

I - Discernment and decision following Living in Love and Faith¹

Despite the College of Bishops being unable to meet as planned in September due to the death of the Queen, [the Next Steps Group has confirmed](#) that it is sticking to its original timetable for the discerning and deciding stages of [the Living in Love and Faith journey](#). It will produce proposals for the February General Synod to “consider proposals from the College and House of Bishops and agree a clear direction of travel”.

That group, chaired by the Bishop of London, and now comprising eight other bishops, is [tasked](#) to “draw up scenarios for different outcomes and consider the ecclesial implications” and to “consider and bring forward to the House proposals for consideration of any motions or other business that should go to the General Synod arising from the process of learning proposed by the LLF resources”.

In addition to the LLF materials used across the church over the last two years, the bishops will also be resourced by

- the three recent [Listening with Love and Faith materials](#), where the [feedback](#) captures the great range and strength of divergent views but also reports (p 88) that in the focus groups which were convened “Most people...suggested that the decisions made by the House of Bishops needed to be bold, courageous, clear and honest. While some advocated strongly for change and some to maintain the Church’s position on questions of sexuality, all agreed that coming to a clear decision soon is vital”. Alongside these there is now an informative [six-page response](#) to a [critique from Church Society](#).
- feedback from conversations with [21 networks and organisations](#),
- input from [the Reference Group](#), and
- a “modest piece of desk research” that has been commissioned “to explore the impacts of decisions that have been made regarding the blessing and/or marriage of same-sex partnerships in church in other Provinces of the Anglican Communion as well as in mainstream denominations in Britain”.

The inability to meet for three days of face-to-face conversations as planned has been replaced with “homework” for the bishops, “written reflections as part of their preparation for the next College of Bishops meeting at the end of October”. In addition to those imminent two days to consider “proposals for a way forward, the implications for formal decision-making, and how this will be communicated to members of General Synod and the wider Church” there will be a further two days in December (when the House—all diocesans and elected suffragans who are members of General Synod—will also meet) with the January meeting of the College then finalising proposals to bring to General Synod when it meets in London on February 6th to 9th.

¹ <https://www.psephizo.com/sexuality-2/discernment-and-decision-following-living-in-love-and-faith/>

Agreements, Disagreements and Areas for Discernment and Decision

Given the breadth of materials covered in the LLF resources, it is likely, and to be hoped, that this process will be quite wide-ranging in addressing matters across the areas of identity, sexuality, relationships and marriage. Alongside it there is also the imminent release of the work of the [Families and Household Commission](#). It seems clear, however, that it is questions relating to the Church's response to LGBT+ people and in particular to same-sex couples that will receive most attention. This will therefore be the focus in the articles that follow although it is essential that whatever is said and done here is integrated with the wider question of the church's teaching and practice in relation to identity, sexuality, relationships and marriage and that questions relating to heterosexuality are not ignored in these four areas.

It seems that there are a number of important areas of consensus across the disagreements, including:

- the dignity of all people as creatures made in God's image and the need for the church to bear witness to this in all that it says and does;
- The consequent need for the church to welcome and show love and respect to all people, whatever their identity, sexuality, pattern of relationships or marital status;
- the church's regular failure, historically and often still today, to act faithfully in these ways in relation to sexual minorities;
- the need for the church to be a community in which all people are able to experience transformation and growth in holiness through the love of Christ, the presence of the Spirit, and the teaching of Holy Scripture.

It is to be hoped that the bishops will be able to offer ways forward which fill out these and other areas of agreement in practice in a way that continues to have wide support across our different understandings. It cannot, however, be ignored that how these agreements should take shape in Christian communities leads to significant divergences. These arise from the many areas of significant theological and practical disagreement threatening the unity of the church and the clarity of its message and practical witness. In [an earlier article](#) I set out how the LLF resources honestly identified and helpfully explored eight of these. It is vital such theological differences, and their practical consequences, continue to be considered. However, attention now has moved from LLF's focus on theological *reflection* to the task of *deliberation* as the bishops have to address questions which Living in Love and Faith studiously avoided answering and relate to "what are we to do?" Here I would identify five key areas, the first relating to teaching (which will be explored in a second article) and then four relating to practice (to be explored in a third article):

1. The teaching of the Church of England, and its biblical and theological rationale;
2. The Church of England's understanding of, and relationship to, the changing legal patterns and understanding of relationships and marriage in wider society;
3. The practice of the Church of England, particularly in relation to its liturgy and expectations concerning its authorised ministers;
4. The manner in which, in coming months, these matters will be decided and any developments or changes implemented;

5. The implications of these decisions, and our ongoing deep disagreements, for the ordering of the Church of England and the wider Anglican Communion.

What is now needed from the bishops?

Three general points apply across these five areas.

