

**GENERAL CONVENTION OF THE EPISCOPAL CHURCH 2018
ARCHIVES' RESEARCH REPORT**

RESOLUTION NO.: 2018-D052
TITLE: Amend Canon I.18.7
PROPOSER: The Rev. Philip Dinwiddie
TOPIC: Canons

Directly Related: (Attached)

2015-A036 Amend Canon I.18 [Of the Solemnization of Holy Matrimony]

Indirectly Related: (Available in the [Acts of Convention](#) database, searchable by resolution number)

None

In preparing this report, the Archives researched the resolutions in the Acts of Convention database for the period 1976 through 2015, selecting “direct” resolutions that have a substantive bearing on the proposed legislation. The “direct” resolutions are attached and “indirect” resolutions are available in the Acts of Convention database. Committee members who require other research assistance should contact the Archives at 800-525-9329 before Convention or at Convention in the General Convention Secretariat.

D052 Amend Canon I.18.7

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| Proposer | The Rev. Philip Dinwiddie |
| Endorsed by | Russell, The Rev. Cn. Susan; Hayes, Mr. Christopher |
| Sponsored by | Baker, The Rev. Stannard |
| Page numbers | Blue Book: p. N/A; Constitution & Canons: p. 59 |
| HiA / Leg. Cttee | / |
| Current Status | Pre-Filed Resolution |
| Version | Original (as filed) |
| Review Status | Not yet reviewed |

RESOLUTION TEXT

- 1 *Resolved*, the House of _____ concurring, That Canon I.18.7 is hereby amended to read as follows:
- 2 **Sec. 7.** It shall be within the discretion of any Member of the Clergy of this Church *to solemnize or bless any marriage or to decline to solemnize or bless any marriage in accordance with the Canons of this Church.*

EXPLANATION

This amendment provides a firm canonical basis for clergy to act sacramentally according to conscience in solemnizing or blessing a marriage that is legal, allowable by canon, and undertaken according to forms authorized by this church.

The phrase “in accordance with the Canons of this Church” reinforces Canon I.19 that a Diocesan Bishop has an essential role in approving a remarriage after divorce; it also reinforces the prerequisites for marriage set forth elsewhere in Canon I.18; it also calls to mind Canon I.17.5 in regard to those seeking marriage, reading in part, “no one shall be denied rights, status or access to an equal place in the life, worship, and governance of this Church because of race, color, ethnic origin, national origin, marital status, sex, sexual orientation, gender identity and expression, disabilities or age”.



Resolution Number: 2015-A036
Title: Amend Canon I.18 [Of the Solemnization of Holy Matrimony]
Legislative Action Taken: Concurred as Amended
Final Text:

Resolved, That Canon I.18 is hereby amended to read as follows:

~~CANON 18: Of the Solemnization of Holy Matrimony~~

~~Canon 18: Of the Celebration and Blessing of Marriage~~

~~Sec. 1. Every Member of the Clergy of this Church shall conform to the laws of the State governing the creation of the civil status of marriage, and also to the laws of this Church governing these canons concerning the solemnization of marriage Holy Matrimony. Members of the Clergy may solemnize a marriage using any of the liturgical forms authorized by this Church.~~

~~Sec. 2. Before solemnizing a marriage the Member of the Clergy shall have ascertained:~~

~~(a) That both parties have the right to contract a marriage according to the laws of the State.~~

~~(b) That both parties understand that Holy Matrimony is a physical and spiritual union of a man and a woman, entered into within the community of faith, by mutual consent of heart, mind, and will, and with intent that it be lifelong.~~

~~(c) That both parties freely and knowingly consent to such marriage, without fraud, coercion, mistake as to identity of a partner, or mental reservation.~~

~~(d) That at least one of the parties has received Holy Baptism.~~

~~(e) That both parties have been instructed as to the nature, meaning, and purpose of Holy Matrimony by the Member of the Clergy, or that they have both received such instruction from persons known by the Member of the Clergy to be competent and responsible.~~

~~Sec. 2. The couple shall notify the Member of the Clergy of their intent to marry at least thirty days prior to the solemnization; Provided, that if one of the parties is a member of the Congregation of the Member of the Clergy, or both parties can furnish satisfactory evidence of the need for shortening the time, this requirement can be waived for weighty cause; in which case the Member of the Clergy shall immediately report this action in writing to the Bishop.~~

~~Sec. 3. No Member of the Clergy of this Church shall solemnize any marriage unless the following procedures are complied with:~~

~~(a) The intention of the parties to contract marriage shall have been signified to the Member of the Clergy at least thirty days before the service of solemnization; Provided, that for weighty cause, this requirement may be dispensed with if one of the parties is a member of the Congregation of the Member of the Clergy, or can furnish satisfactory evidence of responsibility. In case the thirty days' notice is waived, the Member of the Clergy shall report such action in writing to the Bishop immediately.~~

~~(b) There shall be present at least two witnesses to the solemnization of marriage.~~

~~(c) The Member of the Clergy shall record in the proper register the date and place of the marriage, the names of the parties and their parents, the age of the parties, their residences, and their Church status; the witnesses and the Member of the Clergy shall sign the record.~~

~~(d) The Member of the Clergy shall have required that the parties sign the following declaration:~~

~~(e) "We, A.B. and C.D., desiring to receive the blessing of Holy Matrimony in the Church, do solemnly declare that we hold marriage to be a lifelong union of husband and wife as it is set forth in the Book of Common Prayer.~~

~~(f) "We believe that the union of husband and wife, in heart, body, and mind, is intended by God for their mutual joy; for the help and comfort given one another in prosperity and adversity; and, when it is God's will, for the procreation of children and their nurture in the knowledge and love of the Lord.~~

~~(g) "And we do engage ourselves, so far as in us lies, to make our utmost effort to establish this relationship and to seek God's help thereto."~~

Sec. 3. Prior to the solemnization, the Member of the Clergy shall determine:

(a) that both parties have the right to marry according to the laws of the State and consent to do so freely, without fraud, coercion, mistake as to the identity of either, or mental reservation; and

(b) that at least one of the parties is baptized; and

(c) that both parties have been instructed by the Member of the Clergy, or a person known by the Member of the Clergy to be competent and responsible, in the nature, purpose, and meaning, as well as the rights, duties and responsibilities of marriage.

Sec. 4. Prior to the solemnization, the parties shall sign the following Declaration of Intention:

We understand the teaching of the church that God's purpose for our marriage is for our mutual joy, for the help and comfort we will give to each other in prosperity and adversity, and, when it is God's will, for the gift and heritage of children and their nurture in the knowledge and love of God. We also understand that our marriage is to be unconditional, mutual, exclusive, faithful, and lifelong; and we engage to make the utmost effort to accept these gifts and fulfill these duties, with the help of God and the support of our community.

Sec. 5. At least two witnesses shall be present at the solemnization, and together with the Member of the Clergy and the parties, sign the record of the solemnization in the proper register; which record shall include the date and place of the solemnization, the names of the witnesses, the parties and their parents, the age of the parties, Church status, and residence(s).

Sec. 6. A bishop or priest may pronounce a blessing upon a civil marriage using any of the liturgical forms authorized by this Church.

~~Sec. 4~~*Sec. 7. It shall be within the discretion of any Member of the Clergy of this Church to decline to solemnize or bless any marriage.; and be it further*

Resolved, That this canon shall become effective on the First Sunday of Advent, 2015.

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Salt Lake City, 2015* (New York: General Convention, 2015), pp. 781-783.