

# A CONTRIBUTION FROM THE ANGLICAN-ROMAN CATHOLIC DIALOGUE OF CANADA TO THE ANGLICAN CHURCH OF CANADA'S COMMISSION ON THE MARRIAGE CANON

May 2015

## I. INTRODUCTION

Canadian Anglicans and Roman Catholics have been in formal dialogue with each other for more than 40 years. The bonds of trust that have grown between our two churches during that time allow us, even in difficult times, to “speak the truth in love”<sup>1</sup> to each other, and to engage in dialogue with one another with “the frankness that friendship allows.”<sup>2</sup>

The Anglican Church of Canada and the wider Anglican Communion have been grappling with questions of human sexuality for at least a generation. In 2013, the Canadian church’s General Synod proposed an amendment to its canon law that would change the definition of marriage to include couples of the same sex. A process demonstrating “broad consultation” was mandated, and this included seeking the counsel of the Anglican Church of Canada’s ecumenical partners, of which the Roman Catholic Church is one of its longest standing. The General Synod’s Commission on the Marriage Canon therefore invited the Anglican-Roman Catholic Dialogue of Canada to provide input on a matter that has clear ecumenical implications.

### 1. Social and Cultural Context

We live in a time of tremendous cultural and social upheaval. Christian churches face intense pressures with respect to their teachings about sexuality, marriage, and human relationships. Things we long took for granted as self-evident turn out not to be so, and we search for answers to questions we had never imagined. In particular, changes in the legislative and social understandings of marriage, and what it means to bless a marriage, continue to engage, and sometimes perplex, Anglicans and Roman Catholics alike. We both perceive these to be critically important issues, touching people where they live and impacting essential dimensions of human identity and well-being. As such, they demand an intelligent, faithful, and pastorally sensitive response.

Over the past century, a general consensus on the societal purposes of marriage has given way to a complex and often contradictory array of understandings of what marriage is or should be. Whereas religious marriage was once the rarely challenged norm, today many couples, even in our congregations, choose civil marriage, cohabitation, or some other form of union. Anglican and Roman Catholic congregations alike have seen a dramatic drop in the number of church marriages performed, and an increase in the number of marriages ending in divorce. Among so many changes, the introduction and widespread use of contraception and the availability of different forms of assisted reproduction have blurred the strict link between sexuality and procreation, with distinctive consequences for our understanding of the goals and purposes of marriage. Paradoxically, at a time of growing ambivalence to marriage as a social institution, one sector of society is newly demanding the blessings of the churches for same-sex unions. All these societal changes raise consequent **theological**, pastoral and canonical

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<sup>1</sup> Ephesians 4:15.

<sup>2</sup> Cardinal Walter Kasper’s address to the 2008 Lambeth Conference.

challenges. Our communions share in the quandary of how, in the tradition of faith and in light of Scripture, we might wisely respond.

Closely related to the question of marriage is the issue of family. Just as we have seen shifts in our understanding and experience of marriage, so now are families seen as coming in many shapes and forms: two-parent, single-parent, blended, or multi-generational. The reasons behind these changes are complex. Personal values, social and economic pressures, evolving roles of women and men within marriage, and a host of other factors all shape the shifting reality of family life in our time.

In the midst of the complexity and stresses of our context and the commitment of our churches to find appropriate pastoral responses, there is a perennial hope and expectation that marriage and family life will bring joy, a sense of belonging, and blessing. As Christians, we affirm the holiness of this aspiration, perceiving marriage and children as gifts of God and means of his grace. In the spirit of the Gospel, we jointly feel a pastoral responsibility to engage our people in their diverse and often messy situations—to be present, to advise, to comfort, to encourage, to inspire.

This complex situation for marriage and family life is being discussed in both the Catholic Church and the Anglican Church of Canada. In preparation for the forthcoming Synod on the Family, the Roman Catholic Church reaffirmed its traditional teaching on marriage as a loving, faithful, permanent, and life-giving relationship between a man and a woman. It is also giving explicit attention to the pastoral response to those in common-law unions, divorce and remarried Catholics, those facing economic pressures, those living in contexts of violence and war, and families living through other forms of crisis. Those preparing for the Synod also asked “what pastoral attention might be appropriate for [members of our families who have homosexual tendencies] in accordance with the Church’s teaching.”<sup>3</sup> Without compromising the fundamental vision of marriage and family life to which the Catholic Church is committed, it has reiterated the importance of avoiding all unjust discrimination, and of welcoming with respect and sensitivity all persons regardless of their sexual orientation.

