

# Editorial Matters

On December 21<sup>st</sup>, for the first time in Britain, two people of the same sex will be able to enter into a civil partnership that is legally recognised by the state. They will gain this status and the rights and responsibilities that go with it by signing a document that legally makes them civil partners.<sup>1</sup> Given the continuing tensions over homosexuality and same-sex relationships, few expect this social change to pass without further disturbing the Church of England and perhaps the wider Anglican Communion. In November, a possible taste of things to come was provided by Richard Coekin in Southwark diocese but with the wider support of the *Reform* network. He arranged for the irregular ordination of some of his staff in an Anglican church plant by a bishop from the Church of England in South Africa, claiming the 'final straw' was his bishop's support for the House of Bishops' Pastoral Letter on Civil Partnerships. With the likelihood of several high-profile civil partnerships involving clergy, some perhaps also involving church blessings that attract media attention, it looks likely the Christmas message of peace and goodwill may be in short supply in parts of the church.

## What is a civil partnership?

The main reason civil partnerships may cause discord, and a large part of the problem the church faces, is the difficulty that exists in determining what exactly is involved and entailed in entering a civil partnership. It has undoubtedly been created and established in response to demands for recognition of gay and lesbian relationships and it is unquestionably modelled on marriage. For example, it is ended only by death or dissolution (a process very similar to divorce), is only able to be contracted between two unmarried people of the same sex, and cannot be entered into by two people within the traditional 'bonds of affinity'. The procedures for entering a civil partnership are also explicitly designed to mirror those of secular marriage as closely as possible. The main differences, are, however, of importance for Christians. Not only must all civil partnerships be entered in a secular, non-religious ceremony, there are no vows necessary to enter the partnership and no reference in any of the legislation to the partnership having a sexual element. Thus, there is no equivalent to adultery in the grounds for dissolution and no equivalent to non-consummation in the grounds for annulment. Sexual conduct may, however, be a factor considered in evaluating whether a partner has behaved unreasonably in a way that may justify dissolution of the partnership. To the untrained eye it is clearly 'gay marriage'. However, to the legal expert who reads the small print, it may look like a duck, walk like a duck and quack like a duck but technically there are some small elements of its plumage which mean it would be strictly wrong to classify it as a duck.

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1 Information on civil partnerships is available online at [www.womenandequalityunit.gov.uk/lgbt/partnership.htm](http://www.womenandequalityunit.gov.uk/lgbt/partnership.htm)

## The House of Bishops' response and reactions to it

Faced with this new social and legal phenomenon, the House of Bishops issued a statement in July.<sup>2</sup> This restates and upholds the traditional teaching of the Church of England and Anglican Communion on sexual ethics and seeks to apply it to this complex new phenomenon.

In their statement, the bishops have maintained the principle established in *Issues in Human Sexuality* that although there is one standard for all – sexual abstinence outside heterosexual marriage – the church applies this more strictly for clergy than for lay people in its discipline.

In relation to clergy, the bishops state that they do 'not regard entering into a civil partnership as intrinsically incompatible with holy orders'. They add, however, this proviso – 'provided the person concerned is willing to give assurances to his or her bishop that the relationship is consistent with the standards for the clergy set out in *Issues in Human Sexuality*' (para 19). Taking advantage of this new legal status of civil partner is, however, a significant step on the part of any clergy and it would be inconsistent with the teaching of the Church for the public character of the commitment expressed in a civil partnership to be regarded as of no consequence in relation to someone in – or seeking to enter – the ordained ministry' (para 21). This is because the bishops recognise that 'partnerships will be widely seen as being predominantly between gay and lesbian people in sexually active relationships'. As a result 'members of the clergy and candidates for ordination who decide to enter into partnerships must therefore expect to be asked for assurances that their relationship will be consistent with the teaching set out in *Issues in Human Sexuality*' (para 21). Indeed, they go so far as to warn that 'because of the ambiguities surrounding the character and public nature of civil partnerships, the House of Bishops would advise clergy to weigh carefully the perceptions and assumptions which would inevitably accompany a decision to register such a relationship' (para 22). It seems quite clear that the House is not encouraging clergy to become civil partners !