Firstly, the whole LLF project was designed to enable learning and theological reflection across the church. Although its focus was matters of identity, sexuality, relationships and marriage, it demonstrated that we can only consider these and our different understandings in relation to them by setting them in a much wider theological context. One central question here—the longest section of the LLF book—is the question of how we hear God, raising questions of authority and theological method and in particular different understandings of Scripture. As the bishops move to propose a direction forward in the face of deep theological differences and are guided by the recent summaries of responses to the LLF materials and views of different networks, there is a real risk they will abandon theological reasoning. There will be a temptation simply to presume theological diversity and seek to broker a pragmatic response which they consider most politically feasible. While practical questions are clearly important to bear in mind, it is essential that both their approach and any agreement they reach are first and foremost *theological* not merely *anthropological* or *sociological*.

Secondly, and following from this, whatever the bishops discern as the way forward they need to provide a clear *theological and biblical* rationale for it. The wider church, having wrestled with these questions through LLF, can then receive and weigh this rationale carefully. They need—drawing on the LLF book and other resources and what has been heard from Christians who engaged with these—to explain both *what* they believe they heard from God and *how* they have come to hear that. Those of us who worked on LLF were not asked to make either of these judgments and so this is a further and crucial piece of work still to be done by the bishops.

Among [LLF's learning outcomes](#) was to enable the bishops and the wider church to “have a deeper understanding of the Church’s inherited teaching on Christian living in love and faith, especially with regard to marriage and singleness, and of emergent views and the Christian reasoning behind them”. If the bishops reaffirm the Church’s inherited teaching then they need, drawing on LLF, to clearly provide the Christian reasoning for so doing and to explain why they are not convinced by the arguments that “emergent views” have raised against it. If instead the bishops adapt or abandon inherited teaching it is even more important that they show their workings for doing so. They will need to make clear what in inherited teaching and current practice is wrong and why. They will need to explain why they have been persuaded by whichever of the “emergent views” they now commend but not by others. To draw on the learning outcomes sought by LLF, it is important that—in setting out what they believe the church has learned—the bishops offer something that:

- is clearly “inspired by scripture’s glorious and joyful vision of God’s intention for human life”;

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- demonstrates and enables engagement “with rich biblical, theological, historical and scientific thinking about human identity, sexuality and marriage in a way that deepens...desire to know God and follow Christ”;
- provides “help for everyday Christian discipleship in all its diversity, physicality, messiness and grittiness”; and
- offers an holistic and coherent vision which relates to all five areas noted above and has integrity rather than providing separate ad hoc responses which seem to some to lack obvious coherence and to enable, even encourage, duplicity.

Finally, it is important that the current period of discernment and decision-making is not starting with a blank sheet of paper. The first section of [the Living in Love and Faith book](#), was entitled, “Reflecting: what have we received?”. The third chapter, on “the gift of marriage” explored “the biblical and historical roots of the church’s understanding of marriage as a lifelong, faithful relationship between one man and one woman” (p 10) and within this, in its discussion of marriage and the gift of sex, it explained (p 33) that

God’s good gifts of sexual desire and intimacy, with all their power and potential for good and harm, find their proper place and freest space in marriage. Here, the ‘natural instincts and affections’ that God has planted within us are ‘hallowed’ and to be ‘rightly directed’ for the purposes of love.

It is these two elements—the definition of the pattern of relationship we call marriage and the view that it is God’s purpose that it is this pattern of relationship that provides the proper place for sexual relationship—that are central to, but also among the most contentious elements of, received church teaching.

This current teaching is summed up in various other statements of which four are particularly important:

- The 1987 General Synod motion—the last substantive statement on these matters by General Synod—stated that “sexual intercourse is an act of total commitment which belongs properly within a permanent married relationship” and so concluded that fornication, adultery and homosexual genital acts fall short and should all be met by a “call to repentance and the exercise of compassion”.
- The [1998 Lambeth Conference](#) stated that the bishops held that “in view of the teaching of Scripture”, the Conference “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”. Although never formally adopted by the Church of England, this is fully consistent with the CofE’s current teaching and in 2007 the General Synod made clear it considered it would be wrong to do “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)”.
- The [2014 Pastoral Guidance on Same Sex Marriage](#) sets out quite fully the church’s teaching on marriage, rooted in liturgy and law. This includes reference to the importance of the Book of Common Prayer, Canon Law (in particular Canon B30), existing liturgy in Common Worship (in continuity with the BCP), the 2012

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submission to the Government opposing the introduction of same-sex marriage, and the responsibility of clergy to uphold the teaching expressed in all these places.

- The [December 2019 Pastoral Statement on Civil Partnerships](#) reaffirmed marriage as a male-female union and stated “the Church of England teaches that ‘sexual intercourse, as an expression of faithful intimacy, properly belongs within marriage exclusively’ (*Marriage: a teaching document of the House of Bishops*, 1999). Sexual relationships outside heterosexual marriage are regarded as falling short of God’s purposes for human beings.”