## II. A COMMON UNDERSTANDING OF MARRIAGE

### 1. Agreed Statements

Over the more than 45 years of Anglican-Roman Catholic dialogue since the Second Vatican Council, we have been pleased to discover the depth of our agreement in many areas of Christian life and doctrine, including marriage. In particular, we have affirmed “substantial convergence”<sup>4</sup> on the doctrine that undergirds marriage through our dialogues on mixed marriages and through the work of the Anglican-Roman Catholic International Commission (ARCIC) in *Life in Christ* (1994). Here are some of the things we have commonly affirmed:

*On marriage itself the Commission finds no fundamental difference of doctrine between the two Churches, as regards what marriage of its nature is or the ends which it is ordained to serve.*<sup>5</sup>

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<sup>3</sup> *Relatio* of Extraordinary Synod on the Family, Oct. 2014.

<sup>4</sup> Final report of Anglican-Roman Catholic Commission on the Theology of Marriage and Mixed Marriages (1975), ¶21.

<sup>5</sup> Final report, ¶21.

*Neither of our two traditions regards marriage as a human invention. On the contrary, both see it as grounded by God in human nature and as a source of community, social order and stability. Nevertheless, the institution of marriage has found different expression in different cultures and at different times. In our own time, for instance, we are becoming increasingly aware that some forms, far from nurturing the dignity of persons, foster oppression and domination, especially of women. However, despite the distortions that have affected it, both our traditions continue to discern and uphold in marriage a God-given pattern and significance.<sup>6</sup>*

*Our shared reflections have made us see more clearly that Anglicans and Roman Catholics are at one in their commitment to following the teaching of Christ on marriage; at one in their understanding of the nature and meaning of marriage; and at one in their concern to reach out to those who suffer as a result of the breakdown of marriage.<sup>7</sup>*

We acknowledge that these joint agreements have been made at the international level and the process of their full reception is ongoing. However, they have already influenced pastoral practice and subsequent dialogue. Here in Canada, the national Anglican-Roman Catholic dialogue has been exploring these developments as they have touched the Anglican Church of Canada. In particular, we have studied together the St. Michael Report of the Primate's Theological Commission, and noted the theological and ecclesiological questions it raises, many of which remain unanswered. We have also followed with interest discussions in preparation for the coming Synod on the Family in the Catholic Church. In light of our common affirmations above, we offer an exploration of the depth of our agreements and raise questions concerning our emerging divergence in light of the proposed change to the marriage canon of the Anglican Church of Canada.

## **2. Marriage in our Rites**

Our traditions affirm the goodness of marriage as founded in creation as a gift of God's love. We believe that marriage for Christians is a sign of Christ's self-giving love for the church, affording it a sacramental character. We affirm that marriage is an exclusive bond between parties for life. The aims of marriage include the procreation and education of children, mutual comfort and help of the spouses, and the fulfillment of the conjugal relationship.

In the Roman Catholic rite, the introduction expresses the aims of marriages this way: "Married Christians signify and share in the mystery of the unity and fruitful love that exists between Christ and his Church..."

The marriage covenant is established by "the irrevocable consent that the spouses freely give and receive from each other." "Christ the Lord raised [marriage] to the dignity of a sacrament, modeled on his own nuptial bond with the Church."

Marriage's purpose is "the procreation and education of children" to be brought up "according to the law of Christ and his Church." In the case of couples of advanced years, the question regarding their willingness to accept children is omitted.

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<sup>6</sup> *Life in Christ*, ¶159.

<sup>7</sup> *Life in Christ*, ¶177.

One of the prefaces to the nuptial Eucharistic prayer states: "For you have forged the covenant of marriage as a sweet yoke of harmony and an unbreakable bond of peace." In another prayer, God's intention is described as follows: "For you willed that the human race, created by the gift of your goodness, should be raised to such high dignity that in the union of husband and wife you might bestow a true image of your love."

Marriage also entails responsibilities to others. So, for example, the solemn blessing includes the petition: "May you always bear witness to the love of God in this world so that the afflicted and the needy will find in you generous friends and welcome you into the joys of heaven."

