

Bishop's Guidelines Regarding the Performing and Blessing of Civil Unions, Revised
Effective December 2, 2012

Aloha:

As of January 1, 2012, Civil Unions were legally permissible in the State of Hawai'i and I have a pastoral responsibility to respond to the members of the Diocese in light of that reality.

The following guidelines are for the Episcopal Diocese of Hawai'i in keeping with acts of the 77th General Convention of The Episcopal Church held in Indianapolis in July 2012. The General Convention authorized the use of *Liturgical Resources I: I Will Bless You and You Will Be A Blessing* (see <https://www.churchpublishing.org/products/index.cfm?fuseaction=productDetail&productID=9743>), which consists of resources, including a rite, for blessing the lifelong covenants of same-sex couples. Through the process of committee hearings and debate in the Houses of Deputies and Bishops, the resources were presented to and adopted by the Convention. This rite is authorized by General Convention for provisional use until 2015 and must be approved by each diocesan bishop before it is used in individual dioceses.

I hereby give provisional and local permission for canonically resident Bishops and Priests of this Diocese to perform (in keeping with the laws of the State) and to bless Civil Unions using the rites authorized by the General Convention. Canonically resident Bishops and Priests of this Diocese may perform and bless a Civil Union for a couple when one of the couple is a baptized Christian and the other provisions of these guidelines have been followed.

I will give permission for Episcopal Bishops and Priests from other Dioceses to perform and bless Civil Unions in this Diocese with the written permission of the Bishop Diocesan of the clergyperson's canonical residence.

Some years ago, Daniel Maguire, Professor of Ethics at Marquette University, defined marriage as "the legal union of persons who are bonded in a permanent, sexually exclusive friendship."

1. Can two persons of the same sex have such a relationship?

I find Maguire's definition of marriage applies not only in a legal sense, but also from a Christian perspective when, in addition, a couple makes a public act of commitment before God and the fellowship of Disciples, seeking God's blessing on the relationship. I believe this to be an honest expression (in addition to that of voluntary celibacy) of the Christian moral standard of human sexuality.

Maguire's definition regarding the legality of such a union is a reality, and the Episcopal Church through acts of the General Convention and local pastoral practice is coming to affirm that there is nothing that precludes this definition being applied to homosexual unions.

2. Can the couple be married?

While the formal definition of marriage still excludes homosexual couples, by the letter of the law in the State of Hawai'i and the current Canons of the Episcopal Church, I insist that the same standards of commitment and exclusivity do apply in the Christian community to Civil Unions of same-sex couples when performed by a member of the Clergy and blessed by the Church.

Though I can see that there may be social, psychological or economic reasons precluding marriage and though I feel we must, as a community, affirm and strengthen those who are isolated, hurt and searching, it is our duty as a Christian community to affirm the standard. Pre-marital sex, post-marital sex and extra-marital sex fall short of the Christian moral standard in this broken and lonely world. The full intention of engaging in a sexually exclusive, permanent and indissoluble relationship is a necessary part of seeking the blessing of the Church for the Christian couple in our broken world. I affirm such a standard for those seeking Civil Union.

3. What about a heterosexual couple entering into a Civil Union as allowed by the new law?

Theologically, to my mind, a heterosexual couple desiring to enter into a Civil Union (in the eyes of the State of Hawai'i) is entering into the Sacramental Rite of Marriage in the eyes of the Church -- the couple is fulfilling the intent of marriage as defined by the Canons and The Book of Common Prayer. The words used for the actual ceremony are adaptable under "An Order for Marriage." In addition, the resources authorized by General Convention are specifically for same-sex couples. I therefore do not authorize Clergy to bless the Civil Union of a heterosexual couple in this Diocese.

Indeed we are in an interim place, but the Church has moved.

The Episcopal Church has acted through the General Convention to provide liturgical resources and theological direction for the whole Church, but laws are quite different from State to State. My own hope is that as our Christian fellowship evolves through the next few years, we will come to affirm such permanent, sexually exclusive same-sex unions as marriage in both civil law and the Church's rites and Canons.

So in this transition time when the Church has acted, though in a limited way, I want to affirm Civil Unions as marriage for same-sex couples in all ways possible and in practice in our Diocesan 'ohana until the Church fully changes the Canons, and this State changes laws.

Before performing and blessing Civil Unions, I think it important and I direct that the

congregation's Priest enter into formation and conversation with her/his congregation on the theology of Marriage and the practical meaning of Civil Unions. It is important for the people of our congregations to understand the evolving understanding of the Church on Civil Unions and Marriage.

We are in a time of active discernment and transition. These guidelines are offered as a pastoral response to meet the needs of members of the Church. Please keep the Episcopal Church, our Diocese and me, your Bishop, in your prayers as we seek God's will for God's people.

Aloha ma o Iesu Kristo, ko mākou Haku,

+Robert L. Fitzpatrick,
Bishop of Hawai'i

Guidelines

1. Every Member of the Clergy of the Diocese of Hawai'i shall conform to the laws of the State governing the creation of Civil Unions and the creation of the civil status of marriage. The Clergy shall also adhere to the Canons of the Church and Diocese governing the solemnization of Holy Matrimony.
2. As to whether or not to engage in performing and blessing Civil Unions within this Diocese, the pastoral judgment and decisions of the Clergy with immediate oversight shall be respected. No Priest of the Diocese of Hawai'i, canonically resident or licensed in accordance with the Canons of The Episcopal Church, shall be required to officiate at and bless a Civil Union of persons of the same sex. That is also the case for the sacramental rite of Marriage as currently defined by the Canons and in the Book of Common Prayer and this is, therefore, no deviation in policy or practice.
3. Before performing and blessing a Civil Union within or outside church property, the Priest shall inform the Bishop of the impending pastoral action under the Bishop's Guidelines. This is to keep the Bishop informed of the exercise of this new pastoral ministrations within the Diocese and its overall impact on our common life. It also will provide ongoing evaluation of the authorized rites by the Church.
4. Before performing and blessing a Civil Union, the Priest shall comply with all diocesan requirements that currently pertain to Marriage, including those relevant to previous marriages that have ended in divorce. Couples shall be prepared to make a lifelong commitment to each other, and must have received adequate pastoral counseling prior to the union.
5. Episcopal Priests and Bishops from outside the Diocese can, with the written permission of his/her Bishop Diocesan (or Ecclesiastical Authority) and with the written permission of the

Bishop's Guidelines Regarding the Performing and Blessing of Civil Unions, Revised
Effective December 2, 2012

Bishop of Hawai'i, enter the Diocese of Hawai'i to perform and bless a Civil Union.

6. A Bishop or Priest may perform and bless a Civil Union for a couple in this Diocese when one of the couple is baptized.
7. *Liturgical Resources I: I Will Bless You and You Will Be A Blessing* (see <https://www.churchpublishing.org/products/index.cfm?fuseaction=productDetail&productID=9743>) — resources, including a rite, for blessing the lifelong covenants of same-sex couples as authorized by the General Convention — shall be used for the blessing of a Civil Union in the Diocese of Hawai'i.