

Part 1: Introduction & Commendation (Canon B5)

As the Report of the House of Commons Privileges Committee makes clear, beneath the high drama of Boris Johnson's recent resignation as an MP there lie important questions of principle about procedure and power. These can get lost in the soap opera focus on personalities but they are crucial. When there are questions as to whether rules are being adhered to, or power has been abused, who has the authority to make decisions and pass crucial judgments?

These are questions that touch fundamental issues relating to the rule of law and holding those with power accountable, questions that sadly are becoming increasingly significant in our times due to various factors, not least the rise of populism. Those with power easily claim – whether in relation to proroguing Parliament or being innocent of intentionally misleading it - that their actions are justified. They then protest loudly when they are challenged or it is suggested that their decisions and judgments alone are not sufficient authorisation and justification for actions with wide and deep consequences. They reject the claims that they need to give a proper account of their actions, be subject to careful scrutiny, and convince a wider body of people.

Such questions also arise – at every level – in the life of the church as a political community. The church too has established – legal and conventional - processes and procedures for its decision-making. These are especially important in relation to matters central to its common life and faith and order. This is even more so when those matters are widely acknowledged to be theologically contested and potentially divisive.

In such cases, trust in the institution, confidence in its leadership, and the clear following of due processes are absolutely vital if outcomes are to be respected by as wide a number as possible and as high a degree of communion as possible therefore maintained.

In the current stage of the Living in Love and Faith (LLF) process and its proposed Prayers of Love and Faith (PLF) most attention has been focussed on matters of substance. Matters of process and power (too easily dismissed as technical details) have, however, already been raised. They are likely to become even more pertinent, pressing, and potentially polarising as the process continues. This three-part article seeks to map out why this is so and what some of the options and key challenges are moving forward. It does so by focussing on one particular question: the legal process by which the proposed PLF, once finalised, are ratified for use in the church. The title points to the central question being asked – whether or not canon B2 is the best process, particularly if we are committed to the pastoral principle of “paying attention to power”. The underlying questions raised here about processes and power in relation to the prayers are also likely to be relevant in relation to the production of pastoral guidance and agreement over forms of pastoral reassurance.

In their [update to the July General Synod](#) the final paragraph on the work of the Prayers Implementation Group (para 13) reports:

The House and College have considered the range of routes presented by the Group including Canon B5 commendation of the Prayers, B4 approval by the Convocations, Archbishops or Ordinary and B2 approval by General Synod. They are particularly weighing up the option of approval by the Archbishops (under Canon B4.2), as an approach that may provide more legal protection for those ministers who choose to use the Prayers. No final decision has been made by the House as to the route by which the prayers will be made available for use.

This first part begins by discussing why processes for permitting prayers are so important, why B2 working through General Synod has pride of place within these, and what General Synod has said in

the past on matters at the heart of LLF and PLF. It then examines the route currently proposed by the bishops and supported by Synod in February: commendation under B5. Part Two explores the three routes to secure authorisation – the alternative to commendation – set out in B4. Part Three then argues that authorisation by B2 is the best route for the unity and well-being of the church.

Prayers, Doctrine and General Synod: The importance of B2

In relation to the House of Commons, what is arguably most essential for it properly to fulfil its calling is that words spoken in it – particularly by members of the government, especially the Prime Minister – are truthful and able to be trusted. In relation to the church, what is arguably most essential for it properly to fulfil its calling is that words spoken by it and especially by its representative leaders – particularly words spoken to God and about God and God’s purposes before the people in prayer and worship – are truthful and able to be trusted. The importance of this truthful speech is one reason why, after the 8 canons of [Section A in the canons](#) relating to the identity of the Church of England, [Section B](#) immediately turns to “Divine service and the administration of the sacraments” and begins with B1 “Of conformity of worship” and B2 “Of the approval of forms of service”.

A key test for the legitimacy of any form of service – in order to “ensure that the worship offered glorifies God and edifies the people” (Canon B1.2) - is that it be “neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter”. This test appears repeatedly in the relevant canons (B2.1, B4.2, B4.3, B5.3, B38.2). Underlying this is the importance of faithfulness to Scripture because 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” (Canon A5). It is because “the doctrine contained” in the BCP “is agreeable to the Word of God” (Canon A3.1) that “The form of God's worship contained in the said Book, forasmuch as it is not repugnant to the Word of God, may be used by all members of the Church of England with a good conscience.” (A3.2). On moving from *uniformity* of worship to greater diversity, this principle of *conformity* – neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter - became the essential test of the truthfulness and hence legitimacy of worship. It regulates Church of England worship. It is a fundamental rule for the proper functioning of the Church of England just as not misleading Parliament is a fundamental rule for the proper functioning of Parliament and government more widely.

The question therefore becomes *how* the Church best ensures that this crucial test is passed for any form of service, just as the House of Commons has to determined how the test of not being misled is passed. As canon B2 makes clear the first canonically authorised way of applying this test – though not as we shall see the only way – is to invest the power of approving forms of service in the General Synod of the Church of England. By definition, “any form of service or amendment thereof approved by the General Synod under this paragraph 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” (B2.1). In the words of leading canon lawyer, Mark Hill,

The final approval by the General Synod of any canon, regulation, form of service, or amendment thereof conclusively determines that the Synod is of the opinion that it is neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter (Hill, *Ecclesiastical Law*, (4th edition), 5.01 cf Canon B2.1).

Prayers, Processes and Power: B2 or not B2, that is the question, Andrew Goddard, June 2023.

Hill further notes that “Synod may approve, amend, continue, or discontinue any form of service, provided that it is of the opinion that it does not represent a departure from the doctrine of the Church” (5.03).

Here we have the Church of England’s legislature, its largest and most representative deliberative body, making the crucial judgment in relation to this essential test for the church faithfully fulfilling its call to worship God, the test which Synod emphasised in February in the only amendment it passed to the original motion (“to endorse the decision of the College and House of Bishops not to propose any change to the doctrine of marriage, and their intention that the final version of the Prayers of Love and Faith should not be contrary to or indicative of a departure from the doctrine of the Church of England”)

General Synod & Sexuality

In relation to LLF and the draft prayers, consideration also needs to be given to how, over recent years, the General Synod has expressed its mind on matters relating to the Church of England’s teaching and practice. Here there are two particularly important motions passed by General Synod.

