

Ad Clerum 1.9

Remarriage and admission to Holy Orders [Clergy (ordination) Measure]

Under the Clergy (Ordination) Measure 1990 it is possible for diocesan bishops at their discretion to make application to the archbishop of the province for an Archbishops' Faculty under Canon C4 (paragraph 3A). The granting of a faculty will allow for the removal of the impediment imposed by canon law to the admission into holy orders of a person who has remarried and has a former spouse still living, or who is married to a person who has been previously married and whose former spouse is still living.

1. In their 1999 teaching document *Marriage* the House of Bishops affirmed that "Marriage is a pattern that God has given in creation, deeply rooted in social instincts, through which a man and a woman may learn love together over the course of their lives." The then archbishops noted that "Lifelong marriage itself represents an unchanging ideal, and one which is the bedrock of a rapidly changing society."

2. The House also explored the Church of England's approach to the pastoral and other issues that arise when, sadly, marriages break down. It noted that, "The scope of God's holiness is the scope of his mercy, and the more we are ready to open ourselves to the demand, the more we will know of his generosity, forgiving us where we have failed and granting us success where we thought we were bound to fail."

3. Those called to serve the Church in holy orders are expected to be an example of godly living to those among whom they minister. Before people are selected for training with a view to ordination they are required to give information and assurances about their personal lives and, where relevant, marital history.

4. Where the potential ordinand has remarried and has a former spouse still living, or who is married to a person who has been previously married and whose former spouse is still living.

either remarried, the diocesan bishop will explore in each case issues that include distance in time, relationship and place from the previous marriage, the absence of circumstances that might give rise to scandal, the fulfilment of all obligations to a former spouse and family and the stability of the current marriage. Applications are not normally entertained when the current marriage is less than three years old

5. In each case dispensation is subject to the issue of a faculty by the Archbishop of the Province on application by the relevant diocesan bishop. The Archbishops' guidelines in relation to applications for faculties under Canon C 4.3 were last amended in 2004. They stress that 'great care must be taken ... when exceptions are made to the general rule in Canon C 4.3 to ensure that the Christian ideal itself is not obscured'.

6. The procedure for making application is as follows. The DDO has copies of a form which asks for full details of the previous marriage, as well as of the second marriage, and the history of the marriages. The names of referees are required, including someone who knew the circumstances surrounding the break-up of the first marriage and someone who knows about the character and quality of the second marriage. The forms are then submitted to the diocesan bishop, who will ask a designated bishop's representative to investigate.

7. The representative will study the references and will be expected to interview the referees personally, as well as the applicant and his or her spouse, and the former spouse of the first marriage. Permission may also be sought from the applicant to interview others who have any knowledge of either or both marriages. The representative sends a written report to the diocesan bishop (no application may be processed during a vacancy-in-See), with recommendations as to the bishop's response to the application. Following this the bishop will interview the applicant and his or her spouse and will decide whether to make application to the archbishop for a faculty. The diocesan bishop will then inform the applicant of his decision.

8. If the bishop decides to make an application, he submits it to the archbishop in accordance with a set form, giving his reasons and the results of his investigations. The archbishop may make further inquiries and will eventually notify the bishop whether or not he is prepared to issue a faculty. The bishop then notifies the applicant. Only after this may the applicant who is a candidate for ordination begin the process of seeking sponsorship and having his or her call tested through a Bishops' Selection Conference.

9. It will be seen that the process is extensive and thorough. Applicants must be prepared for the fact that it may be painful, as old wounds are reopened and memories revived which can bring distress to both sides of the previous marriage as well as to the present spouse. An application should not therefore be made lightly or without due thought about its possible consequences. Further advice can be given by the DDO.

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