally, many of the early church fathers, such as Cyprian, were determined to maintain unity.

The Anglican Communion has identified four “bonds of affection” which unite us. They have developed over the centuries as the church has become more diverse and moved away from its reliance on the Church of England. The first “bond” is the Archbishop of Canterbury. Secondly, the Lambeth Conference (a meeting of all the Bishops of the Communion approximately every 10 years). Thirdly, the Anglican Consultative Council (the only “bond” which includes a lay voice). Finally, the Primates’ Meeting (a meeting of the Primates from all the national provinces of the Anglican Communion).

During the current discussions within the Communion several churches have decided to allow same sex marriage in church. These include The Episcopal Church (TEC – USA), the Episcopal Church of Scotland and the Episcopal Church of Brazil. At present the former two have had sanctions imposed upon them by the Primates’ Meeting, namely they are no longer full participants in the Anglican Consultative Council and they cannot participate in ecumenical dialogue as representatives of the Communion. There has been no declaration of schism against these Provinces of the Communion by any of the “bonds of affection”. This may suggest that there is no intention of doing so, or it could be it is felt the time is not yet right.

On the other hand, there have been groups who have either left the Communion (they would perhaps argue that the Communion has left them) or set up alternative entities whilst remaining within the fold. An example of the latter would be the Global Anglican Futures Conference (GAFCON). Despite many tears in the fabric of the Communion, there are relatively few who have completely severed ties.

I know that some people are concerned about my personal position regarding our Diocese remaining as part of the Anglican Church of Canada. I want to make it absolutely clear that I will not lead the diocese out of the Anglican Church of Canada. There are several reasons for this. The first is my commitment to the Anglican Communion. My observation of the Communion’s reaction, so far, to those Provinces which have already decided to allow same sex marriage in church, is that they have not been excluded. I think there is little stomach across the Communion at present to make people leave. Additionally, those who leave of their own volition are not formally recognized by the Communion.

As I said earlier I think that schism is wrong. Therefore, if the only way to remain in the Communion is to be part of the Anglican Church of Canada, then that has to be the case.

In addition, I believe that the Communion forms a mutually supportive family of believers. For us to leave would mean that we would lose all of the benefits that come to us by being members. There are many Christians throughout the world who are helped by our presence in this body. The obvious example is our partnership with the Diocese of Ho.

I have been asked to comment on what I know of the views of other denominations on this matter. Of course, there are some such as the United Church who have already decided to go down this route. Others, notably the Roman Catholics, who show no real sign of movement. My discussions with leaders in the Protestant denominations suggest the issue is on most peoples’

radar in some way. Having walked the path within our Church, what I would say is that many denominations have moved on issues of human sexuality. By this I mean there has been some accommodation to those who are LGBTQI. Whether they will continue to walk this way I cannot tell; what I can say is that they have passed some of the milestones that the Anglican Church of Canada has in the past.

As a result of this we are faced with a basic question: Can we move forward together? As I said earlier, there will be some who are unable to stay and who they are is likely to depend upon how the possible vote in General Synod is resolved. It is a burden to me that no matter what the decision people will face hurt. Such a thing is antithetical to the role of the Church, which is to be a place of healing.

With all of this in mind I am hoping that we can look at a series of questions together at our Town Hall meetings during the early Fall.

What are the benefits for our Province (of New Brunswick) of having an Anglican Church firmly embedded in our communities doing the work of the Gospel? What are the essential Gospel truths that we see as vital to the lives of people in the Province? What are the things we want to communicate for the benefit of all? How will internal struggles impact this?

What might the Diocese look like if we have to divide on this issue?

What might the Diocese look like if we can walk together recognizing the deeply held convictions on each side of the debate yet striving to work with each other for the good of all?

What things do you think that the Council of General Synod should take into account when considering this matter?