Firstly, its last formal statement in relation to matters of church teaching on sexual ethics was back in 1987 when it overwhelmingly (403 votes to 8) expressed support for a motion (known popularly as the “Higton motion”). This reaffirmed traditional teaching including “that sexual intercourse is an act of total commitment which belongs properly within a permanent married relationship”. It also stated that “fornication and adultery are sins against this ideal” and that “homosexual genital acts also fall short of this ideal, and are likewise to be met with a call to repentance and the exercise of compassion”. In one sense Synod here is simply restating what was held to be, in the words of the motion’s introduction, “the biblical and traditional teaching on chastity and fidelity in personal relationships” as set out in the BCP and canon B30. However, that it was the clearly stated mind of the General Synod was a crucial factor in shaping later developments. Both [Issues in Human Sexuality](#) issued subsequently by the bishops in 1991 and the bishops’ [teaching document on marriage](#) in 1999 worked within this motion, the latter notably in its statement (clearly echoing the Synod motion) that “sexual intercourse, as an expression of faithful intimacy, properly belongs within marriage exclusively”. The teaching summed up in that motion has also set the boundaries and framework for all subsequent episcopal statements on these matters, much to the frustration of the growing number of people who dissent from that teaching. The General Synod [in February 2023](#) welcomed “the decision of the House of Bishops to replace Issues in Human Sexuality with new pastoral guidance” but it has never revoked or revised or replaced the 1987 motion and its statement of church teaching on these matters.

What if the bishops in their teaching and practice were to break with their pattern for over three decades and no longer uphold Synod’s historic stance? What if they were instead to embrace an alternative vision and teaching concerning “chastity and fidelity” in their pastoral guidance and/or proposed use of PLF? It would seem wise – arguably essential – in these circumstances to somehow ensure Synod supports any such new developments and does not view them as indicative of a departure from church doctrine.

Secondly, a further important motion is that of [February 2007](#) when General Synod (by a substantial majority on a show of hands) gave some degree of support to [Lambeth I.10](#), which is fully consistent with that 1987 Synod motion. It did so by commending, in words of an amendment [moved on behalf of the House of Bishops](#), “continuing efforts to prevent the diversity of opinion about human sexuality creating further division and impaired fellowship within the Church of England and the Anglican Communion” and recognizing “that such efforts would not be advanced by doing anything

that could be perceived as the Church of England qualifying its commitment to the entirety of the relevant Lambeth Conference Resolutions (1978: 10; 1988: 64; 1998: 1.10)".

Interestingly, in relation to this Synodical decision in relation to I.10, [the Archbishop of Canterbury has argued](#) that the Prayers of Love and Faith, "in the way they're written and thought about, that they fall very clearly, within - to lapse into technical language - what is described as Lambeth 1.10 1998". In other words, he has stated (although not further defended) the view that the proposed prayers do not amount to "legitimising or blessing of same sex unions". Then, in relation to the Church of Uganda, [he has recently appealed](#) to Lambeth 1.10, referring to it as expressing "the common mind of the Anglican Communion" and making clear he is unable to see how the Church of Uganda's action "is consistent with its many statements in support of Resolution i.10". This shows he places importance on provinces upholding 1.10 when they have claimed to do so in the past. It also confirms (by talking of his own inability to see consistency in Uganda's stance) the Synod's sense that for the Church of England even to be "perceived" as qualifying its commitment is something that should be avoided. It is not clear how this fits with his own subsequent apparent rejection of the clause "in view of the teaching of Scripture, upholds faithfulness in marriage between a man and a woman in lifelong union, and believes that abstinence is right for those who are not called to marriage" [when he stated](#) "sexual activity should be within permanent, stable and faithful relationships of *marriage as that is understood in each society*" (italics added).

Commendation for use under B5

It is in this wider context that crucial questions arise concerning "the means by which the Prayers will be ratified and made available for use" (a phrase in [the terms of reference](#) for the Implementation Group on Prayers of Love and Faith). Broadly speaking the Church follows one of two routes: authorisation or commendation. What follows examines *commendation*, part 2 and part 3 explore the various routes of authorisation.

The bishops proposed in February ([in GS 2289](#)) not that PLF be approved and authorised by General Synod under B2 but that the prayers be "commended material" and that "when they have been developed into their final form and agreed by the House of Bishops, they will be commended to the Church under what is permitted by Canon B5" (p. 2). It is important to recognise what is and what is not being done here.

A short history of commendation

I am very grateful to Bishop Colin Buchanan for pointing me to, and summarising, the [News of Liturgy \(NoL\) archive](#) and David Hebblethwaite's study "[Liturgical Revision in the Church of England 1984-2004: The Working of the Liturgical Commission](#)". These sources show how this category of commendation for use under Canon B5 – "The procedures for this do not arise from the canons or the Synod's standing orders, but are simply a working *ad hoc* arrangement", (Hebblethwaite, p. 6) – was developed in 1984 and 1985 as new prayers for both Lent, Holy Week and Easter and for prayer and dedication after a civil marriage were being finalised.

Both of these were originally viewed as best authorised by the Archbishops under Canon B4 (see [NoL July 1984](#) and [Sept 1984](#)), This was agreed by the House in October 1984 but then hit a problem: "the House of Bishops was stopped in its tracks when it realized that 'authorization' under B.4 then precludes the use of any other services for the same occasions. They thus withdrew from the plan to 'authorize' and will now 'commend' – the word used in the minutes" ([NoL, Nov 1984](#), p. 4). As Hebblethwaite notes, in relation to the "uncontroversial recommendations" for *Lent, Holy Week, Easter*, the Liturgical Commission

Prayers, Processes and Power: B2 or not B2, that is the question, Andrew Goddard, June 2023.

was in need of a procedure for promoting their use. As the material was deemed to lie outside anything strictly 'alternative' to services in the 1662 book, any officiant might (under canon B5) arguably use whatever rites were thought appropriate—but if Synod, Convocation or individual bishops claimed to 'authorize' any such rites, they would by the same token be banning other uses and removing discretion from individual ministers. The way through was found by the House of Bishops 'commending' (p. 5).

In February 1985 General Synod therefore had a “take note” debate on *Lent, Holy Week, Easter* and [NoL reported](#):

The process intended is that the Commission should revise the text in the light of comments, pass it to the Bishops, and then, if they like it, let it be 'commended' for use by the Archbishops acting outside the provisions of canonical 'authorization'. This means that the rites will have no official status in the Church of England though perhaps some moral or atmospheric backing! (p. 3).

What does commendation do?

As the final words of that quotation suggest, in one sense, it could be argued that when prayers are commended, in Theresa May's infamous words in the 2017 general election, “nothing has changed”. Canon B5 is part of what another leading canon lawyer, Norman Doe, has described as “a principle of subsidiarity (distributing rights of liturgical innovation to all levels of the church)” (*The Legal Framework of the Church of England*, 281) so that “Rights to authorize the use of services (by means of approval) are distributed throughout the church down to the ministerial level” (p. 288). Under B5, ministers have discretion to “make and use variations which are not of substantial importance” in “any form of service authorized by Canon B 1 according to particular circumstances” and also “on occasions for which no provision is made...use forms of service considered suitable by him”. The only constraints here are that these local innovations “shall be reverent and seemly” and – the crucial test highlighted above – “shall be neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter”.

In other words, in commending PLF the bishops are not claiming to introduce anything new that is not already permitted within the Church of England. The fact that bishops will commend these prayers is, strictly speaking, not required for them to be lawful. If they are lawful once commended, they are lawful now (hence services marking same-sex unions - as would happen with commended PLF - have for some time been offered in some places under B5). Similarly, if they are not lawful now, they are not made lawful by being commended.