Another formulation of this teaching is found in the words of the [1995 St Andrew’s Day Statement](#) 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”. The opening words here helpfully capture what remains, it seems, a shared conviction across our disagreements: that Christians are called to “a life of faithful witness in chastity and holiness”. Where we disagree is over what patterns of sexual behaviour and relationship are, and can be formally recognised as, chaste and holy.

It might be helpful to frame our disagreements and seek to address them within this shared vision: what we are called to discern is which patterns of life are forms of faithful witness in chastity and holiness, a range of patterns of life that are therefore to be offered to all people, whatever their marital or relationship status, whatever their sexuality or gender identity. In its important discussion of chastity, [the LLF book](#) (p 253) explained that chastity is not simply sexual abstinence but “A chaste life is one in which sexual activity is rightly ordered, and serves the true flourishing of those involved” and that is what the bishops need to explore and on which they need to offer the church teaching.

The second of these three articles will explore six different options the bishops might consider in relation to existing church teaching on what constitutes a chaste life. A third and final article will examine some of the practical questions and options.

II - What are the options after Living in Love and Faith?²

What follows builds on [the previous article's account](#) of where the Church of England is in its LLF process of discernment, the importance of the bishops providing a theological argument for the way forward, and the need to recognise that we begin with an existing, long-established teaching on what constitutes a chaste pattern of life in relation to the nature of marriage as the proper place for sexual relationship.

It explores six options beginning with reaffirming current teaching (Option One). If that option is not followed then it needs to be recognised that embracing different teachings (Option Two) creates major problems and effectively collapses into one of the following options, whilst simply articulating the qualities of relationship that are needed for a chaste sexual relationship (Option Three) is insufficient as some institutional form needs to be provided. This form could either be marriage (Option Four) or a new structure that the church now commends (Option Five). Alternatively, the church may recognise and commend a form of non-marital relationship but continue to teach that it should be non-sexual (Option Six) whilst continuing to affirm current teaching on marriage.

Option One: Reaffirm Current Teaching

One option for the bishops would be to reaffirm received teaching as to how “sexual activity is rightly ordered, and serves the true flourishing of those involved” thus enabling “faithful witness in chastity and holiness” (LLF book p 253). This would be to reaffirm the rightness of their judgment in 2017 after the Pilling Report and Shared Conversations (in [GS 2055](#)) that there should be “no change to ecclesiastical law or to the Church of England’s existing doctrinal position on marriage and sexual relationships”.

While this would clearly distress many, particularly after the LLF process (although that process has neither promised, nor been premised on, any particular outcome) it is important to recognise two points.

Firstly, the *principled* point is that the bishops are being asked, given their episcopal calling and gifting, to discern whether or not to change an existing doctrinal position of the church. They are not being asked simply to express their own personal convictions or to find the response which will cause least uproar on social media or within the life of the church. It would be perfectly legitimate for them to conclude that the LLF process has brought many positive changes to the church’s life but that the case to change church teaching remains unconvincing.

Secondly, *pragmatically*, the majority of General Synod members supported this conclusion of no change to teaching five years ago and this new Synod, particularly in the House of Clergy in which the “take note” motion was defeated, appears to be more conservative on these matters and so may well welcome such a decision.

² <https://www.psephizo.com/sexuality-2/what-are-the-options-after-living-in-love-and-faith/>

Were this to be the outcome it would clearly be necessary to explain why the arguments for a change in teaching set out in LLF were found to be unpersuasive and why their fundamental critiques—that current teaching is morally objectionable and unChristian as it is unjust and unloving, even abusive—were flawed. There would also probably need to be a fresh statement of the received teaching, building on elements in LLF, to show how it is indeed “inspired by scripture’s glorious and joyful vision of God’s intention for human life” (LLF learning outcomes) and to address contemporary questions, concerns and practical implications in both church and society.

If the bishops were to propose a different direction of travel, some form of doctrinal development, what might this look like? We can, I think, assume they will not simply abandon any church teaching in relation to these areas and say that these matters (like other important life decisions such as how to vote, whether or not to be vaccinated, whether to be a carnivore, vegetarian or vegan) are to be left totally to individual Christians and their conscience to decide. If they did, all such conscientious decisions should then be accepted by fellow Christians and not subject to challenge and critique by the church’s teaching so as to prevent anyone feeling judged or excluded because of their choices.

There therefore remain, it seems, five additional serious options which are currently being proposed as new Church of England teaching. Were one or more these to be commended by the bishops it is vital that they “show their working” and in particular provide biblical and theological justification and consider the implications of such a change on Church of England, inter-Anglican, and ecumenical relationships. This in itself is a major challenge given the short timetable of producing something for February 2023 General Synod.

Option Two: Embrace Different Teachings

The bishops might decide, in the face of such serious disagreements, to recognise two or more different views. This would be to supplement the current teaching with alternative teaching(s) and is, in relation to the definition of marriage, what the Methodists and the Scottish Episcopal Church have recently done: marriage in the eyes of these churches could be either a union of a man and a woman or a union of two men or two women. Although sometimes claimed to be no more than allowing freedom of conscience to those who currently disagree with church teaching, there are, in fact, several serious problems with this.

