

Re All Saints and St Andrew, Honington with Sapiston

St Edmundsbury and Ipswich Consistory Court: Etherington Ch,

6 March 2017

[2017] ECC SEI 3

Memorial – Star of David

The Commonwealth War Graves Commission (CWGC) petitioned for a faculty permitting the replacement of the memorial over the grave of a South African airman of Jewish descent who had died in an air crash in 1939 flying from RAF Honington. The existing memorial was of the standard CWGC design and bore a cross; the replacement memorial was to bear a Star of David instead. The petition was made on behalf of the family of the deceased. The deceased was buried in the local churchyard alongside his crew, who had died in the same crash. His Jewish heritage had not been appreciated at the time of his burial as a result of his understandable desire to keep it secret at the time in case of capture.

The only issue over which the chancellor had any concern was whether a Star of David should be permitted on a memorial in a consecrated churchyard. There were no objections to the petition. The Diocesan Advisory Committee recommended the works and advised that there was no difficulty in engraving a Star of David on the memorial; Judaism and Christianity were both monotheistic faiths with a shared origin and worshipping the same Godhead. The chancellor did not accept that advice. He concluded that a religious symbol primarily indicative of a faith other than Christianity or of beliefs inconsistent with those of the Church of England may not ordinarily be placed upon a churchyard monument and never without a faculty. Therefore, the image of the Star of David, which is primarily indicative of the Jewish faith, particularly when placed upon the monument of a deceased person, was not ordinarily permissible as a symbol to be placed on a monument in an Anglican churchyard. Nevertheless, these were truly exceptional circumstances. The deceased's family had had no real choice over the location of his burial – he was compelled by circumstances to be buried in a churchyard. He was buried with the remains of those who had died alongside him while fighting for this country, and had been so buried for more than 70 years. The faculty was granted. [RA]

doi:10.1017/S0956618X17001260