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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.

Legislative History

Author: A050 Task Force on the Study of Marriage
Originating House: House of Bishops
Originating Committee: Special Legislative Committee on Marriage

House of Bishops

The House of Bishops Special Committee on Marriage presented its Report #2 on Resolution A036 (Amend Canon I.18 Marriage) and moved adoption with amendment.

Original Text of Resolution:

(A036)

Resolved, the House of Deputies concurring, 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 no less than 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, and shall require the couple to sign a declaration attesting

(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 rights, duties, and responsibilities of marriage as embodied in the marriage vows: that the covenant of marriage is unconditional, mutual, exclusive, faithful, and lifelong; and

(d) that both parties understand these duties and responsibilities, and engage to make the utmost effort, with the help of God and the support of the community, to accept and perform them.

~~Sec. 4. It shall be within the discretion of any Member of the Clergy of this Church to decline to solemnize any marriage.~~

Sec. 4. 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. 5. A Member of the Clergy may pronounce a blessing upon a civil marriage using the liturgical forms authorized by this Church.

~~Sec. 4~~Sec. 6. It shall be within the discretion of any Member of the Clergy of this Church to decline to solemnize *or bless* any marriage.

Committee Amendment:

Resolved, the House of Deputies concurring, 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 no less than 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 days¹~~

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, and shall require the couple to sign a declaration attesting:

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 as embodied in the marriage vows: that the covenant of marriage is unconditional, mutual, exclusive, faithful, and lifelong; and

(d) that both parties understand these duties and responsibilities, and engage to make the utmost effort, with the help of God and the support of the community, to accept and perform them.

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. 4. It shall be within the discretion of any Member of the Clergy of this Church to decline to solemnize any marriage:~~

~~Sec. 4. 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. 5. Sec. 6.~~ A Member of the Clergy may pronounce a blessing upon a civil marriage using any of the liturgical forms authorized by this Church.

~~Sec. 4. Sec. 6. 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.

Proposed Substitute:

The Rt. Rev. Daniel Martins, Bishop of Springfield, moved to substitute the language of Minority Report #1 for the entire resolution.

A Roll Call vote was requested.

The Rt. Rev. Pierre W. Whalon, Bishop of the Convocation of Episcopal Churches in Europe, moved to challenge the Chair's ruling that the Substitute motion was in order.

The question on the Whalon motion was called.

Motion carried

The vote was taken.

Motion carried

Chair overruled

The Rt. Rev. George Wayne Smith, Bishop of Missouri, moved to amend the resolution.

Proposed Amendment:

Replace the Declaration of Intention with: "***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 two people, as set forth in the rites of this church. We believe that the union of two people 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's and, when it is "God's will, for the procreation of children and their nurture in the knowledge and love of the Lord. And we do engage ourselves, so far as in us lives, to make our utmost effort to establish this relationship and to seek God's help thereto."***

The Rt. Rev. William Lambert, Bishop of Eau Claire, moved to amend the amendment.

Proposed Amendment:

Change "procreation" to "*gift and heritage of children.*"

Motion carried

Amendment adopted

The Rt. Rev. Robert O'Neill, Bishop of Colorado, moved to amend the amendment.

Proposed Amendment:

Substitute "*marriage*" for "Holy Matrimony."

The question was called.

Motion carried

Debate terminated

A vote was taken on the amendment.

Motion defeated

Amendment defeated

The question was called.

Motion carried

Debate terminated

A vote was taken on the amendment.

Motion defeated

Amendment defeated

A Roll Call vote was requested on the main motion.

Rt. Rev. Bavi Rivera, Bishop of Eastern Oregon, moved to amend the resolution.

Proposed Amendment:

In Section 6, delete "member of the clergy" and add "*Bishop or Priest.*"

Motion carried

Amendment adopted

Rt. Rev. Kirk Smith, Bishop of Arizona, moved to amend the resolution.

Proposed Amendment:

In the Declaration of Intention in Section 4, replace "God's purpose" with "*the sacrament of marriage*".

The question was called.

Motion carried

Debate terminated

A vote was taken on the amendment.

Motion defeated

Amendment defeated

The question was called.

Motion carried

Debate terminated

Prayers were offered by Chaplain Spellers prior to voting.

A roll call vote was taken on A036 as amended (See Appendix 1, Day 5).

Results of Roll Call:

129 Yes

26 No

5 Abstain

Resolution adopted with amendment

Motion carried

(Communicated to the House of Deputies in HB Message #105)

House of Deputies

The House of Deputies Special Legislative Committee on Marriage presented its Report #2 on HB Message #105 on Resolution A036 (Amend Canon I.18 Marriage) and moved concurrence.

Point of Order

Deputy Garno of Albany, on behalf of the deputations of Albany, Central Florida, Springfield, Dallas, and the Dominican Republic, called for a Vote by Orders. The President asked the chair of the deputation of Springfield to verify that the lay and clerical orders had called for a Vote by Orders. Deputy Babb of Springfield verified that that was so. The President asked the chair of the deputation of Central Florida to verify that the lay and clerical orders had called for a Vote by Orders. Deputy Bartle of Central Florida verified that that was so. The President asked the chair of the deputation of Albany to verify that the lay and clerical orders had called for a Vote by Orders. Deputy Collum of Albany verified that that was so. The President asked the chair of the deputation of Dallas to verify that the lay and clerical orders had called for a Vote by Orders. Deputy Michie of Dallas verified that that was so. The President asked the chair of the deputation of the Dominican Republic to verify that the lay and clerical orders had called for a Vote by Orders. Deputy Márquez of the Dominican Republic verified that that was so.

Deputy Milligan of Iowa moved to amend the resolution.

Proposed Amendment:

Amend Section 4 to read:

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.>

<We (names) desiring to receive the blessing of Holy Matrimony in the Church do solemnly declare that we hold marriage to be a life-long union between two people; a union of heart, body and mind, intended by God for their mutual joy, for the help and comfort given to one another 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 the Lord. And we engage ourselves, so far as in us lies, to make our utmost effort to establish this relationship and to seek God's help thereto.>

Deputy King of Western New York moved to end debate on the amendment. An electronic vote was taken on the motion.

Motion carried

Debate terminated

An electronic vote was taken on the amendment.

Motion defeated

Amendment defeated

The President declared that the time for debate had ended. The President called on the Chaplain for prayer.

Ballot #1 - Vote by Orders

A Vote by Orders was taken on Resolution A036.

Ballot #1 taken by orders

Results of Ballot #1: Vote By Orders of Resolution A036

The Secretary read the results of Ballot #1.

Type	Total	Necessary	Yes	No	Divided	No+Divided	Result
Lay:	109	55	91	12	6	18	Carried
Clergy:	110	56	87	16	7	23	Carried

Motion carried

The House concurred

(Communicated to the House of Bishops in HD Message #189)

Resolution Concurred by Both Houses, July 1.

Source Document:

[The House of Bishops, Minority Report #1](#)

Source Citation: <http://www.generalconvention.org/publications/journal-2015>. Last accessed 09/27/2016.

Abstract:

The 78th General Convention amends Canon 1.18 to regulate the celebration and blessing of marriage and to permit the union of any couple so long as the marriage shall conform to civil and canon law.

Notes:

The Committee was discharged of resolutions C024 and C026 in favor of 2015-A036.

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