First, it abandons any claim to coherent church teaching and seeks to formalise and give institutional approval to mutually exclusive and contradictory beliefs concerning what is sin and what is holy, what forms of life are obedient to God and what are forms of disobedience.

Second, there would still be the need to articulate which new understanding(s) were being added alongside the current teaching as part of the church’s doctrine and which were not. The options below therefore still need to be considered and decisions made and their basis

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for inclusion (being held by a certain threshold proportion of bishops?) explained and defended.

Third, certainly subjectively from the perspective of those who hold received teaching to supplement received teaching, with some additional, alternative teaching is no different from abandoning that received teaching and replacing it with the additional, more expansive account of chaste and holy living. Objectively, there are major problems with embodying contradictory teachings in law, and once a new pattern is accepted and given a legal status, and perhaps liturgical form, it will be the case that whatever is added is now officially viewed by the CofE as chaste and holy rather than, as previously, a form of sin and a sign of our falling short of God's purposes.

Option Three: Focus on Qualities of Relationship

The church's teaching might move to affirm certain qualities of relationship (e.g. permanent, faithful, stable) as necessary for the relationship to be chaste and holy and for questions of sexual expression within it to be of no concern to anyone other than those in the relationship. A major advantage for many is that this account of chaste and holy sexual relationships removes any distinctions based on a person's sexuality or gender identity which are now regularly viewed as unjust and discriminatory. The Methodist Conference appears to have done something like this in [affirming in 2021](#) that "All significant relationships should be built on the example of Christ, in whom we see the supreme example of self-giving love, commitment, fidelity, loyalty, honesty, mutual respect, equality and the desire for the mutual flourishing of the people involved" and that it "recognises that the love of God is present within the love of human beings who are drawn to each other, and who enter freely into some form of life-enhancing committed relationship with each other, whether that be through informal cohabitation or a more formal commitment entered into publicly".

Here again, however, [a number of key issues](#) would need to be addressed.

First, what qualities of relationship are necessary and why, biblically and theologically, is it these, rather than the received teaching, which should now determine the boundary that between a chaste and holy pattern of life and a form of sexual immorality? Why is the question of the *form* of such relationships being abandoned, when this has been an integral part of Christian teaching until now?

Second, there would need to be a way of determining, in any particular case, that the relationship had those qualities. All our relationships—sexual or not, marital or not—are marred by sin and fail in practice (sometimes in major ways, sometimes very publicly, more often privately) to be all that they should be or we hope they will be. As with marriage, this discernment will depend in large part on the explicit stated promises of those involved that they commit themselves to embody the necessary virtues and disciplines in their relationship.

Third, as a result, while this may give people a vision for ordering their own lives, it is insufficient to enable the recognition by the church of particular relationships as bearing

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these qualities. This further step requires going beyond defining the qualities to giving such relationships an institutional and social form that can be recognised and celebrated as providing a structure for living a chaste and holy pattern of life. This leads us to the final three possible options which the bishops might consider and propose as alternatives to current teaching.

Option Four: Extend Marriage to Same-Sex Couples

The bishops might recommend that the current teaching extends the doctrine of marriage so the estate of holy matrimony is opened up to welcome same-sex couples into it as a chaste and holy form of sexual union for them.

One question is whether the church would still maintain its stance that all non-marital sexual behaviour (whether same-sex or opposite-sex) remains [a form of sexual immorality](#).

A *second* question is once again the need to provide a biblical and theological rationale. This now needs to address how the received doctrine of marriage is affected by this development, in relation to such matters as:

- marriage being a gift of God in creation,
- the nature of humanity as male and female,
- the significance of procreation and its connection to marriage, and
- the nuptial male-female imagery that runs through Scripture from Genesis to Revelation.

As part of this, the bishops would need to explain the weaknesses in the long list of previous statements about marriage [which were noted in the previous article](#).

A *third* concern is that while *any* changes to CofE teaching are likely to cause difficulties ecumenically and in relation to most of the Anglican Communion, these are even greater if they touch the doctrine of marriage as evident from the words of [the Primates in 2016](#):

The traditional doctrine of the church in view of the teaching of Scripture, upholds marriage as between a man and a woman in faithful, lifelong union. The majority of those gathered reaffirm this teaching.

In keeping with the consistent position of previous Primates' meetings such unilateral actions on a matter of doctrine without Catholic unity is considered by many of us as a departure from the mutual accountability and interdependence implied through being in relationship with each other in the Anglican Communion.