The marriage rites of the Eastern churches in communion with the bishop of Rome witness to similar tenets. For example, in the Ukrainian Greco-Catholic Church we find this description of the end of marriage: "Sustain them with the holy union that comes from You, for You made male and female from the beginning and You are the One who matches a wife to her husband so that she may be his helpmate and the human race may continue." Similarly, the nuptial blessing states: "May the Father, the Son and the Holy Spirit, the all-holy Trinity, One in Being, the Source of life, one Godhead and one Kingship, bless you and give you long life, fine children, success in life and Faith, a great store of the good things of this earth and find you worthy of receiving as well the good things which have been promised. We ask this through the prayers of the holy Theotokos and those of all the saints."

The Anglican Church of Canada's *Book of Common Prayer* (1962) describes marriage as "an honourable estate, instituted of God in the time of man's innocency, signifying unto us the mystical Union which is betwixt Christ and his Church." Its ends are "...the hallowing of the union betwixt man and woman; for the procreation of children to be brought up in the fear and nurture of the Lord; and for the mutual society, help, and comfort, that the one ought to have of the other, in both prosperity and adversity."

The 1985 *Book of Alternative Services* describes marriage as "a gift of God and a means of his grace, in which man and woman become one flesh. It is God's purpose that, as husband and wife give themselves to each other in love, they shall grow together and be united in that love, as Christ is united with his Church." It describes the ends of marriage as the couple's "mutual comfort and help, that they may know each other with delight and tenderness in acts of love [and that they may be blessed in the procreation, care, and upbringing of children]."

### 3. The Sacramental Character of Christian Marriage

Both Anglicans and Catholics count seven liturgical celebrations of the church as sacramental signs or actions through which we encounter the saving grace and love of Christ. Where Anglicans have traditionally distinguished between the two sacraments “ordained of Christ the Lord in the Gospel” (namely baptism and eucharist), and five other actions “commonly called sacraments” (matrimony, confirmation, penance, ordination, extreme unction),<sup>8</sup> Catholics also admit a certain “hierarchy” or ordering among the seven sacraments. Within an “organic whole” where each sacrament has “its own vital place,” the teaching of the Catholic faith is attentive to show how each is ordained toward participation in the Eucharist, which stands at the heart of Christian life and prayer.<sup>9</sup>

*Life in Christ* notes that Anglicans and Catholics agree that, “Marriage, in the order of creation, is both sign and reality of God’s faithful love, and thus it has a naturally sacramental dimension.” Further, the document affirms that marriage “also points to the saving love of God” and “is open to a still deeper sacramentality within the life and communion of Christ’s own Body.”<sup>10</sup> Against the horizon of consensus on the “nature and meaning of Christian marriage,”<sup>11</sup> ARCIC observes a certain differentiation in Anglican and Catholic interpretations of the sacramentality of marriage. Differing interpretations and emphases have “given rise to differing understandings of the conditions under which the sacramentality of a marriage is fulfilled.”<sup>12</sup> Where Catholic theology views the sacrament of marriage as raising up a natural sign of God’s love in the order of redemption, Anglicans regard civil marriage between two Christians as already participating in the sacramental order. Where Catholics emphasize the redemptive role of grace encountered in the sacramental action of the church, Anglican theology and practice underlines the action of God’s grace in the order of creation. These emphases, ARCIC contends, ought to be seen as complementary.<sup>13</sup>

This raises questions for consideration in the present context: Of what are same-sex covenantal bonds a sign within the order of creation? What would a sacramental celebration within the church add to such covenantal bonds?

### 4. Homosexuality

Our churches have affirmed the goodness of human sexuality as ordered toward the gift of self and the creation of life. Our agreed statements have said that it is within the covenant of marriage between husband and wife that the physical expression of sexuality finds its true fulfillment, and in the procreation, care, and upbringing of children that two people together share in the life-giving generosity of God.<sup>14</sup>

Anglicans and Roman Catholics affirm that all persons, including those of homosexual orientation, are made in the divine image and share the full dignity of the human person. We also uphold the importance and significance of friendship and affection among men and women, whether married or

<sup>8</sup> See Article XXV of the 39 Articles of Religion.

<sup>9</sup> *General Directory for Catechesis* [1997], n. 115).

<sup>10</sup> *Life in Christ*, ¶161.

<sup>11</sup> *Life in Christ*, ¶177.

<sup>12</sup> *Life in Christ*, ¶162.

<sup>13</sup> *Life in Christ*, ¶162.