The statement has been heavily criticised by both sides of the debate about human sexuality.

On the one hand, those who disagree with that teaching have argued that it is too conservative. They are unhappy with the restrictions placed on the clergy and the fact that, as the Archbishop of Canterbury made clear recently, 'if it can be established that a priest seeking to register a civil partnership is in fact active in a sexual union, then that priest is liable to the discipline of the Church'.<sup>3</sup>

On the other hand, those who support the traditional teaching have felt that it is too liberal.<sup>4</sup>

Firstly, there has been concern about the fact that the bishops' statement permits clergy to enter into civil partnerships. The desire of some is for the bishops

2 The text is available [www.cofe.anglican.org/news/pr5605.html](http://www.cofe.anglican.org/news/pr5605.html)

3 This statement was made in answer to questions at the recent Anglican South to South Encounter in Egypt. The answers and other materials from this important meeting

are now available on a new website, [www.globalsouthanglican.org](http://www.globalsouthanglican.org)

4 Anglican Mainstream's responses can be read at [www.anglican-mainstream.net/civil.html](http://www.anglican-mainstream.net/civil.html)

to have gone further by forbidding clergy from entering them at all rather than laying down conditions and warning of the need for assurances.

It is, however, in relation to the laity that there has been most concern from some evangelicals, and also widespread misunderstanding. It has even been alleged that the bishops prevent clergy giving the church's teaching to candidates for baptism, confirmation and communion or asking people in civil partnerships any questions about the nature of their partnership. It was, apparently, this misunderstanding that led Richard Coekin to believe he was being prevented from fulfilling a biblical ministry by the bishops. In fact, the bishops are much more careful in what they say – 'lay people who have registered civil partnerships ought not to be asked to give assurances about the nature of their relationship before being admitted to baptism, confirmation and communion' (para 23).

The intention is clearly to contrast this with the treatment of clergy and prospective clergy by bishops. They ought to be asked for such assurances before ordination (and presumably before licensing) but lay people are not obliged to give such assurances. Clergy are certainly not prevented from passing on the church's teaching. They are simply told that they are not required to ascertain whether or not a civil partnership is 'sexual' before they proceed to baptise, present for confirmation or admit to communion. For the bishops to require such explicit assurances would have represented quite a radically more rigorist discipline in relation to admission to the sacraments than most Anglicans have traditionally exercised. If such a requirement was restricted simply to examining the sexual conduct of civil partners but not heterosexual couples and if it was not extended to the financial conduct of businessmen or the way in which Christian GPs handled requests for abortion then it would be widely viewed as having a highly selective and distorted understanding of 'sin' and be inherently discriminatory and homophobic.

### **Deeper challenges in a changing society**

The fundamental problem with some conservative reaction to the bishops' statement is, however, not simply that it is in large part based on a misinterpretation of what the bishops have said. It is that it misses the real challenge presented by the new status of civil partner. This challenge is much more fundamental than deciding for which Christians it is necessary (and *how* it is possible) to ascertain whether or not their same-sex relationship involves 'sexual expression'.

The new legislation on civil partnerships highlights a major paradigm shift that has taken place in our society's way of thinking about homosexuality. Until 1967 legislation concentrated on particular acts which were considered so immoral and depraved that even when undertaken in private between consenting adults should be liable to criminal prosecution and imprisonment on conviction. In part because of pressure from leading Anglicans, that perspective was changed and male homosexual acts were decriminalised. What has happened now – less than forty years later – is that the law (and indeed wider society) are not particularly interested in particular acts but rather in patterns of relationship. And rather than viewing same-sex bonds negatively, it sees them as an important aspect of British society worthy of legal recognition and status. Whether or not they are 'sexual' is now considered irrelevant in the eyes of the law.