Option Five: Recognise a New Pattern of Sexual Relationship Alongside Marriage

The bishops might argue that the current teaching be expanded so as to recognise a new pattern of life alongside, and additional to, marriage which may be a sexual relationship and remain chaste and holy. This has been argued for in some detail by [Robert Song in his *Covenant and Calling*](#) where he calls this pattern one of "covenant partnerships". Among the

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important challenges here are, *first*, the need to explain what this new pattern of life is, why it has not been recognised until now, and both why it is now viewed as acceptable and why it is not viewed simply as a form of marriage.

Second, whether this is simply a form of same-sex union or whether it could embrace non-marital opposite-sex cohabiting sexual unions (perhaps, as some have argued, evaluating them as a contemporary development of the tradition of betrothal). The latter is a pattern which is obviously statistically much more common in society (and perhaps in church congregations) than same-sex unions.

Third, whether (and, if so, how) the church provides a means for a relationship to take this new acceptable institutional form alongside marriage or whether it can and should simply assume it as present within the existing legal structure of civil partnerships and/or same-sex marriage.

Option Six: Recognise a New Pattern of Non-Sexual Committed Relationship

The bishops might seek to square the circle by maintaining the traditional teaching but adding the commendation and recognition of a form of relationship which is both non-marital and non-sexual. This could be described as a form of covenantal partnership or covenant friendship. It is not a total novelty as it is currently the pattern of life expected of clergy in same-sex civil partnerships or non-formalised but committed and intimate same-sex relationships.

Although this leaves the received teaching unchanged in relation to the nature of marriage and the various forms of chaste and holy patterns of life, it would represent a development of the tradition in giving special recognition to a pattern of committed relationship other than marriage. As such, several of the issues already raised arise in the same or similar forms including the biblical and historical precedents and theological justification for such a proposal. Here appeal might be made to examples such as David and Jonathan or the practice of the making of brothers ([*adelphopoiesis*](#)) in periods of church history.

The rich theology of friendship, a project already begun [in the recent FAOC document](#) which is informing the bishops' discernment process, could also be drawn upon. Teaching would also need to be developed and defended as to the structure of this form of relationship and consequent disciplines expected of those entering and living faithfully within it. For example:

- Is it incompatible with the married life and so only open to those who are single?
- Is it permanent and lifelong in intention?
- Is it exclusive in structure or could it be entered by three or more friends together or by one person with a number of different people?
- Is it blind to the sex of those entering it?
- Should it be combined with an explicit vow of celibacy?

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Conclusion

Whichever of these paths—or any other—the bishops present to the Synod as the direction of travel they propose for the Church of England’s formal teaching it is vital that they:

- offer a clear biblical and theological rationale for their choice (including why they have rejected other options);
- acknowledge the implications for our relationships among ourselves, with fellow Anglicans, and ecumenically; and
- allow the teaching rather than political expediency to shape the practical proposals they also make.

III - What are the practical implications following Living in Love and Faith?³

Whatever is decided in relation to the [teaching of the Church of England](#) and the options considered [in the previous article](#), the bishops also need to consider a number of practical questions as they propose the direction for the Church of England going forward. Here there are at least four broad areas to consider:

1. How the church views civil partnerships, marriage, and gender recognition in society and law;
2. How the church's teaching might take shape in relation to pastoral guidance and church discipline especially in relation to liturgy and the pattern of life of leaders;
3. How any changes in teaching or practice are to be introduced; and
4. The implications of decisions for the unity and ordering of the church.

Civil partnerships, civil marriage and gender recognition

Until the advent of same-sex civil partnerships the church simply had to have a view on whether civil marriages should be viewed as marriage in the light of the church's teaching. Various legal changes in relation to the bonds of affinity (eg the [Deceased Wife's Sister Marriage Act of 1907](#)) and then in relation to divorce, often opposed by the church, created challenges and difficulties given traditional church teaching. The basic assumption though remained that civil marriages were to be viewed as marriage even if some of them would not be able to be entered into according to the marriage rites of the Church of England.

In 2004 two acts were passed that raised new questions. Under the [Gender Recognition Act](#) a person could be recognised in their preferred gender and their birth certificate amended so that a biological male could legally be recognised as female and vice versa. A [2003 memorandum from the House of Bishops](#) had acknowledged two views could properly be held on what it called "transsexualism". As the Church of England continued to marry men and women as defined in law it therefore in practice now recognised marriages between two people of the same biological sex where one had a gender recognition certificate. It also permitted such marriages within church but with a conscience clause so clergy were not required to officiate at them.

The same year saw the introduction of [civil partnerships](#) and the bishops [concluded](#) these were not marriages because they were for same-sex couples and that could be distinguished from civil marriage because there were a few technical distinctions in legal definition. They also decided that clergy could enter them but as they were not marriages and "the Church's teaching on sexual ethics remains unchanged" they should not be sexual relationships or blessed by the church as "for Christians, marriage – that is the lifelong union between a man and a woman – remains the proper context for sexual activity". It is noteworthy that [in 2007](#)

³ <https://www.psephizo.com/sexuality-2/what-are-the-practical-implications-following-living-in-love-and-faith/>

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General Synod refused to commend this approach due to a coalition between those wishing a more affirming response and those wishing a more critical one.