<sup>14</sup> *Life in Christ*, ¶155-58.

single. In *Life in Christ*, our churches have both rejected the claim that homosexual relationships and married relationships are morally equivalent and equally capable of expressing the right ordering and use of the sexual drive.<sup>15</sup>

### III. SOME QUESTIONS AND POSSIBLE IMPLICATIONS

In a spirit of love and friendship this dialogue commission—which includes both Catholics and Anglicans—was invited into the Anglican Church of Canada’s discernment about changing its canonical definition of marriage. For one church to invite an ecumenical partner into an internal discussion of this kind is an extraordinary gesture of deep trust between our churches. We are grateful to be given an opportunity to be able to offer this contribution.

In light of the communion we share, there is no such thing as an entirely unilateral decision or action; what one church does has consequences for the other. In this spirit the Anglican-Roman Catholic Dialogue of Canada invites the Anglican Church of Canada to consider the following questions, clustered in two categories: moral teaching and ecclesiological considerations.

#### 1. Moral Teaching

- The Roman Catholic Church holds a firm position on homosexuality, which is set out, for example, in the *Catechism of the Catholic Church* (see numbers 2357-2359). It has a clear teaching on marriage as being exclusively between a man and a woman, and Anglicans and Roman Catholics have agreed on that until now. Given this past agreement, Roman Catholics are left to wonder what has changed, such that our previous common understanding of marriage is now in doubt. If same-sex marriage becomes possible in the Anglican Church of Canada, what then becomes of the enduring meaning or value of the distinction between male and female, and of procreation as one of the ends of marriage? How would the distinctiveness be maintained?
- Anglicans, in the context of dialogue with Roman Catholics, would ask whether there was a pastoral response between offering no ecclesial affirmation of same-sex relationships and changing the definition of marriage to include same-sex relationships. Is there a way of maintaining the traditional teaching on marriage while finding ways to honour the good in homosexual relationships?
- ARCIC speaks of Tradition as the dynamic transmission of apostolic faith from one generation to the next, but stresses that all new expressions of the Gospel message “must be consonant with the apostolic witness recorded in the Scriptures.”<sup>16</sup> The church is “constantly to measure its teaching, preaching and action against the Scriptures.”<sup>17</sup> Roman Catholic teaching interprets the Scriptures as offering a clear teaching about human sexuality and marriage. How would a change in the definition of marriage be in continuity with this apostolic witness?

#### 2. Ecclesiological Considerations

Anglicans and Roman Catholics have addressed the discernment of moral questions in the past, and continue to address this question in the present work of ARCIC. As dialogue participants, our

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<sup>15</sup> *Life in Christ*, ¶187.

<sup>16</sup> *The Gift of Authority*, ¶15.

<sup>17</sup> *The Gift of Authority*, ¶15.

understanding of the process by which the Anglican Church of Canada is discerning this matter evokes concerns about sources of authority, the nature of the theological discernment, the role of bishops in safeguarding apostolic faith, the duration of the discernment, the sense of faith, and wider ecclesial relationships.

- To the traditional Anglican sources of authority of Scripture, tradition, and reason is sometimes added experience. Roman Catholics are asking how these various sources of authority are weighted in comparison to each other, if they are applied consistently, and if wider cultural influences are being considered in proportion to the witness of Scripture and apostolic teaching. How does a church differentiate between cultural changes that encompass truth from those of which we may need to be more cautious?
- Concerning the nature of theological discernment, both Anglicans and Roman Catholics in the dialogue have questions. Anglicans wrestle with how they are giving adequate theological underpinnings to the process while respecting the synodal structures. Catholics would ask whether detailed biblical and theological study have preceded decision-making on this question. They have not heard a cogent rationale to explain how a possible change in the doctrine of marriage would be a true reflection of the apostolic faith and of the sense of faith of the whole church.
- Through ARCIC Anglicans and Roman Catholics have agreed that bishops are responsible for assuring continuity of the apostolic faith, and that the teaching authority of bishops, including primatial and collegial dimensions of episcopal ministry, is intended to ensure the unity of the church in continuity with the church through the ages.<sup>18</sup> Where is that understanding of the episcopate evidenced in the Anglican synodal process as it addresses the possibility of changing the marriage canon?
- The relatively rapid pace of this synodal process is worrisome for Roman Catholics, given the gravity of this potential doctrinal change and its implications for the daily living of Christian faith, for Christian anthropology, and for ecumenical relations.
- From the perspective of the Anglican Church of Canada, the synodal process is seen as a sufficient means of discerning the sense of the faithful (*sensus fidelium*). Catholics would ask whether the discernment process truly reflects the *sensus fidelium* of its members. The same question may be raised by Anglicans elsewhere in the Communion or even within Canada.
- ARCIC has dealt extensively with the interdependence of churches as constitutive of the *koinonia* in which they share. “The mutual interdependence of all the churches is integral to the reality of the Church as God wills it to be. No local church that participates in the living Tradition can regard itself as self-sufficient.”<sup>19</sup> To what extent does the Anglican Church of Canada give consideration to its responsibilities as part of a wider communion of churches, and as part of the universal Church, and what role does this self-understanding play when making significant decisions? The St. Michael Report also raised this question for Anglicans in 2005: “Is it theologically and doctrinally responsible for one member church of the Communion to approve a course of action which it has reason to believe may be