Even more significant (but hardly commented on) is the fact that the legislation introducing civil partnerships has also recognised there are many people living as 'same-sex couples' who will not register as civil partners. As a result, the government has established the category of 'living together as civil partners' to mirror that of 'living together as husband and wife'. This means that two people of the same sex who live together will now potentially be treated officially as 'living together as civil partners' for matters relating to tax and social security benefits. Although details are as yet not totally clear it would also appear that – as with opposite-sex cohabiting couples – government officials will make such judgments without enquiring into the sexual element of the couple's relationship. Whereas the bishops with their clergy and some clergy with their laity are very interested in people's sex lives, the state and increasingly wider society are just not particularly bothered. Rather than condemning certain conduct, the focus is on recognising the existence of same-sex couples, both those who formalise their relationship as a civil partnership and those who do not but who are to be treated as 'living together as civil partners'.

### **Is there a way forward?**

How are we as a church – and more particularly the established Church of England – to respond in such a new social, cultural and now legal context? One approach maintains an exclusive focus on assessing sexual activity. In the case of the bishops this requires seeking assurances about sexual abstinence from clergy but not laity and emphasising that as civil partnerships are not marriage they do not fundamentally challenge Christian teaching. In the case of some evangelical critics of the bishops, this concern with sex seems to assume all civil partners are (or at least will be seen as) in sexually active relationships and thus Christians, especially clergy, must have nothing to do with them. In contrast to this, the opposite approach largely accepts the paradigm shift noted in wider society and argues that our focus as Christians has to be on the relationship not on the sexual activity that might take place within it.

The danger in the first approach – whichever form it takes – is that it concentrates exclusively on something that society as a whole is increasingly unconcerned about and views as private. It therefore comes across as a sort of Puritanical obsession with 'homosexual practice'. It also fails to recognise that the new legislation is going to alter our culture much more deeply: any two people of the same sex who live together are going to be increasingly viewed as 'civil partners' or, in common parlance, 'a gay/lesbian couple'.

The danger in the second approach is that it disregards and overturns biblical teaching and the wisdom of Christian tradition concerning sexual intimacy and lacks any distinctive or prophetic witness because it largely capitulates to the radical change in social mores seen in the last ten to twenty years.

What is needed instead is a serious engagement with both the nature of intimate same-sex relationships in our changing social reality and the biblical and traditional Christian teaching not just about sexual behaviour but about marriage and singleness. In particular, there needs to be recovery of a Christian vision of love and friendship and, in the words of the Bishops' letter, 'the Church should not

collude with the present assumptions of society that all close relationships necessarily include sexual activity' (para 20).

Ten years ago, on November 30<sup>th</sup> 1995, the Church of England Evangelical Council (CEEC) issued the still illuminating and insightful St Andrew's Day Statement. It included the affirmation that the Church 'assists all its members to a life of faithful witness in chastity and holiness, recognising two forms or vocations in which that life can be lived: marriage and singleness (Gen. 2.24; Matt. 19. 4-6; 1 Cor. 7 passim). There is no place for the church to confer legitimacy upon alternatives to these'.

From this broader perspective, a strong case can be made that the Church must not 'confer legitimacy' upon the new institution of civil partnerships because they represent a legally sanctioned form of life that is an alternative to marriage and singleness. In particular, the life-long obligations that a civil partnership places on someone in relation to one other individual of the same sex arguably make it – even if it does not include forbidden homosexual conduct – incompatible with the disciplines associated with the single life and make it 'same-sex marriage' in all but name. What actions amount to 'conferring legitimacy' may of course be debated but it is presumably this perspective that lies behind the Roman Catholic church being unwilling to allow its single celibate priests to enter a civil partnership. The concern not to confer legitimacy on civil partnerships as a pattern of life also explains why the House of Bishops have been clear that 'clergy of the Church of England should not provide services of blessing for those who register a civil partnership' (para 17).