Since then there have been two further significant legal changes. When [same-sex marriage](#) legislation was passed in 2013 the bishops continued to insist [in February 2014](#) that a same-sex union could not be marriage and so should not be sexual and also said that clergy should not enter a same-sex marriage given church teaching on the nature of marriage. The advent of opposite-sex civil partnerships in 2019 led to [guidance](#) which proved controversial but simply followed the same logic as earlier statements: these are non-marital unions and so should not be sexual. Clergy should marry rather than enter opposite-sex civil partnerships and should still not bless civil partnerships. A complication that remains unaddressed is that legally same-sex civil partnerships are now [able to be made into marriages](#) simply by applying for this and paying a fee and so the stance that they are a legally distinct category from marriage, always a contested claim, is now on even more shaky ground.

There is a strong case that, whatever they decide on church teaching, the bishops now need to review their various initial *ad hoc* assessments in the light of where we now are socially and legally. They need to provide a clearer and fuller explanation and perhaps some revision of them in order for their approach to be seen as theologically justified and legally coherent and one which offers plausible accounts of these realities and how the church should respond to them.

If current teaching is maintained, most of the current applications to these patterns of life would remain justifiable although there are questions as to why if a civil partnership can be entered by clergy under certain conditions it cannot be given a form of liturgical recognition under the same conditions. The [legal advice appended to GS 2055](#) (discussed [here](#)) also pointed out (para 13) that the bishops might decide to clarify that civil same-sex marriages were not holy matrimony and this may then enable them to be viewed in a similar way to civil partnerships despite being legally viewed as marriage.

If church teaching changes then the bishops will need to decide how to define any new patterns of chaste relationship they recognise in relation to these three new legal forms now in existence. They might also consider whether the relationship pattern they now commend should take a form defined by the church entered into by means of a liturgical celebration distinct from the legalities of civil partnerships or civil marriage.

Consideration also needs to be given as to whether, following the common practice elsewhere, the church would be best to separate itself from legally registering any form of marriage or civil partnership. Instead it would then develop its own patterns of recognising forms of chaste life for those who wish to enter them, distinct from the legalities of civil partnership and marriage in society as a whole.

[Pastoral guidance and church discipline](#)

Previous pastoral statements from the bishops have been generated as responses to the various legal changes outlined above. As such they have been reactive and seen by many as restrictive and reactionary. There is now the opportunity, in the light of LLF, and based on

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[the Pastoral Principles](#) and many important areas of agreement noted in the previous article, to provide a more positive theological and pastoral vision of how the church should offer welcome and support to all people and be a place where all can learn about and grow in obedience and conformity to God's good purposes for us.

The details of this will, however, remain contested as a result of the disagreements over what the church should teach. It can though hopefully be agreed across our differences that only what is recognised as a chaste pattern of life can be liturgically celebrated or blessed by the church and that church leaders need to be committed to living such a chaste pattern of life in accordance with church teaching.

This means that, once agreement is reached on what the teaching on a chaste life should be, the outworkings of it in these areas should flow more clearly from it. It also means that changes in relation to liturgical recognition and expectations of authorised ministers will, in effect, signal changes in teaching unless they are clearly shown to be an alternative way of being consistent with current teaching. It is therefore vital that theological clarity is first agreed before any proposals for liturgy are suggested.

The language of "authorised ministers" signals another important question. Since [Issues in Human Sexuality](#) in 1991 the distinction that has generally been drawn is that between clergy and laity with the former being required to conform their lives to church teaching but greater freedom of conscience given to the latter. Three questions often arise in relation to this and need to be addressed.

First, it is far from clear why clergy/laity should be where differentiation occurs. Being licensed by the bishop for authorised public ministry, particularly when such authorisation involves commitment to live a godly life (as with licensed lay ministers under [Canons E5 and E6](#)), would appear a much more theologically defensible distinction if one is to be drawn. At present, however, [as highlighted recently](#), there are [a range of diocesan policies](#) concerning whether or not to extend the expectations on clergy to licensed lay ministers.

Secondly, there are also questions as to whether local congregations can apply church teaching more rigorously to lay leaders such as home group leaders or other forms of spiritual leadership within the local church. The LLF film of [Andrew and Gerhard](#), for example, used in session 4 of the LLF course, refers to Andrew being dismissed from such a role in their local church when they married and similar policies have caused controversy in London diocese and doubtless elsewhere.

Thirdly, there are questions as to whether the church has now abandoned (in relation to sexual behaviour but also more widely) any effective form of church and sacramental discipline applied to those not in authorised ministry.

In relation to prayers and liturgical celebrations, the current guidance helpfully distinguishes between public services and private prayers and pastoral counsel. A fuller account and defence of this might be helpful and more guidance might also be given as to how to pray for and support those whose pattern of life cannot be formally celebrated and blessed publicly as it represents a rejection of church teaching (however that is defined).