What is more, clergy would not be required to use only material from PLF once the bishops commended the prayers. There would still be no authorised service and so clergy would still have freedom under B5 to use either the materials commended by the bishops or any other material they judged to pass the doctrine test and to be reverent and seemly. As the bishops noted in [GS2055](#) back in 2017, one of the consequences of using commendation is that “such forms of service would...be open to alteration and adaptation locally (thus undermining consistency)” (para 42).

While, in one sense then, “nothing has changed” if the bishops commend PLF, in another sense, commending such prayers represents a significant development. This is because they would commend forms of prayer (e.g. services of blessing) which had previously been rejected by the bishops even for a civil partnership (e.g. services of blessing [as in 2019 statement](#) paras 17-21 reaffirming [2005 statement](#) paras 16-18). They would do so, it seems, for people who have entered a civil same-sex marriage (which the bishops had [previously described](#) as a departure from church

teaching on marriage, paras 19-21). The bishops in commending them are also making a statement as the House of Bishops about the doctrine of the Church of England and what is permitted within it. They are offering a judgment on this which differs from their previous statements, that goes beyond the limits of past Synod decisions noted above, and that departs from what many believe the church's doctrine to be and to allow. Indeed, given episcopal commendation does not in itself make the prayers legal or definitively determine doctrine, the main reason for the bishops to commend them is precisely to signal (critics might say "virtue signal") that the bishops of the church are changing the church's liturgical practice even as they have to claim they are not changing its doctrine.

Who is open to legal challenge? Making parish clergy vulnerable

An additional major concern arises from the fact that the services are – even once commended – canonically permitted only on the basis of them being used at the discretion of the minister conducting the service. The parish clergy who use them are therefore the ones who will face challenges as to whether or not they are – as the bishops claim – “reverent and seemly” and “neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter”. It is with the clergy on the ground that the buck stops, not with the bishops.

Under Canon B5.4, clergy who use the prayers may find they are “referred to the bishop in order that he may give such pastoral guidance, advice or directions as he may think fit” and no bishop is bound by the judgment of the House and so may judge differently. In addition, “such reference shall be without prejudice to the matter in question being made the subject matter of proceedings under the Ecclesiastical Jurisdiction Measure 1963”. This means that complex and costly legal actions may be brought against parish clergy in order to test the bishops' claim that the prayers are not indicative of a departure from the doctrine of the church.

What has previously been commended?

Finally, one of the oddities of the “commendation” route the bishops are proposing is that, as noted, a search of the canons in section B shows that none of them refer to forms of service being commended by the House of Bishops. There is, however, a note on the web page which links to [a list](#) of “The forms of service which have been approved by the Archbishops or commended by the House of Bishops as being suitable for use by ministers in exercise of their discretion under Canons B 4 or B 5 respectively”.

Although this list appears to only include material to January 2012 what marks out all 26 items of commended material is their almost wholly uncontroversial nature. The only potentially controversial one is, interestingly, given some have seen parallels with PLF, the “[Order for Prayer and Dedication after a Civil Marriage](#)”.

As explained more fully in the historical outline offered in the appendix below and [here](#), even this potential exception was introduced in markedly different circumstances from those we now find ourselves in regarding liturgies for same-sex couples. An analogous situation in our debates would involve the bishops commending prayers after a civil same-sex marriage some years after the Synod had voted (by over 2-1, and in marked contrast to much tighter votes in previous debates) that there are circumstances in which a same-sex couple could marry in church. They might find this necessary, as in the 1980s, because a way could not easily be found to implement the more radical step (though approved by Synod by two-thirds in each House) formally and securely, and because of unresolved questions about the doctrine of marriage. Even so, care would be taken to avoid reference to blessing – Hebblethwaite notes, “Because of strongly-expressed reservations in General Synod the word 'blessing' was scrupulously avoided, hence the title *Prayer and Dedication*” (p. 30). This provision would also follow Synod commending a private service of prayer and dedication after a civil

same-sex marriage and voting to lift previous prohibitions on such services (such as those found in current Pastoral Statements). It would also be able to be developed from “the various forms of prayer used in separate dioceses” already (p. 30). That is clearly very far from our current scenario in terms of both sustained Synodical support for the development and considerable time being taken to move from initial in principle decisions to specific liturgical change.

This sketch of the past uses of commendation raises a number of questions about the propriety of adopting PLF by way of this process. Commendation prevents any of the formal Synodical scrutiny and application of the doctrinal tests by the church’s representative clergy and laity gathered in synod with the bishops. This is not a problem for all the other forms of uncontroversial prayer commended in the past but raises major questions here.

Conclusion on Commendation (B5)

In short, by choosing the route of commendation the bishops are

- seeking to appear as if they are implementing significant changes and getting credit from those in church and wider society who support them when in fact the prayers’ legal status is not changed by their commendation,
- using a process intended for, and always previously used for, uncontroversial forms of service despite these prayers predictably proving to be the most controversial prayers introduced in the Church of England for many decades,
- appearing to act as a body in relation to liturgical approval, perhaps even appealing to episcopal collegiality to stifle dissent, when the canons give neither the House or College, on their own authority alone, any role in relation to approval of liturgy or authorisation to determine whether a form of service conforms or not to doctrine,
- claiming the prayers are consistent with doctrine but refusing to secure the agreement of Synod to that judgment by using the normal route for liturgical developments,
- failing to offer a serious theological or convincing legal rationale for changing their previous stance prohibiting the use of such prayers, a stance that was understood to be based on the need for liturgy to conform to doctrine and a consequence of the 1987 General Synod motion,
- failing to give a proper explanation of why the prayers are not indicative of a departure from Church of England doctrine.
- placing all the risk on clergy in the parishes rather than bearing it themselves

As is clear, these features raise a number of major questions about this process and the use of episcopal power it represents. They therefore raise the question as to whether authorisation may not be a better path to follow. The options for this are considered in Part Two (under B4) and then Part Three (under B2).

Part 2: Canon B4's Three Options

Part One set out the process of commending prayers for use under canon B5 and the problems with the bishops' proposal to introduce PLF by this means. Given these problems it may be better to look for formal approval of PLF by the alternative route of authorisation. Here a legally authorised person or persons or body (not simply the parish priest with prayers commended by the bishop) take action and they will then be the subject of any legal action. The most significant and representative such body is General Synod acting under canon B2 but there are three other options which can also be considered. These are set out in canon B4 and are marked by their different identifications of *who* has power to approve and *for whom* they are thereby approved. What is noteworthy is that the House of Bishops – the body which would commend prayers – has no authority to authorise under this or any other canon and are always required to work in tandem with others, raising questions about why as a body they are taking such a significant and high profile under the current proposals.

In what follows each of these three routes are considered by progressing from the smallest number of those involved in authorisation to the greatest number.