Simply protesting against and refusing to confer legitimacy on civil partnerships will, however, achieve very little. In fact, if such a stance becomes too prominent then, although popular in other parts of the Anglican Communion, it will increasingly alienate many from the gospel in our society. It is important to uphold traditional teaching. We must also seek to enable our society both to see the importance of sexual conduct for personal and societal wholeness and integrity and to acknowledge the dangers of sexual immorality. It is, however, also important to seek wisdom concerning the nature of the relational alternatives to marriage and singleness that are increasingly prevalent, socially accepted and legally recognised in our society (and not only among same-sex couples).

It would be quite wrong to think that the only options for the church are to confer legitimacy on such relationships or else to exclude and refuse to listen and learn from all those who are living in them. Even if for no other reason, more and more people are being drawn to the margins of the church and come to faith in Christ while living in such ways of life. The Church therefore needs to understand their situation and discern the reality of their relationships as it learns how best to guide prospective and actual converts into the path of faithful Christian discipleship and witness. Are we, for example, really to say that someone in a civil partnership who becomes a Christian must start legal proceedings to dissolve the partnership before he can be fully welcomed into the life of the church?

Assuming the bishops implement their letter properly and clergy respect and honour its teaching, the advent of civil partnerships creates a real opportunity for the church which must not be lost in concerns that reactions to the letter might divide

the church further. From December, Church of England clergy who enter civil partnerships must be understood to have given assurances that their civil partnership is not a sexual relationship. It would also be good if bishops could ascertain from such clergy the other ways (apart from sexual abstinence) in which their relationship differs from 'same-sex marriage' or a 'same-sex union' both of which are clearly incompatible with Anglican Communion teaching. Such further assurances would also ensure that their decision to register a civil partnership avoids the danger (that the bishops clearly recognise) of a certain ambiguity and potential cause of scandal. Such clergy will then be able to be a public voice that allows fellow Christians to understand more about the nature of intimate same-sex relationships that are lived within the church's teaching on chastity and holiness. They – and lay people in similar relationships – potentially provide a contemporary pattern of loving Christian same-sex friendships that may prove acceptable for those not called to marriage.

Much of the demand to implement Lambeth's repeated calls for 'listening to the experience of gay and lesbian people' has focussed on those Christians who have chosen to abandon the church's teaching or, in some evangelical circles, those who have sought healing of their homosexuality. Now that the law is finally beginning to recognise same-sex relationships it will be increasingly difficult for Christians in such relationships to keep them private. In taking the stance they have, the bishops have provided us with the opportunity of not simply reiterating and defending the teaching of the most recent Lambeth resolution on human sexuality but also of hearing the testimony of faithful Christian leaders whose pattern of loving same-sex relationship conforms to that teaching.

### **In this issue**

A common thread running through the four articles in this issue is that raised in this editorial in relation to civil partnerships: how as evangelicals committed to mission we adapt to changing cultures and contexts. Our opening article presents a fascinating reflection by Nicholas Shepherd on the recent Soul in the City mission. It examines this and similar events as representing a possible new paradigm in mission thinking that could be subconsciously developing in our culture – mission as a package holiday. Nigel Rooms then offers his perspective on our missionary calling in England by drawing on insights coming from his work abroad and the literature on inculturation. In the third article, Faith Cook continues our series examining past evangelical leaders. The issues surrounding the Countess of Huntingdon – the role of women leaders, the importance of theological training, the question of relationships between Anglicans and non-conformists, and the reality that commitment to evangelism may lead to tensions with church authorities – are all vitally relevant to our contemporary scene. Indeed they have many echoes in conservative evangelical activities over recent years and the most recent events in Southwark diocese. Finally, Phillip Tovey traces the changing pattern of confirmation in the Church of England and offers thoughts as to future developments in this rite.

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