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It is sometimes argued that all that is currently forbidden is a service of blessing and so other forms of service are permissible. This seems to be based on a narrow and literalistic reading of Lambeth 1.10 which refers to blessing. It is, however, difficult to justify theologically or in terms of canon law and fails to recognise that the objections of many in the Communion are not only restricted to liturgical developments that describe themselves as blessings as I.10 makes clear by referring to “the legitimising or blessing of same sex unions”.

Related to this, there is clearly a desire by many to embrace the approach developed in relation to remarriage after divorce and introduce [a service of prayer and dedication after a civil ceremony](#). As I’ve [previously set out more fully](#), this [claimed precedent in relation to remarriage after divorce](#) and [appeals to pastoral accommodation](#) (though [advocated by some](#)) are not able (certainly within current teaching) to be extended legitimately to same-sex unions. The heart of the problem here is that the existing service relates to a form of life recognised as marriage (which the couple have to affirm is their understanding within the service) but as noted above civil partnerships and same-sex marriages are not seen as marriage in church teaching and there is currently no teaching as to why they are a chaste form of life the church should commend. Such a direction of travel therefore requires some degree of development in current teaching (options 2-6 in the previous article). This has been clearly confirmed by legal advice, including that summarised at the end of GS2055.

Implementing decisions and changes

There is currently little clarity as to how whatever the bishops discern will then be taken through a process of reception and, in particular, how any changes they recommend will be approved and implemented.

One central issue here is the respective roles of bishops and General Synod. The pattern in the past has been that the bishops have addressed these matters by providing pastoral guidance and statements based on existing teaching and not have neither needed nor sought synodical approval for these. Following the Pastoral Conversations, however, the bishops’ proposals ([GS2055](#)) were subject to synodical scrutiny and Synod failed to “take note” of their proposed way forward.

One of the significant developments with the LLF book was that on its opening page in their invitation to the church, the bishops explicitly acknowledged not only that “there is disagreement within the people of God” but also “including among us, the Bishops of the Church of England”. It might well be that this disagreement remains the case and becomes much more public, whatever the outcome of the discernment process.

In relation to church teaching and expectations of clergy, it might be that the bishops will view this as to be determined by them because of their episcopal office without reference to Synod. They might also seek, without getting synodical approval, to commend a new liturgy or offer guidance for clergy wishing to develop a service to mark a same-sex union. Given their contentiousness and the desire through LLF to involve the church more widely in discernment it would, however, seem wise to seek synodical assent to any proposals for change they would wish to make.

A further key question is whether changes in doctrine or practice, whether decided by the House of Bishops alone or within all 3 synodical houses, would require more than a simple majority. It looks unlikely that there would be $\frac{2}{3}$ majority for change in all 3 Houses (the process used, for example, in the Church in Wales) and even a simple majority might not be achievable given the more conservative stance of this Synod.

Another crucial area is how, whatever is decided but particularly if there are changes, individual consciences which dissent can be respected. This is particularly challenging at the episcopal level. It can be considered in terms of what the consequences of any collegial decision would be for individual bishops who dissent from it. Were, for example, a new definition of chaste relationships to be accepted at the end of this process, what would be the situation of those bishops who remain convinced of “the doctrine of Christ as the Church of England has received it” which they agreed to teach and to uphold? Will they now be required to accept under their jurisdiction in their dioceses services which celebrate relationships they believe to be wrong and clergy living in such relationships? Or will they—and will new bishops in the future—still be able to continue exercising their episcopal ministries in line with their consciences and the current teaching of the church? If they are so permitted then there will inevitably be complaints of a “postcode lottery” (as there are currently in relation to licensed lay ministers) but if they are not then the change in teaching would seem to entail likely episcopal resignations (as has happened in other provinces of the Communion) and the future exclusion from the episcopate of any who would wish to uphold the current teaching in episcopal ministry. The heart of the problem is that mono-episcopal jurisdiction over geographically defined areas cannot easily continue unchanged in the face of such widely, deeply, and passionately held but mutually incompatible beliefs, especially if these then lead to changes in received teaching.

These questions highlight why, finally, the bishops cannot separate off, and delay for later consideration, questions about the structure of the church and how it may need to adapt and evolve given our deep disagreements.

Church order and unity

The [final session](#) of [the LLF course](#), drawing on discussions in [the LLF book](#) (especially, pp. 230-234 and pp. 406-12) and [earlier work of the Faith and Order Commission](#), maps out three levels of disagreement. It notes how in the first and most serious of these some fellow Christians are viewed as “contradicting the good news of Jesus or the Bible’s teaching” while even the second level makes “living and working together as one church difficult, perhaps impossible”.