Authorisation by individual bishops (B4.3)

Under B4.3, authorisation is at its most narrowly focussed. One individual – “The Ordinary” – would here approve forms of service. This narrowing of authorising agent to a single individual is however combined with a consequent narrowing of the geographical scope of authorisation – it is “for use in any cathedral or church or elsewhere in the diocese on occasion for which no provision is made in *The Book of Common Prayer* or by the General Synod under Canon B 2 or by the Convocation or archbishops under this Canon”. Whereas, as we shall explore shortly, the two Archbishops can authorise for the whole Church of England, a diocesan can only authorise for their own diocese. This is, in effect, how similar developments originally occurred in North America under what was called “local option”.

The most obvious difficulty here is that there will be differences across all the 42 dioceses and one can see this being viewed as creating a “postcode lottery”. However, that is to forget three key factors.

First, liturgical diversity between dioceses is canonically permitted and not unprecedented. For example, whether or not [communion before confirmation](#) would be permitted in parishes was left to each diocesan bishop to determine, in large part because – as with the proposed prayers – this would be “a departure from our inherited norm”.

Secondly, much has been made of commendation allowing clergy freedom of conscience, which creates its own “postcode lottery” in terms of provision of services. But bishops also have a conscience. A bishop may, arguably *should*, be unwilling – as chief pastor and principal minister – to have prayers used in their diocese which they believe to be indicative of a departure from church doctrine. As noted in part one, and [argued by Russell Dewhurst](#), it appears that a bishop could veto their clergy using commended prayers under Canon B5.4. This B4 route is therefore effectively, at an episcopal level, an “opt in” approach – the bishop can choose to authorise in their diocese – whereas commendation appears to be “opt out” where the bishop can veto the use of nationally commended prayers by their clergy.

Thirdly, we need to recall the current situation and the one which commending the prayers would keep in place – parish clergy have authority to develop a service in their context under B5.

This means, on the one hand, that where a diocesan bishop did not authorise any prayers the *status quo* would pertain. It would simply be a question – as currently – as to whether clergy who exercised

their right under B5 to hold a service similar to those in the draft PLF materials would be disciplined. It is likely that few if any would be disciplined, given that few if any are now and there would presumably be greater legitimacy for such local provision if some bishops were authorising PLF. Alternatively, a process could be set up where (as in TEC in relation to same-sex marriage in Communion Partner dioceses) a parish wishing to use an authorised service but having none provided by their Ordinary could ask to receive oversight from a neighbouring bishop who had authorised PLF for those under their jurisdiction.

On the other hand, where a bishop did authorise prayers (perhaps following a process of discernment within the diocesan synodical structures) the diocesan clergy who wished to use them (as in all these routes, no clergy would be required to do so) would have to use the authorised form of prayers. They could no longer create their own and would have to follow any guidance from their bishop concerning their use. Any clergy or parishes in the diocese who not only decided not to use them but who viewed themselves as now in impaired communion with their bishop following his or her authorisation could then be provided for under an agreed scheme of “pastoral reassurance”. By introducing authorisation on this local, diocesan basis there is likely to be much less widespread disruption and a lower number of requests for structures of alternative episcopal oversight than if a blanket nationwide authorisation was implemented. There would, however, be questions to be considered as to what the process would be when a new bishop was appointed and they wished to follow a different path from their predecessor and either introduce authorised prayers or revoke previous authorisation.

[Authorisation by the Archbishops \(B4.2\)](#)

In contrast to canon B4.3, canon B4.2 maintains a very narrow authorising agent – simply the two Archbishops – but combines this with a comprehensive authorisation equivalent to that gained through authorisation by the General Synod (“for use in any cathedral or church or elsewhere in the provinces of Canterbury and York”).

The update report to General Synod ([GS 2303](#)) notes the bishops “are particularly weighing up” (para 13) this option. It would, however, not only bypasses General Synod in order to give legal authority to new forms of service, it would (unlike commendation) also prevent any bishop from preventing their use in their diocese except by means of a successful legal challenge against the Archbishops’ judgment that the forms of service were “reverent and seemly” and “neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter”. It is therefore certainly an effective way to get the job done although it is not immediately clear why it “may provide more legal protection for those ministers who choose to use the Prayers” (GS 2303, para 13) compared to other B4 options and especially not in comparison to B2. In relation to PLF, it raises a large number of important questions, particularly as regards process and power.

First, it sets a dangerous precedent of the Archbishops simply on their own archepiscopal authority introducing new liturgy which only they need to determine is, “in their opinion”, both “reverent and seemly” and “neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter”. I [argued recently](#) that under the legal logic being offered to defend PLF it would appear to follow that it would paradoxically be possible to authorise a service which could also be recognised as legally entering a same-sex marriage (but not holy matrimony) without this service being indicative of a departure from the church’s doctrine. If the Archbishops can, on their own authority, authorise PLF there is therefore also no reason why, on their own authority and with no legal obligation to justify “their opinion” or demonstrate its consistency with the [Declaration of Assent](#), they

Prayers, Processes and Power: B2 or not B2, that is the question, Andrew Goddard, June 2023.

could not authorise such a service. Indeed they could authorise any service on any matter no matter how many in the church found that service doctrinally objectionable and their action unreasonable.

Second, in having no formal place in the authorisation process for General Synod, the House of Bishops, or Diocesans in relation to their own jurisdiction, this process raises very serious questions about “paying attention to power” and about the need for proper theological and liturgical scrutiny of our authorised services. This is particularly of concern when this route is used for the most contentious and divisive of questions in the contemporary church.

Third, and related to which services would be appropriately authorised in this way, the online list of services approved by B4.2 is one: A Service for Remembrance Sunday (included in *Common Worship: Times and Seasons*). It was, also, I understand, the route used recently for authorised services following the death of the Queen and perhaps the Coronation service. None of these three are, however remotely near as contentious or related to doctrinal matters as PLF. As was shown in Part One, commendation developed as a practice in the 1980s precisely because of problems with attempting to use B4.2. Were this path now to be pursued it would, in a mirror image of that innovation, be primarily because of problems arising with the original plan of commendation, in particular the prayers’ contentious nature making clergy liable to legal action.

Fourth, the Archbishop of Canterbury’s office has recently been described as “the Focus of Unity for the three other Instruments of Communion...of the Anglican Communion” and “therefore a unique focus for Anglican Unity” ([Canterbury CNC consultation document](#), p. 18). The Archbishop of Canterbury has already severely damaged his standing in the wider Communion by supporting PLF. In so doing he has perhaps made it impossible (certainly under his tenure) for the see of Canterbury to continue having the levels of respect, authority, and convening power across the whole Communion as it has had in the past. If, however, PLF were to be authorised in the Church of England solely on his authority and that of the Archbishop of York then the damage to the Communion may prove to be even greater, perhaps irreparable.

Fifth, the Archbishop of Canterbury, when introducing PLF originally, [said](#),

But because of my pastoral care and responsibility, and being a focus of unity for the whole Communion, I, while being extremely joyfully celebrating every of these new resources, I will not personally use them in order not to compromise that pastoral care...that is a self-denying ordinance. But it comes out of the global responsibility.