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<sup>18</sup> International Anglican-Roman Catholic Commission for Unity and Mission, “Ecclesiological Reflections on the Current Situation in the Anglican Communion in the Light of ARCIC” (2004), ¶¶33-34.

<sup>19</sup> *The Gift of Authority*, ¶37.

destructive of the unity of the Communion?"<sup>20</sup> How much impairment of communion with other Anglicans (throughout the Communion) is the Anglican Church of Canada willing to bear?

### 3. Ecumenical Implications

The Second Vatican Council's Decree on Ecumenism noted that among the communions who separated from Rome "in which Catholic traditions and institutions in part continue to exist, the Anglican Communion occupies a special place."<sup>21</sup> This affirmation rests on the recognition of the many "catholic traditions and institutions" which have continued to exist within the Anglican Communion, and which have their roots in our common patrimony. A common understanding of marriage is an important aspect of the real but incomplete communion in which Anglicans and Catholics share.

The Anglican Church of Canada has given priority to ecumenical relations and taken its ecumenical commitments seriously. The invitation to ecumenical partners to contribute to its discernment about the marriage canon is an indication of that commitment. Any divergence on the doctrine of Christian marriage, which our dialogue has until now presented as a matter of fundamental convergence, would weaken the very basis of our existing communion, and weaken the foundations upon which we have sought to build towards fuller ecclesial communion. It would have profound consequences for our common understanding on matters of ecclesiology and discernment in communion. Not only would it signify a new obstacle on the road to full visible unity between us, it would also put at risk the fuller reception of the consensus and convergence that has been achieved through the years, raising questions about the level of awareness and authority that past agreements carry, and abrading the ecclesial trust between us.

Because it touches both the sacramental life of the church and our basic understanding of who we are as human beings, such an emerging difference would be felt deeply in our parishes and on all levels of our relationship. It would diminish our ability to give common witness to our faith, and reduce the sphere in which we could engage in common mission.

Catholics would also regret any further fragmenting and "impairment of communion" within the Anglican Communion on questions of doctrine and sacramental life, a concern also shared by many within the Anglican Church of Canada.

Our two churches have experienced similar challenges in our relationship in the past. We continue to differ on questions such as the ordination of women, the remarriage of divorced people, and the exercise of authority. Despite these differences, we have remained in dialogue, and seek to continue to give living expression to the reality that "what unites us is much greater than what divides us."<sup>22</sup> It would be our desire that we would continue to be engaged in dialogue, both in our bilateral conversations between theologians and bishops, and in the multilateral relations we are both a part of. But we would grieve the weakening of our communion and the diminishment of our common life. The understanding of human personhood and of human sexuality in relation to the expression and fulfilment of human dignity by persons created in the image and likeness of God is one that we recognize as requiring urgent attention and dialogue as our communions seek to welcome and pastorally minister to homosexual persons with sensitivity and respect.

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<sup>20</sup> St. Michael Report, 16.

<sup>21</sup> *Unitatis Redintegratio*, ¶13.

<sup>22</sup> *Ut Unum Sint*, ¶20.



One immediate and practical consequence of the Anglican Church of Canada proceeding with the authorization of same-sex marriages would be a necessary revisiting of our *Pastoral Guidelines for Inter-church Marriages Between Anglicans and Roman Catholics in Canada*, which were jointly produced in 1987 and based on what was then our common understanding of marriage.

Whatever the outcome of the Anglican Church of Canada's discernment on this question, be assured of this dialogue's continuing prayer that we might be led "into all truth,"<sup>23</sup> and of our commitment to place ourselves at the service of our Lord's prayer and desire that his disciples be one.<sup>24</sup>

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<sup>23</sup> John 16:13.

<sup>24</sup> John 17:21.