A large number of people view our disagreements in these areas as in one of these two categories. They have regrettably reached the conclusion that there exist incompatible conscientious beliefs as to how we view and read the Scriptures, what God teaches us through them concerning the pattern of holiness, and where the Spirit is leading us as a church. Furthermore, these disagreements are so serious as to “undermine our ability to live and work together as one church”, making it “hard to worship together, to share sacraments, to have a single structure of ministry, oversight and governance” (LLF book,

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231). This means serious consideration has to be given to the consequences of any changes in teaching and practice.

In relation to women priests and bishops it was thought important that changes being made did not make it impossible for those holding traditional views to remain, in good conscience and good standing, within the Church of England. The question then arises as to what sort of provision would need to be made for those unhappy with any changes arising out of this period of discernment and decision-making. Though we must learn from experience in relation to the ordained ministry of women, we must also recognise the quite different nature of questions relating to marriage and sexual ethics.

The Church of England Evangelical Council (CEEC) has done much work on this, setting out a theological rationale in "[Gospel, Church and Marriage: Apostolic Faith and Life](#)" and commissioning work, published as "[Visibly Different](#)", to map out what sort of solutions might be necessary in terms of alternative delegated episcopal oversight or a provincial solution. These (with a new [introduction](#) and [updating addendum](#)) have recently been submitted to the Next Steps Group.

The central argument here is that, were the church to change its teaching, then for those who hold to existing teaching to be able to flourish with integrity would require, while maintaining as high a degree of communion as possible, new canonical and episcopal structures. These would ensure that witness to the current teaching could flourish within the Church of England through a visibly differentiated structure, able to be recognised by the majority of the Anglican Communion and to be maintained faithfully over time. Essential features of it would likely include maintaining and ensuring:

- Freedom for serving bishops to continue exercising their episcopal ministry and ordering the clergy and churches under their episcopal care and authority in accordance with current teaching and discipline;
- Assured processes of continuing selection, training, and appointment of clergy and bishops committed to this current teaching and pattern of church discipline in their ministries;
- A permanent episcopal and canonical structure within which bishops, and clergy and congregations under their episcopal care and authority, can securely order their life in accordance with current teaching;
- All clergy and congregations who wish to order their life together in this way being able to receive episcopal ministry from, and be under the episcopal authority of, bishops who continue to be similarly committed to upholding current teaching and discipline in their ministries.

The corresponding question arises as to whether similar forms of provision might need to be provided for those who object to current church teaching should it be reaffirmed by the bishops. There is a widespread desire across all perspectives to find some settlement as a result of the LLF process which will avoid ongoing, protracted disputes concerning the direction of the church on these matters. Many committed to current teaching do not wish to prevent those who reject it from living within an ecclesial structure that enables them to flourish by following their conscientious beliefs.

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Consideration might therefore need to be given in this situation as to new canonical and episcopal structures for those bishops, clergy and congregations who wish, while maintaining as high a degree of communion as possible, to develop and express some form of alternative teaching and discipline in relation to marriage, sexuality, identity and relationships. One suggestion has been some arrangement with Anglican provinces such as Scotland, Wales or [The Episcopal Church Europe](#) that permit same-sex blessings or marriage.

Conclusion

In their concluding appeal in the LLF book (p. 422) the bishops noted “the depth of disagreement between Christians on exactly how we are called to be distinctive in our ways of life in obedience to Christ, and about what it means to be those who, according to Jesus’ prayer, have received his ‘word’ and have been ‘[sanctified] in truth’ ([John 17.14, 17, 18](#))”.

They also frankly acknowledged that “those disagreements are to be found among us as bishops” and that “most pressing among our differences are questions around same-sex relationships” where “decisions in several interconnected areas need to be made with some urgency”.

In addition to the differences concerning what the church should teach about marriage and a chaste life [discussed in the previous article](#), there are a number of complex, connected, and contested practical questions which will affect the lives of many both inside and outside the Church of England. The bishops will need either to reaffirm and in places clarify current practices, or to propose developments to them in relation to civil partnerships and civil marriage and the church’s own practices regarding pastoral care, liturgical celebrations, and expectations on ministers. It is vital that they do so in a manner that:

- shows the church how what they propose is shaped by Scripture and by whatever teaching they decide to commend;
- considers what now needs to be said and done for the many in the church (seemingly whatever they decide) who, unable to agree with their conclusions, will likely be grieved, alienated and angered by the outcome;
- is honest about the implications of their decisions for the wider Anglican Communion and ecumenical relationships and for how the church is viewed in wider English society.

As those “called to serve and care for the flock of Christ” the bishops need our prayers. Over these coming days and months they have to make many difficult decisions as, “mindful of the Good Shepherd, who laid down his life for his sheep”, they are faithful to the commitments made at their ordination and highlighted at the end (p 424) of the LLF book to:

Love and pray for those committed to their charge, ‘knowing our people and being known by them’ in the love of Christ, ‘to serve and care for the flock of Christ’ in the faith of Christ and ‘to promote peace and reconciliation in the church’ in the hope of Christ.