This commendable attempt to limit the damage to his office and ministry within the Communion has not obviously succeeded. It will appear even more strange and ineffective if the prayers are introduced into the Church of England by being authorised through this “Archbishops only” route.

Sixth, there have been signs that introducing the prayers will impair communion not only between the CofE and other Communion provinces but within the CofE itself. This is one reason for there being an Implementation Group working on “Pastoral Reassurance”. The impairment will be particularly focussed on whoever authorises the prayers even though it will extend further to those who use them. The authorisation by the Archbishops alone of prayers which clearly are opposed by 45% or more of the clergy and laity on General Synod and the implicit or explicit challenge that those in the church who are unhappy should then take them as Archbishops to court is difficult to square with repeated claims to be concerned to act as a “focus of unity”. The reality is that if it is the Archbishops who authorise PLF then this may lead to many (including possibly some bishops) finding themselves in impaired communion with both Archbishops. This could give further weight to the argument that the only way forward is a new province.

Seventh, especially given that the use of the prayers and responses to them are to be monitored and reported on in five years' time, consideration needs to be given as to how the process of authorisation will relate to this reality. Is it to become the case that every future Archbishop of both Canterbury (despite recent moves to involve the Communion much more in this appointment and Archbishop Justin's recent statement that his successor does not have to be a "white guy from England) and York has to be willing to continue to authorise the prayers? This would make the challenges of impairment in the Communion and CofE noted above even more serious and limit who is eligible for primatial office in an unprecedented manner. If, however, this is not the case then there is the real risk that authorisation can disappear on the decision of a single future Archbishop to withdraw it on the basis that "in their opinion" the prayers are not in conformity with doctrine. The attraction of this route a means of getting a desired goal quickly is only bought at the risk of making that achievement more insecure as a result.

Eighth, in terms of the "principle of subsidiarity (distributing rights of liturgical innovation to all levels of the church)" (Doe, p. 281), to move to this form of authorisation from the current proposal of commendation would be to move from the most local level (under canon B5) to the most centralised level (the two Archbishops under canon B4.2) as the process of introducing the prayers.

Ninth, LLF has been marked throughout by a commitment to inclusive participation, seeking to involve as many in the church as possible in the production of resources and their educational use across the church. It has sought to consult and discern concerning "a radical new Christian inclusion in the Church". Can it possibly be right that this process should conclude with the introduction of new developments being authorised, in an unprecedented manner, simply by the two "white guys" at the top?

Tenth, as discussed in Part One, the path of commendation being currently proposed presumes that clergy can already offer the proposed PLF legally under canon B5. Commendation would not make something legal which is currently illegal. There are therefore no good grounds to rush authorisation through such swift but dubious means, bypassing the standard default of scrutiny by General Synod under canon B2. If the Archbishops want to be seen to be acting then it is important to note that authorisation under B4.2 is not the only way in which Archbishops may introduce new forms of service. There is also canon B5A. This, however, is authorisation "for experimental use for a period specified by them on such terms and in such places or parishes as they may designate". It has to be combined with a commitment to submitting the proposals to General Synod under the B2 process. If, as argued in Part Three, this is the best – indeed only proper – way to proceed with PLF then this alternative form of archepiscopal authorisation (though not unproblematic) has much more to commend it than the use of B4.2.

In summary, this route will be attractive to some in terms of its speed (through use of concentrated power) and its removal of the threat of legal challenge to clergy, redirecting it onto the Archbishops. They may even present themselves as acting as self-sacrificial potential martyrs for the cause. It also has the advantage of procedural simplicity – only the two Archbishops need to sign it off. But it is these very facts combined with its previous limited use which raise major questions. These include whether using it for such a divisive development does not amount to an abuse of power that sets a dangerous precedent by moving authorisation for the whole church as far away as possible from the standard route and bypassing General Synod which usually approves liturgy and where – as a sizeable, representative, largely elected, legislative body of lay people, clergy and bishops – any prayers have publicly to pass the crucial doctrine test.

Authorisation by Convocation (B4.1)

The third route in canon B4 is B4.1 and here authorisation involves a much larger number of people: either one or both Convocations “may approve within their respective provinces”. This, in other words, would be a process that involved the clergy and bishops of each province who sit on General Synod. It could potentially lead to different outcomes in Canterbury and York. It is noteworthy that here as noted previously the bishops of each province have no collective or corporate authority on their own to approve a liturgy. They can only do so with the consent of the clergy in the Lower House of Convocation (ie those elected to General Synod). As there is no statement requiring a particular threshold to be met, this would presumably require a simple majority vote in both houses of a province’s Convocation.

This would, however, apparently be an unprecedented process and thus highly controversial. The list of “Approved and Commended forms of service under Canons B 2, B 4 and B 5” [online](#) lists none which have been approved in this way. It would also be controversial because of its exclusion of the laity who were the least supportive House in February 2023, with 48% opposing the House of Bishops’ motion.

There is little obviously to commend this route other than it provides for a broader body to give consideration and consent than either of the other two routes under B4. In addition, for those wishing change, that consent – with the consequent judgment that the clergy and bishops involved believe the prayers pass the doctrine test – would not it seems require a special majority. It may then be able to get approval from the most representative body other than General Synod without requiring 2/3 support in each House but only at the expense of excluding the laity.

B4 and B5 – Impact on parish clergy

It is important to recognise that if prayers are authorised under B4 for use after a civil partnership or same-sex civil marriage then this brings to an end the current legal freedom clergy have to develop such a service for a same-sex couple under canon B5. Canon B5 is quite clear that it is only “on occasions for which no provision is made in The Book of Common Prayer or by the General Synod under Canon B 2 or by the Convocations, archbishops, or Ordinary under Canon B 4” that “The minister having the cure of souls may...use forms of service considered suitable by him for those occasions and may permit another minister to use the said forms of service”. It is not clear quite how this will work if what is authorised under B4 remains a suite of resources rather than a particular form of service (similar to, for example, that of Prayer and Dedication after a Civil Marriage). It is, however, therefore possible that parish clergy could still find themselves subject to legal challenge if in any service they depart at all from what is authorised and/or claim to be exercising freedom under canon B5 which they would, if B4 is used, lack. This risk and limitation in relation to authorisation under B4 is exactly why, originally, commendation by the bishops for use under B5 originated as a process in relation to *Lent, Holy Week, Easter*.

Conclusion: Authorisation by B4?

In conclusion, these 3 different routes of authorisation all have the advantage that it is not the individual clergyperson using a form of service for a same-sex couple under B5 who has to make the key decisions and who thereby puts a target on their back in terms of protests and possible legal action. By following these pathways, parish clergy would have an authorised form of service and any legal objections to use of that service would have to be directed at whoever authorised it – perhaps the Archbishops.

