



To: The Appellate Tribunal
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7th December 2019

Submission regarding the Primate's Reference under Section 63 of the Constitution

Regarding Blessings of Persons Married According to the Marriage Act 1961 Regulations 2019 (Wangaratta)

We, the Wardens, Clergy and Ministry Unit Councillors of the Good Shepherd Anglican Church Edge Hill, wish to express our views on the three questions referred to the Tribunal by the Primate regarding the above Regulations.

Definitions in this submission:

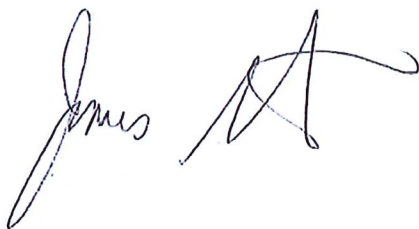
- **'The Regulations'** refer to the synod of the Diocese of Wangaratta's *Blessings of Persons Married According to the Marriage Act 1961 Regulations 2019*
- **'The Church'** refers to the Anglican Church of Australia.
- **'The Constitution'** refers to the Fundamental Declarations and Ruling Principles in the Constitution of the Anglican Church of Australia.
- **'Article'** refers to the 39 Articles of Religion of the Anglican Church.
- **'Doctrine'** refers to a belief or set of beliefs held or taught by the Anglican Church of Australia ('the Church').

We submit the following:

1. The Church holds doctrines regarding marriage, which are clear and unambiguous. For instance, 'The doctrine of this Church is that marriage is a lifelong union between a man and a woman' (Bishops of the Anglican Church of Australia, Response to Recent Changes in the Marriage Act, 2018).
2. Similarly, General Synod in 2017 passed the motion that 'marriage is between a man and woman...' and 'notes with regret that this step' [of the Scottish Episcopal Church to allow clergy to marry same-sex couples] is 'contrary to the doctrine of our Church and the teaching of Christ.'
3. The Regulations seek to 'bless', that is, convey 'God's favour' (Rev Canon Dorothy Lee - submission to the synod of Wangaratta), on same-sex unions, which according to General Synod are 'contrary to the doctrine of the Church and the teaching of Christ'.
4. The Regulations are therefore 'a departure from the doctrine of the Church.'

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5. It is clear from Scripture that God does not bless what is contrary to his will and commands. Instead, we read: 'See I am setting before you today a blessing and a curse – the blessing if you obey the commands of the Lord your God...the curse if you disobey.' (Deuteronomy 11:26-28)
6. There are no positive references to same-sex sexual practice in the Bible.
7. Instead, there are clear prohibitions and adverse consequences of such practice in Scripture, most notably in Leviticus, Romans, 1 Corinthians and 1 Timothy. Recent attempts to construct a less negative Biblical view of same-sex relationships, by linguistically re-interpreting these passages, fail to take account of the clear affirmation of heterosexual marriage in Scripture.
8. The normative references to human sexuality and male-female marriage are found in the Creation narratives in Genesis 1 and 2, affirmed by Jesus in Matthew 19:1-12: 'Haven't you read,' he replied, 'that at the beginning the Creator made them male and female, and said, 'For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh.'
9. As the Regulations are seeking to convey God's blessing on a practice that is never approved, but is instead contrary to God's written commands, they are contrary to Article XX, which states that 'it is not lawful for the Church to ordain any thing that is contrary to God's Word written'.
10. By seeking to bless what is prohibited in Scripture, the Regulations are not consistent with the Constitution which, 'receives all the canonical scriptures of the Old and New Testaments as being the ultimate rule and standard of faith', and which accepts the Book of Common Prayer 'together with the Thirty Nine Articles...as the authorised standard of worship and doctrine in this Church.'
11. In summary:
 - a. the Regulations are a departure from the doctrine of the Church;
 - b. they are not consistent with the Constitution;
 - c. they are contrary to the teaching of the canonical scriptures of the Old and New Testaments;
 - d. they are contrary to Article XX of the Anglican Church.
12. So based on a plain and factual reading of the doctrine of the Church, the Constitution, the teaching of the canonical scriptures, and the Articles, the answers to the questions from the Primate regarding the legitimacy of the Regulations are 'No', 'No' and 'No'.



Dr James Sartain, Churchwarden,
on behalf of the Wardens, Clergy and Ministry Unit Councillors of the Good Shepherd Anglican Church
Edge Hill.

The Ministry Unit Council of Ross River Anglican Church, Townsville, has also given its support to this submission.

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