However, they all face the challenge that they bypass General Synod and locate the application of the crucial doctrine test in some other body, perhaps in the hands of only the two Archbishops or a

diocesan bishop. Furthermore, it would appear that across all 3 routes the number of forms of service currently approved by these means can be counted on the fingers of one hand. All those services are also uncontentious and very focussed and limited in their use. This is presumably why, when the bishops last considered liturgical options in [GS2055](#) back in 2017, they did not give any consideration (paras 40 and 41) to these forms of authorization as serious options, despite canon B4 being in force as an available pathway. This omission in 2017 should not be a surprise because for a form of service that is to be authorised across the whole church, especially if it is contentious, there is the clear pathway with which Part One began and to which Part Three turns – authorisation by General Synod under B2.

Part 3: Canon B2

The place of General Synod

Under the [Church of England \(Worship and Doctrine Measure\) 1974](#) it was established that the church was autonomous as regards the regulation of its worship: “It shall be lawful for the General Synod...to make provision by Canon with respect to worship...including provision for empowering the General Synod to approve, amend, continue or discontinue forms of service”.

Under the canons (B1 to B5A) which were passed under that Measure, General Synod may “approve forms of services for use in the Church of England”, “amend any form of service approved by the General Synod under this paragraph”, “approve the use of any such form of service for a limited period, or without limit of period” and “extend the period of use of any such form of service” or “discontinue any such form of service” (Canon B2.1). In so approving the General Synod also establishes that in its opinion the service “is neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter”.

B2 or not B2?

There is no doubt that this B2 authorisation by General Synod is the normal, standard route of liturgical authorisation which, when successful, offers “a clear and robust outcome” (GS2055, para 41). It

- secures the consensus of the widest group
- engages and gains the consent of the most representative body of the church for the form of service, in contrast to all the other routes.
- thereby helps preserve the unity of the church.
- ensures proper scrutiny of the forms of service before authorisation.
- makes the service available across the whole of the church.
- gives the highest security and protection to all clergy using the form of service that they are not liable to legal action and
- it does this, in large part, because it definitively establishes that the form of service passes the crucial doctrine test.

This route is the best on any matter that relates to doctrine because the General Synod is the body with authority in this area. In the words of Norman Doe:

General Synod is the only authority within the Church of England competent to alter the legally approved doctrines: no doctrinal development may occur unless the three Houses of General Synod consent to it. Indeed, it has been understood judicially that General Synod possesses in law an unlimited power to change the church’s fundamental doctrines, provided the required procedures are followed. The procedures are rigorous and, by requiring the participation of the whole church as represented in General Synod, they give juridical expression to the theological principle that doctrines ought to be derived from a consensus fidelium (*Legal Framework*, p. 258).

In order therefore to clarify (without recourse to expensive, long drawn out, and painful legal action in the courts) what the doctrine of the church does and does not permit, the B2 route is clearly the most effective and secure of all the processes.

For all these reasons B2 is the overwhelming preferred means of authorising services. As we have seen, the alternative route of authorisation – canon B4 – is only used in very rare, always uncontroversial, circumstances.

Why not B2?

There is, however, a major challenge in using the B2 route compared to all the others. This is not that it is more time-consuming (a dubious claim given the amount of time – and money – likely to be taken up in legal proceedings if another route is used) and less able to be controlled by bishops and Archbishops and the Liturgical Commission. The challenge is that in order to ensure that any new service has widespread support across the church, to provide a strong test in relation to compatibility with doctrine, and to prevent too quick and easy a change of doctrine even implicitly through liturgical innovations, the B2 process – under [the Standing Orders and the Constitution of General Synod](#) – has various safeguards. Three, in particular, stand out.

First, if Synod material is designated liturgical business then various bodies can “call for a report by the House of Bishops on a question of doctrine arising out of the business” and the business then stands adjourned until the report is delivered and formally taken note of by the Synod (SO 82). As it stands, PLF is not being designated liturgical business when it is discussed by Synod and the House of Bishops have not produced a report on how it relates to the doctrine of marriage. Nor, under any other routes than B2, can such a report be required and considered by Synod.

Second, because of the importance of our liturgy and the need for it to be doctrinally faithful and liturgy which does not divide the church, in order for any liturgical business to be passed by Synod there are special processes under Article 7 of the Constitution of General Synod. This relates to “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” (Article 7(1)). It puts in place a number of possible safeguards. Processes can be triggered which, before the provision is brought to Synod for a final decision, first requires approval separately by each House of the two Convocations (i.e. both clergy and bishops in both Canterbury and York) and by the House of Laity. Should it fail to get a simple majority in any one of these five votes then (unless other conditions are met under 7(5)) it cannot be “proposed again in the same or similar form until a new General Synod comes into being”. In other words, liturgical innovation is so important that not only the General Synod but each of its constituent bodies can be required to assent separately under B2. In contrast, under B4 or B5 the whole Synod is bypassed.

Third, usually in General Synod votes are decided by either a simple majority (i.e. more than half of those present and voting) or by a simple majority in each of the 3 Houses. However, under SO 36(4) certain categories of business are seen as so significant that “a question is carried only if at least two-thirds of those in each of the three Houses present and voting are in favour”. Among these is “the Final Approval of liturgical business”. In the words of leading ecclesiastical lawyer, Mark Hill,

Synod may approve, amend, continue, or discontinue any form of service, provided that it is of the opinion that it does not represent a departure from the doctrine of the Church and that any such decision is finally approved with a majority in each house of not less than two-thirds of those present and voting (Mark Hill, *Ecclesiastical Law*, 4th edition, 5.03).

These safeguards to protect the Church of England’s doctrine and liturgy (in particular this third immovable and longstanding requirement within the B2 route for more than a simple majority) explain why those wishing to introduce PLF are seemingly so opposed to the prayers being authorised by General Synod. They would prefer one of the other routes in order to dodge the synodical scrutiny and majorities required by B2. Certainly no other serious objection to using B2 has been raised.

The reality is that while many of the prayers would be able to pass these tests for liturgical business (a number have already done so and are already authorised by General Synod under B2), others likely

Prayers, Processes and Power: B2 or not B2, that is the question, Andrew Goddard, June 2023.

would not. The more radical and contentious elements within PLF (most obviously the use of prayers of/for blessing and perhaps prayers over rings), and some of the contexts in which, and purposes for which, it is proposed the prayers would be used (such as for same-sex married couples and possibly for couples in a sexual relationship other than holy matrimony) will apparently struggle in this Synod to get the necessary 2:1 support in all 3 Houses. This is in large part because a significant proportion of the church believes such prayers fail the crucial doctrine test.

Prayers, Processes and Power: What sort of church do we wish to be?

If the uncertainty about B2 being able to secure the desired outcome is the principal and decisive – perhaps sole – argument against using this route then we appear to be arguing that we should determine which route to follow on the basis that “the end justifies the means”. We therefore return to the questions of processes and power with which we began. All other routes bypass General Synod. They all involve the use of power by a small group, in many cases just bishops, or even just the Archbishops. The commendation route also then makes parish clergy vulnerable to legal challenge. The doctrinal test is still applied in all of them because it is essential (though it is unclear whether, for example, two-thirds of the House would need formally to agree the prayers were not indicative of a departure from doctrine for them to be commended). It is applied, however, by a much smaller and less representative number of people. Under B4 it is simply *the opinion* of those authorising which provides the test with no public explanation or deliberation needed (as it is under B2). There is thus limited scrutiny and transparency (e.g. the House of Bishops is by default public as a meeting of a House of General Synod as set out in its Standing Orders (SO13) but apparently always votes under SO14 to reconstitute itself as a Committee of the Whole House and so exclude members of the public). There is also, in all other routes, no involvement of the laity.

The argument may be made that those authorising by other routes (or the bishops in commending) would be acting on behalf of the majority. This, however, would need not just to be asserted. It has somehow to be clearly demonstrated. A response also has to be given to the concern that having only a simple majority is not sufficient as it disregards the long accepted principle of the need for two-thirds in all three Houses.

Above all, it also needs to be recognised what the risks are in intentionally bypassing the normal, accepted means of authorisation in order to introduce such contentious prayers. Those B2 means of Synodical scrutiny and enhanced majorities have been put in place for good reasons. They are generally respected – particularly in matters of controversy – as the means best able to secure a number of good ends in the life of the church and thereby enable her flourishing. These include

- as wide a consensus as possible for developments,
- keeping worship, which is at the heart of our calling, faithful to speaking the truth of God and speaking truth to God
- enabling public discernment on doctrinally disputed matters
- securing widely-recognised doctrinal consistency and coherence and/or careful and considered (rather than hurried and unaccountable) doctrinal development.
- the involvement of (and so ownership by) laity and clergy not just bishops and Archbishops,
- fostering trust in the church’s institutions of government and confidence in its leadership
- limiting the threats to unity.

The decision about B2 or not B2 is, therefore, not only a legal nicety concerning procedures. It is a decision – faced with our deep disagreements over sexuality – about the sort of church we want to be or not to be.

Prayers, Processes and Power: B2 or not B2, that is the question, Andrew Goddard, June 2023.

Refusing to use B2 is to disregard established practice for matters relating to liturgy (especially where it is contentious) and doctrine. It is to ignore the pastoral principles and instead to adopt a process which involves colluding with such “pervading evils” as fear, power, hypocrisy and silence rather than confronting them. It runs the serious risk of splitting the Church of England not simply on sexuality but because of mutual recriminations due to failing to follow established legal processes.

Twenty years ago I co-authored a resource for the [first Primates Meeting under Archbishop Rowan in May 2003](#). We called that resource “[True Union in the Body?](#)” and its final paragraph picked up the play on words within that title:

For many the issue of officially blessing same-sex unions is precisely a boundary issue. Confusion here massively affects our identities both as sexual beings and as a public body. For, as Paul so insightfully grasped right at the outset, what we do with our bodies is not immaterial but truly affects the Body of Christ. The union of physical bodies can affect the union of the ecclesial Body. Something which seems so small and immaterial can evidently have an explosive effect. Policy about sexual behaviour is not just a private matter. The Christian community has an interest in what Christians decide about sex and all believers have responsibility to the whole Body. Our prayer, therefore, is that the Body of Christ, listening to the voice of Christ, may rise up with new strength and purpose to show forth the light of Christ in all its grace and truth (6.24).

At that 2003 meeting, after discussing the booklet, the Primates stated

The question of public rites for the blessing of same sex unions is still a cause of potentially divisive controversy. The Archbishop of Canterbury spoke for us all when he said that it is through liturgy that we express what we believe, and that there is no theological consensus about same sex unions. Therefore, we as a body cannot support the authorisation of such rites.

The bishops of the Church of England quoted that passage as recently as December 2019 in their [pastoral statement](#) (para 18). The question we now face is why they have reversed that position and why they have not explained that reversal – what has changed? There is no doubt that blessing same-sex unions “is still a cause of potentially divisive controversy” or – one hopes – that “it is through liturgy that we express what we believe”. The key question therefore is whether or not there is now “theological consensus about same sex unions” and sufficient consensus for us to be able to introduce liturgical innovations that still recognisably express what we believe without causing division. How as a church we answer such questions has long-established, tried and tested answers: we discern this together, led by our bishops, through General Synod, and when it relates to liturgy we do so by means of using canon B2.

Tragically, it increasingly appears that the scenario already replicated across the Communion since 2003 and also in other churches (notably most recently the Methodists in the US) is now being played out within the Church of England.

How we are handling the process of discernment following LLF, currently focussed on PLF, is bringing to the surface deeper questions about the nature and calling of the church - who we are and are called to be and to become. We cannot simply focus on our substantive disagreements over the proposals or on finding the quickest means to achieve some people’s desired outcomes. If we claim to be acting in the name of unity and talk constantly of “walking together” (a term which of course points us not to the exercise of archepiscopal powers but to synodality) then that means we need also to consider carefully our processes. If we fail to do so, and especially if we fail to pay attention to power and how

Prayers, Processes and Power: B2 or not B2, that is the question, Andrew Goddard, June 2023.

it is being used and possibly abused within those processes, we are likely to harm rather than to heal the body of Christ.

Appendix- Prayer and Dedication After a Civil Marriage: A Short Historical Sketch

The service of *Prayer and Dedication After A Civil Marriage*, having initially been considered for authorisation by the Archbishops under B4, was the first service to be commended by the bishops for use under B5 (even though that process was originally developed for *Lent, Holy Week, Easter*). It was published on 31 October 1985 ([NoL, Oct 1985](#)) with the Archbishop of Canterbury's foreword setting out its status:

These services 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 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.

This commendation was with the support of General Synod which on July 2nd 1985 had voted to remove the 1957 ban on offering any public service for those who had entered a civil marriage after divorce while maintaining the 1957 call not to use the marriage service. Synod in February 1981 had already commended *private* services of prayer and dedication after remarriage.

In relation to the process for PLF, the wider history relating to divorce and remarriage that lies behind this commendation (which I explored [here](#) in relation to pastoral accommodation, some of which is reproduced below) is important. Introducing a service of prayer and dedication was a direct reversal of the unanimous decision of the 1978 Lichfield Report exploring the response to remarriage after divorce. This had stated "we are therefore of one mind in rejecting the suggestion of a public service of prayer and dedication. *We recommend that the present use of such services be brought to an end*" (para 232, italics original). Their discussion of this proposal is illuminating given the current proposal for a form of service, distinct from the marriage service, for same-sex couples.

The Lichfield Report noted that many clergy who adhered to the Convocation regulations forbidding remarriage recognized some such couples "wish for an opportunity to pray together and to dedicate themselves at the beginning of the new marriage". It recognized that "Private services of prayer and dedication frequently take place, either in the couple's home or in church, and the existence of such services is explicitly envisaged, if not formally sanctioned, by the Convocation regulations" (para 225). It acknowledged that a case had been put "that the provision of an officially-approved form of service of prayer and dedication would go far to meet the needs of some of those marrying after divorce while preserving the Church's distinctive witness to the permanence of marriage" (para 226). It then set out the case for this (para 227) in words worth quoting at length as, by replacing their scenario with that of a same-sex couple, they are very similar to the case some make for providing some form of service for those entering a same-sex marriage:

There are Christians who believe that it is right and godly for them to enter into a second marriage after the first has been legally dissolved and while the previous partner is still alive. Their decision to remarry is their own, made after due reflection and prayer, and made in good conscience. They believe that God is calling them to this second marriage. They are willing to acknowledge that divorce and remarriage falls short of what God intends, and that in an age when many are rejecting the norm of life-long, exclusive monogamy it is prudent and right that the Church should witness to this norm by refusing to remarry anyone who has been divorced and whose partner is still living. Nevertheless, they seek for more than the priest's private prayer said with them either in church or at home. They seek

- (1) A means of grace to encourage them along the path which they have chosen;

- (2) An opportunity for sharing their discovered vocation with their friends and neighbours in humility, wonder and joy;
- (3) An acknowledgement of the mercies of God within the family of Christ and of the continuing fellowship and acceptance of one another in the Church.

The report noted that this “would not be a marriage and would contain no marriage vows” and “the service would express penitence for the past, thanksgiving and joy in the present and dedication for the future”. While “in all such expression the Church would, as the Body of Christ, be associated” and any priest using it would be “acting in the name of the Church”, the Church “would not be expressing its approval *or* its disapproval of the marriage” and providing this rather than a marriage service would mean the Church “retaining its witness against divorce and remarriage in general and in the abstract” (para 228). Arguments in its favour included that “it would meet a pastoral need which is difficult legally to meet at present” (para 229).

Nevertheless, the report’s authors saw “fundamental objections to the suggestion” which again are worth quoting in full:

We believe that there would be a continuing risk of confusion between the service proposed and the marriage service. It has already been noted that some clergy offer a form of service which closely resembles the marriage service (para 225). Even if the minister had carefully explained the difference between a service of dedication and a marriage service to the couple, it is likely that some of those taking part in the service would be unaware of the distinction. This risk would be increased if, as seems likely, elements of the traditional ceremonial associated with a wedding appeared in the service. The appearance of the bride in white, the ringing of bells, the wedding march – all these would convey a powerful though misleading message which the words of the service would be unable to correct (para 230).

In addition, while no minister could be compelled to take such a service, “in practice the clergy would come under considerable pressure to make the service available to all who asked for it, since a couple who were denied the use of an official service of the Church would regard this as a mark of disapproval or rejection. If however the service became widely used, there would be a risk of confusion between this service and the marriage service, and it would be difficult for the Church to dispel the impression that it had begun to remarry all comers” (para 231).

Three years after this report, in July 1981, Synod overwhelmingly voted (296-114, (27-7, 134-58, 135-49) for a motion proposed by Bishop John V. Taylor (Winchester) stating that “there are circumstances in which a divorced person may be married in church during the lifetime of a former spouse”. This was “a dramatic turnaround” (Ann Sumner Holmes, *The Church of England and Divorce in the Twentieth Century: Legalism and Grace*, p. 163) of its previous votes on this matter, including as recently as July 1978 on the Lichfield Report’s majority recommendation, leading [NoL](#) to comment:

The result is fairly amazing – all previous votes on the issue, both in General Synod and in the dioceses, have tended to come up with a fifty-fifty split. So, although there is not yet any actual change in the regulations (regulations which not all clergy view as binding anyway), yet there has been a clear turning-point established in the life of the Church of England (p. 10).

Between that 1981 vote and the commendation of the new liturgy in 1985 the church sought, unsuccessfully, to find an agreed process to implement their clear decision to allow marriage in church after divorce. As they did so they wrestled with questions that are highly relevant today in

Prayers, Processes and Power: B2 or not B2, that is the question, Andrew Goddard, June 2023.

relation to PLF. Various options were considered, dioceses were again formally consulted (as they had been after Lichfield when they split 18-17 on its recommendation) and the House of Bishops was openly divided with continuing opposition even after Synod strongly supported (295-130) a proposal from the House which was then not implemented. A *Times* editorial in early 1984 (“The Marriage Bond”) offered an assessment of remarriage in church which is echoed by many in relation to PLF:

Important changes in doctrine and practice of this kind are inadvisable unless there is a clear and coherent theological basis for them, and unless there is general consent to this basis. That cannot be said. (*Times*, 25th Feb 1984, quoted in Sumner Holmes)

In June 1984 the Archbishop of York, John Habgood, issued a warning, in a report to the House of Bishops (“Canon B30 and the Proposed Marriage Regulation: Some Deeper Issues in the Marriage Debate”), that some would argue needs to be heard today:

If the whole matter is purely disciplinary, no problem arises. But if the House decides that it is doctrinal or has doctrinal dimensions, we shall need to move very carefully....The method by which the Church decides such issues may have considerable repercussions for the future and will say a lot about our claim to be a theologically responsible body. (quoted in Sumner Holmes, p. 168).

By February 1985, the Archbishop of Canterbury, Robert Runcie, who wanted remarriage in church in some circumstances as agreed in principle back in 1981 rather than just a service of prayer and dedication, had to admit:

There comes a time when I must agree that there is no real consensus in my favour, and that the peace of the Church demands that we cease this endless wrangling over a question on which we are so divided. (General Synod, 13th February 1985, pp. 214-5, quoted in Sumner Holmes, p. 169).

This failure to agree on how to permit *remarriage* in church after divorce is therefore what lay behind the move to introduce the service of prayer and dedication after a civil marriage despite it being rejected in the Lichfield Report. Although criticisms of it have continued, [it remains a commended service](#).

Comparisons are often drawn between our current disagreements and those in the past over divorce and remarriage. Parallels have also been drawn between PLF and the service of prayer and dedication after a civil marriage. Given this history surrounding the commendation of the service of prayer and dedication, what might an analogous situation in our debates look like?

An analogous situation in our debates would involve the bishops commending prayers after a civil same-sex marriage some years after the Synod had voted (by over 2-1, and in marked contrast to much tighter votes in previous debates) that there are circumstances in which a same-sex couple could marry in church. They might find this alternative to a marriage service necessary, as in the 1980s, because a way could not easily be found to implement the more radical step (though approved by Synod by two-thirds in each House) formally and securely, and because of unresolved questions about the doctrine of marriage. Even so, care would be taken to avoid reference to blessing – Hebblethwaite notes, “Because of strongly-expressed reservations in General Synod the word 'blessing' was scrupulously avoided, hence the title *Prayer and Dedication*” (p. 30). This provision would also follow Synod commending a private service of prayer and dedication after a civil same-sex marriage and voting to lift previous prohibitions on such services (such as those found in current Pastoral Statements). It would also be able to be developed from “the various forms of

Prayers, Processes and Power: B2 or not B2, that is the question, Andrew Goddard, June 2023.

prayer used in separate dioceses” already (p. 30). That is clearly very far from our current scenario in terms of both sustained Synodical support for a significant development in relation to the church’s practice and considerable time being taken to move from initial in principle decisions to specific liturgical change.